

TITLE PAGE

Number of tables: 1; **number of appendices:** 3

Manuscript title:

An analysis of how lobbying by the alcohol industry has **eroded** the French Evin Law since 1991

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Grant support:

Ana Millot is funded by *Association Addictions France* and the *French National Cancer institute* (FELITAF grant; TABAC18-006_FP).

ABSTRACT

Objective

The French Evin Law was **passed** in 1991 to prohibit alcohol advertising in media from targeting young people and to regulate content in authorized media. This research analyzes how lobbying by the alcohol industry has undermined this law over the last 30 years.

Method

A narrative approach, consisting of the collection and analysis of semi-structured interviews with persons who recount their experience and offer interpretation was used to analyze lobbying by the AI against the Evin Law from 1991 to 2020. We conducted 18 interviews with French **key informants** involved in implementing and/or changing the Evin Law (including founders of the law) **to explore strategies and arguments employed by the alcohol industry. An established framework of corporate political activity specific to the alcohol industry was used to classify the findings.**

Results

The industry tactics and arguments identified in this research were found to be similar to those in other countries, however some were specific to France, such as highlighting winegrowing as central to French culture, and the integration of the wine industry into decision-making bodies, alliances with parliamentarians, and circumventions of the law. These specific features may be explained by the age of the Evin Law (30 years), and the economic weight of alcohol and wine at the heart of French culture.

Conclusion

The Evin Law has been continuously weakened since its initial implementation. This research analyzes for the first time the long-term lobbying strategies and arguments that have been used to **erode** it. The results are useful for other countries that have implemented alcohol marketing

regulations to help anticipate tactics and arguments deployed by the alcohol industry to weaken them.

Keywords: lobbying, Evin Law, alcohol marketing regulations, alcohol industry

INTRODUCTION

Every year, alcohol consumption causes 3 million deaths and numerous diseases worldwide (WHO, 2018, p. 63-64). In France, it is the second cause of avoidable mortality (41,000 alcohol-attributable deaths in 2015) (Bonaldi & Hill, 2019).

To curb these harmful effects, France has adopted different measures including the progressive Evin Law that has regulated alcohol marketing since 1991 (République Française, 1991). More than 50 countries worldwide have since followed this example and introduced alcohol advertising bans (WHO, 2018, p. 105).

The Evin Law applies to any beverages containing more than 1.2% alcohol by volume and comprises three measures. The first measure stipulates that alcohol advertising through media targeting young people is prohibited, but authorized in so-called “less” intrusive media. Thus alcohol advertising is permitted under the following circumstances: in newspapers aimed at adults; on the radio between midnight and 7 am on Wednesdays, and between 12 am and 5 pm on other weekdays; on billboards in alcohol production areas and sale settings; online (Internet and apps, except when young people are targeted and provided that the ads are not intrusive); inside sales outlets (with a maximum sign requirement of 0.35 m² and at tasting events such as wine fairs); on leaflets and mail flyers; on alcohol delivery vehicles; at special events (traditional markets, etc.); at wine museums; and on objects used for alcohol consumption (e.g., glasses). Any medium not listed in the law is strictly forbidden. The second measure of the law regulates advertising content in authorized situations, stating that advertising content must contain only factual/informative data and objective qualities of alcohol products. All advertisements aiming to present alcohol as related to pleasure, glamour, success, sex or sport are forbidden. The third and final measure requires the warning message “alcohol abuse is dangerous for health” to be included at the bottom of all alcohol advertisements.

The Evin Law was adopted in 1991, well before much scientific evidence for the influence of marketing of alcohol products on behaviors was available (Finan et al., 2020). It was championed by five professors of medicine with strong media exposure who collaborated with Minister of Health Claude Evin, after whom the law was named (Berlivet, 2013). **Since its adoption, this law has been weakened in favor of commercial interests, as illustrated in the four following examples** (Gallopel-Morvan et al., 2017):

1) In 1991, billboard advertisements were limited to production areas and sale settings. This restriction was overturned in 1994 and thus billboards were once again authorized everywhere in France, including on streets and in subways (République Française, 1994);

2) In 2005, it was once again allowed to feature human factors (e.g. producers, sellers, barmaids) in ads for “place of origin” alcohols, and this comprises a wide range of products originating from a specific region or country (such as wine from France, or whisky from Scotland) (République Française, 2005);

3) Online alcohol advertising was allowed in 2009 (République Française, 2009), even though it is a medium widely used by young people;

4) By 2016, alcoholic drinks with a “certification of quality and origin and linked to a production region or to cultural, gastronomic or regional heritage” (e.g. wine produced in France, vodka in Russia, whisky in Scotland) were no longer covered by the Evin Law. Thus, it is now permitted to use banned media (as per the original law) for providing information about these products (République Française, 2016).

The aim of this research was to analyze the lobbying strategies and arguments used by the alcohol industry (AI) to undermine the Evin Law since 1991. By AI, we mean “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses” as proposed by Savell et al. (2016).

Our study will add new insights to the literature on lobbying by the AI to combat alcohol marketing regulations worldwide.

Firstly, to our knowledge, no research has been conducted over a long-term period, after decades of implementation of regulation laws. However, such studies are crucial as they will help understand how lobbying by the AI evolves, and how countries can anticipate and forestall the long-term lobbying tactics of alcohol firms. **Previous research on the lobbying of the AI against marketing regulations** in other countries have been conducted at the project stage and/or at the beginning of the implementation of anti-alcohol laws: Paukste et al. (2014) explored how the comprehensive ban of alcohol advertising planned in Lithuania in 2012 was revoked after extensive lobbying by the AI for 13 months; Martino et al. (2017) and Sama and Hiilamo (2019) analyzed the lobbying of the AI in Australia and in Finland, in the context of a marketing law project and the preparation of the Alcohol Act, respectively.

Secondly, from a theoretical perspective, our research sought to determine whether the corporate political strategies model could be enriched by an analysis of lobbying tactics over a long-term period. In the context of alcohol marketing laws, Savell et al.'s research (2016) is a reference model. It has identified five main strategies and five categories of arguments of lobbying developed by the AI to counter advertising regulations. **This framework was used in research conducted** in Australia, Finland, Thailand and Lithuania (Martino et al., 2017; Sama & Hiilamo, 2019; Kaewpramkusol et al., 2019; Paukste et al., 2014). Our study explores whether it also held in France, where the Evin Law was adopted long ago and where wine lies at the heart of the country's culture (Demossier, 2001).

Besides adding insights to the literature on lobbying, our research also reviewed the initial purpose of the Evin Law according to its founders and those involved in its implementation. One of the main arguments used by the AI to combat similar laws is that the French law failed

to reduce alcohol misuse, particularly among young persons (Maani Hessari et al., 2018). However, was that the initial objective of this regulation?

METHOD

Ethical approval for this research was obtained from the Ethical Committee (2016.CE17) of the University Hospital of Brest.

A narrative approach, consisting of the collection and analysis of semi-structured interviews with persons who recount their experience and offer interpretation (Overcash, 2003) was used to analyze lobbying by the AI to undermine the Evin Law from 1991 to 2020.

Eighteen French key informants who had or have a direct or indirect role in implementing and/or changing the law were interviewed: two former Ministers of Health in office during the implementation in 1991 or changes made to the law in 2016, three founders of the law, four representatives of nongovernmental organizations (NGOs) working to oppose AI lobbying, six experts from national public health institutes involved in implementing or changing the law, and three experts from academic associations and institutions (see Appendix 1 for details).

Firstly, founders of the law were contacted and agreed to be interviewed: Claude Evin (Minister of Health, 1988-1991) and three surviving professors of medicine (out of the original five), namely Claude Got, Albert Hirsch, and Gérard Dubois, who campaigned for this law.

Secondly, we interviewed the former Minister of Health, Marisol Touraine, in post during changes to the law made in 2016.

A snowball method was used to identify further key informants. In total we contacted 24 people: 19 from academic associations, NGOs, governments, and national public institutes had been involved in implementing and/or changing the law, and all agreed to be interviewed except one public health expert. Moreover 5 individual from French SAPROs (Social Aspects/Public Relations Organizations) who were involved in debates on the Evin Law and

on alcohol policies (*Vin et Société, Avec Modération!, Brasseurs de France, Vignerons indépendants, Prévention et Modération*) were contacted, **all of whom** declined or failed to answer despite repeated requests. Thus a total of 18 interviews were conducted.

Interviews were conducted face to face, by phone or by video conference. They lasted between 45 minutes and 2 hours.

The interview guide included various topics adapted to the respondent's profile: (i) initial objectives of the Evin Law, (ii) historical perspective of its implementation (for those involved), (iii) the different actors involved in the implementation of, and/or changes, to the law, (iv) lobbying strategies and arguments used by the AI against the law in 1991 and later, (v) opinion on the current version of the law, and (vi) unexpected and unanticipated effects of the law. All the respondents formally consented to being recorded and quoted in future publications except for one who refused to be quoted and another who asked to remain anonymous.

The interviews were recorded, transcribed, and analyzed manually by the two leading authors and using NVivo12 data management software.

Savell et al. (2016) framework, described later, was used to analyze and classify strategies and arguments to weaken the Evin Law mentioned by the key informants interviewed. The classifications and associated transcripts are detailed in Appendices 2 and 3.

RESULTS

Objectives of the Evin Law

The interviewees cited the key reasons for initially designing the law, and these included the reduction of mortality and morbidity associated with alcohol consumption, the need to discourage consumption, and the importance of protecting young people from alcohol advertising. Claude Evin added that beyond reducing mortality and morbidity and discouraging

alcohol consumption, the law also sought to “de-normalize” alcohol in French society. Its purpose was also to support government policy in 1991 (to lower the country’s alcohol consumption) by reducing the attractiveness of alcohol through restricting advertising:

“[This Law] stemmed from a demand for consistency: campaigns to reduce alcohol consumption could not be developed [...] while at the same time allowing messages encouraging alcohol use.” (Claude Evin).

The three other founders of the law stated similar objectives:

“It was designed to say, ‘Warning: alcohol is not like other drinks’.” (Claude Got).

Strategies of the AI to combat the Evin Law in the last 30 years

From the interview analysis, it is clear that the five strategies identified by Savell et al.’s framework were employed, as well as a new sixth strategy. These are outlined and substantiated with examples in Appendix 2, and described here below.

Strategy 1: Supplying information and/or publishing studies favorable to the AI’s interests through direct and/or indirect lobbying

Half of the respondents mentioned that the AI has spread favorable information through direct lobbying and almost all of them mentioned indirect lobbying strategies (17 respondents, 88 occurrences) (Appendix 2, #1 and #2).

Indirect lobbying, i.e. front groups that represent the AI, is conducted by “classical” actors identified by Savell et al. (#2a to #2d), but also through “specific” actors in France (#2e to #2g). “Classical” actors are industry-funded front groups such as *Avec Modération!*, a SAPRO that conducts corporate social responsibility (CSR) campaigns in France, researchers/scientists funded by the AI, and advertising and media companies opposed to marketing regulations. “Specific” actors, particularly active in France according to the respondents, are closely

connected to the winegrowing sector: *Vin et Société* (an association dedicated to wine, cited by 11 respondents as a lobbying group) (#2e) and French deputies and senators who overtly defend wine producers' interests (15 respondents) (#2f). The latter offer a way for the AI to establish industry/government collaboration (#4) and to spread information favorable to the wine sector and more broadly to the alcohol sector. The interviewees explained how the wine-oriented indirect lobbying draws on the positive image of winegrowers in France. One respondent identified a new indirect lobbyist: **an expert patient (a former alcoholic patient, who had completed addiction training) works with the SAPRO *Vin et Société* on its “prevention” campaign about “responsible consumption”. A key informant we interviewed felt that she endorses the lobbying strategies mobilized by the AI (#2g).**

Tactics identified by Savell et al. for disseminating information favorable to the AI were mentioned by some respondents (#5a to #5c): dissemination of research written by the AI that omit evidence on the effectiveness of marketing regulations and/or selected quotations favorable to the alcohol sector that challenge the evidence. Probably reflecting French culture, one respondent mentioned that disseminated information often focused on wine (#5d).

Strategy 2: Creating alliances to give the impression of stronger support of the AI's stance against marketing regulations

Creating alliances with sectors other than alcohol (external constituency building) was cited by half of the interviewees. Three alliances cited by interviewees are also identified in Savell et al.'s model, namely alliances with researchers, advertising, and media agencies (#6a to #6c). Three other external alliances seem more specific to France: alliances with parliamentarians (#6d), expert patients (#6e) (mentioned above) and sports federations (#6f) in favor of alcohol advertising in sports events for economic reasons.

Creating alliances with other alcohol firms (internal constituency building) was cited by five respondents, typically between alcohol manufacturers (#7a, five respondents) and probably more specific to France, between winegrowers (#7b, one respondent).

Strategy 3: Proposing and supporting alternative policies (e.g., voluntary codes, CSR campaigns) instead of marketing regulation laws to curb alcohol consumption

The respondents referred to French CSR campaigns developed by **manufacturers and SAPROs** to target young people, pregnant women and in the context of road safety (e.g. distribution of alcoholmeters in nightclubs) (#8; six interviewees). Self-regulation codes for marketing (instead of a law) were also cited (#9, six respondents). According to most key informants, educational campaigns are not effective and voluntary codes are rarely followed. A new tactic was highlighted in the French context (#11, seven respondents): to reduce the effect of the mandatory warning proposed in the Evin Law (“Alcohol abuse is dangerous for health”), the AI added its own prevention message (“consume in moderation”), which according to some experts interviewed, blurs the meaning of the mandatory message.

Strategy 4: Using the legal system to thwart, weaken or elude marketing regulations

Key informants did not mention “use of litigation” or “shaping international law” identified by Savell et al. However, two new tactics were identified in the French context. The first consists in using the current marketing legislation to weaken its scope (#14, 11 respondents). According to some respondents, the AI attacked the Evin Law and made it more complex and less clear through the years, to ensure it was no longer an obstacle to its advertising. This tactic was effective in **eroding** the law.

The second tactic was to circumvent the law (#15, 15 respondents). The circumventions concern the content of advertisements (#15a), media (#15b), and advertising in sports events

(#15c). It was also mentioned that advertisers and the AI “play with the limits of the law” (#15d) by producing highly creative alcohol ads (#15e). Non-compliance with the Evin Law is cited in targeting young people (#15f) and launching ads for alcohol “alibi” brands (#15g) and non-alcoholic products (widely developed in recent years in France; #15h) that are very similar to “real” alcohol brands.

Strategy 5: Offering direct or indirect monetary incentives to / threatening financial withdrawal from policymakers who are in favor of / against marketing regulations

One key informant referred to a gift (invitation of an MP to a party in a chateau by winegrowers) (#17). Personal threatening attacks, a new tactic highlighted by nine respondents (#18) are considered as an “image” disincentive (pressure on or discredit of the AI among its opponents in favor of marketing regulations): they mentioned insults and criticisms such as public health “ayatollahs” or “moralizing killjoys”.

Strategy 6 (new strategy): Integration of the wine sector into decision-making bodies

We identified a strategy that did not emerge from the literature on the lobbying of the AI against marketing regulations: in France, the AI employed a trojan horse strategy by entering the government machinery via the winegrowing sector specifically, one argued as being central to upholding French culture. This allowed the AI an opportunity to influence decision-making more directly. Some winegrowers have become Members of Parliament in France, a powerful position from which to defend their business interests, including fighting against the Evin Law (#20, also #2f, #6d). For example, a former AI manager joined the French government from 2017 to 2019 (respondents cited Audrey Bourolleau, the former director of the SAPRO *Vin et Société*, who was an agricultural adviser in the French President’s office) (#19).

Arguments used by the AI to combat the Evin Law in the last 30 years

Five arguments similar to those identified in Savell et al.'s framework were highlighted.

Argument 1: Marketing regulation laws are redundant, given the AI's own initiatives (and irrelevant for some alcohol products)

This argument is that the AI is a partner in alcohol prevention issues. The AI portrays itself as a responsible actor (Appendix 3, #4, 3 respondents). It has developed its own advertising self-regulation codes, which it claims are sufficiently effective at protecting the public, (#1, 1 respondent), and promotes a focus on individuals (specifically on youth and pregnant women) which the AI claims to be more effective than advertising regulations (#5, 8 respondents). The AI uses these arguments to conclude that the Evin Law is thus unnecessary.

A novel AI argument emerged from our research: respondents reported that the AI often claims that wine has a positive impact on society through the conviviality it fosters and its "beneficial effects on health" (#6, 13 interviewees). Wine is at the heart of arguments against regulations. The AI and its partners highlight that "wine is not an alcoholic beverage like the others" (#7), that alcohol is an ordinary, legal commodity, so it is "safe" and needs no restrictions (#8) and that moderate consumption of wine can have positive effects on health (#9).

Argument 2: Marketing regulations infringe the legal rights of companies

The AI claims that the Evin Law infringes its legal rights, in particular its "freedom of speech" (#10; 4 interviewees), that this law is disproportionate (#11; 2 interviewees) and that it interferes with the free market economy (#12, 1 respondent).

Two new arguments from the AI emerge from the French context. The first is the claim that the law is abusive, according to the AI (#13, 1 respondent). The second and more often cited

is that the law creates legal insecurity, with journalists fearing being sued if they write about alcohol and wine. This argument led to the most recent change to the Evin Law in 2016 (#14, 5 respondents).

Argument 3: There are negative unintended consequences of marketing regulations

The negative unintended consequences claimed by the AI are primarily economic consequences, and not specific to France: the Evin Law is blamed for financial and job losses for producers, especially winegrowers (#16, 11 respondents). The economic argument also refers to public revenue exports and tourism losses (#18, 12 respondents). Economic losses of associated industries (#19), economic discrimination for producers (#17) and associated firms (#20) were rarely cited.

Arguments specific to France emerged among key informants: the AI claims that the Evin Law harms the weakest alcohol producers (the winegrowers), that it is a liberticidal law, and that it damages the image of French wines abroad because they cannot be promoted (#22).

Argument 4: Alcohol misuse is a complex issue that cannot be solved by marketing regulations

These arguments identified in Savell et al.'s model were not mentioned by interviewees (#23, #24), except that the AI criticized the authoritarian and hygienist health lobbies for banning and/or regulating severely, despite such measures being ineffective in combating alcohol misuse (#25).

Argument 5: There is insufficient evidence of the effectiveness of marketing regulations

According to key informants, the AI claims that advertising regulations do not discourage alcohol consumption (#26a) and that the Evin Law is ineffective because binge drinking has increased in France since its implementation (#26b).

Table 1 summarizes new strategies and arguments that emerged from the interviews of the 18 key informants in the French context of the Evin Law.

DISCUSSION

A growing body of literature reports that the vested interests of the AI restrain the implementation of marketing regulations worldwide (Esser & Jernigan, 2018). As one of the first marketing regulation laws in the world, the Evin Law is considered a model regulation (Babor et al., 2017), yet no research has investigated industry reactions and opposition to it. This work bridges the gap by conducting interviews with 18 French **key informants** (including founders of the Law) to analyze the strategies and arguments developed by the AI since the start of the Evin Law in 1991.

This study finds that the AI has consistently worked to weaken the three core measures of the Evin Law since its inception in 1991. The AI claims that such regulation is useless because it has no effect on alcohol consumption (Maani Hessari et al., 2018). When communicating this argument in international debates, the AI of course omits to mention that the Evin Law has been weakened because of its own lobbying strategies, and misrepresents the initial purposes of the French law. In the view of the individuals involved in designing the Evin Law, the aims were much broader than a narrow set of consumption criteria, and extended to the denormalization of alcohol products, and being in line with the government policy.

Our research also reveals that many of the strategies and arguments of the AI in France to dilute marketing regulations map closely to those found in the literature and as represented in Savell et al.'s framework. For instance, the AI in France argues that moderation is a form of prevention, launches youth-oriented CSR activities, creates alliances with partners beyond its core business, forges direct links with legislators, attempts to undermine scientific evidence

(Martino et al., 2017; Petticrew et al., 2018) and circumvents alcohol advertising restrictions (Kaewpramkusol et al., 2019). However some lobbying tactics appear specific to France, especially as relates to the role of the wine industry and lobby. This finding suggests that alcohol firms “glocalize” their lobbying practices (Svensson, 2001), whereby global lobbying tactics are transferable across different countries, with adaptations to local issues, cultures and periods of time (McCambridge et al., 2018). This strategy can be explained by the fact that alcohol producers (including winegrowers) are integrated worldwide in major global companies (Jernigan, 2009) that “glocalize” their business activities, including corporate political activities (Svensson, 2001).

While the AI has managed to position itself as a key partner in the marketing regulation policy process in many countries (Casswell, 2009; McCambridge et al., 2018), it goes further in France. Alcohol companies seem to develop the “interlocking directorates” practice whereby a member of one company's board also serves on another company's board or in institutions (Hofman & Aalbers, 2017) and to the “revolving door” phenomenon (Robertson et al., 2019) whereby officials move between government and industry positions, many examples of which have been recently reported by the authors (Knai et al., 2021). In France, the AI, and particularly the wine sector, infiltrates national and governmental bodies through deputies, governmental advisors and SAPROs. A relevant example is Audrey Bourolleau, that had been the director of the SAPRO *Vin et Société* from 2012 to 2017, and from 2017 to 2019, she had joined the government of the President Macron as Agriculture, Fisheries, Forestry and Rural Development Advisor. This strategy allows corporate interests to gain access to the heart of the decision-making process and influence debate by stressing the economic issues of marketing regulations to the detriment of public health. This in turn works to undermine public trust in government because of resulting conflicts of interest and weakened public policies (Knai et al., 2021).

This France-specific feature may be explained by the wine-oriented culture (Demossier, 2001) and/or by the electoral pressure on elected representatives of wine-producing regions. In addition, the production of wine has central economic importance as France is the world's second largest wine-producing country and third largest wine exporter (International Organization of Vine and Wine, 2019). It would be interesting to conduct similar research in whisky-, vodka- or beer-oriented countries and explore whether Savell et al.'s model is suitable and/or should be adapted and enriched as is the case for France.

Our study had three main limitations: first, the qualitative narrative approach has some biases due to subjective perceptions and memory problems in this context.

Second, this study was limited by the fact that only public health key informants responded to our invitation for interview. It would have been relevant to compare the views of the 18 key informants with those of alcohol economic actors and partners, however, the main French SAPROs we contacted either declined the interview invitation, or failed to respond. SAPROs' lack of explanation for declining (or non-response) may be explained by the fact that the researcher who contacted them works at the EHESP School of Public Health, well known in France for its studies on alcohol control and its criticism of AI marketing. Future research should analyze the discourse of the French SAPROs on the Evin Law in the media and trade journals.

Third, as we used Savell et al.'s model, we selected their definition of the AI that only includes "large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses" and considers SAPROs as "indirect" actors. Broader definitions exist that include the associated industries (Jernigan, 2009), trade associations and SAPROs (Babor & Robaina, 2013) in the definition of AI, as it funds these bodies. According to these definitions, SAPROs and trade associations could have been considered "direct" actors of lobbying (and not "indirect" as suggested in Savell et al.'s model).

Our study makes several contributions to the literature and public health research and practice. The experience of 30 years of marketing regulation and better knowledge about the AI's work to undermine the Evin Law is valuable for the countries that have recently implemented similar laws (WHO, 2018, p. 105). They can thus more effectively anticipate and monitor AI tactics and arguments to combat and weaken laws. In addition, defining the initial objectives of the Evin Law is important for conducting a meaningful evaluation of such regulations. The effectiveness of the Evin Law and similar laws cannot be measured solely with alcohol consumption indicators. Broader indicators such as alcohol image or social norms about alcohol consumption must be mobilized to assess the effectiveness of such advertising regulations (Knai et al., 2018; Petticrew et al., 2017).

ACKNOWLEDGMENTS

We are grateful to all the key informants who agreed to be interviewed. We dedicate this research to the late Professor Michel Reynaud.

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TABLES

Table 1. New tactics / strategies / arguments emerging in the context of the French Evin Law

Strategies	Tactics
1. Supplying information and/or publishing studies favorable to the AI's interests through direct lobbying and/or indirect lobbying	Indirect lobbying via winegrowing, parliamentarians/politicians, and expert patients Focusing evidence on wine
2. Creating alliances to give the impression of a stronger support of the AI's stance against marketing regulations	External constituency building with parliamentarians/politicians, expert patients, and sport federations Internal constituency building between winegrowers
3. Proposing and supporting alternative policies (e.g., voluntary codes, CSR campaigns), instead of marketing regulation laws to curb alcohol consumption	Adding a message of "moderation" to reduce the effect of the mandatory health warning
4. Using the legal system to thwart, weaken or elude marketing regulations	"Using" the law to weaken its original scope ("eroding" the Evin law) Circumventing the Evin Law
5. Offering direct or indirect monetary incentives to / threatening financial withdrawal from policymakers in favor of / against marketing regulations	"Image" disincentive: personal attacks on opponents
6. Integration of the wine sector in decision-making bodies (NEW)	Infiltrating the government/office of the French President Infiltrating Parliament
Arguments	Examples
1. Marketing regulation laws are redundant, given the AI's initiatives (and irrelevant for some alcohol products)	Wine has a positive impact Wine is not an alcoholic beverage like the others Alcohol is a legal product, therefore safe Moderation is beneficial
2. Marketing regulations infringe the legal rights of companies	The Evin Law is abusive There is a legal insecurity for journalists due to the Evin Law (restricted freedom of speech)
3. There are negative unintended consequences of marketing regulations	The Evin Law harms the weakest: the winegrowers The Evin Law is liberticidal

	The Evin Law gives a bad image of wine abroad
4. Alcohol misuse is a complex issue that cannot be solved by marketing regulations	-
5. There is insufficient evidence of the effectiveness of marketing regulations	-

Appendix 1. Profile of the 18 French key informants interviewed

Name	Position when the interview was conducted	Involvement in the Evin Law	Roles and missions of bodies	Date of interview	Phone vs. video vs. face to face format	Length of interview
Claude Evin	Lawyer.	Minister of Health (May 1988–May 1991) when the Evin Law was adopted. Involved at the beginning of the Evin Law.	<i>Ministère des Solidarités et de la Santé</i> (Ministry of Solidarity and Health) is the French government department responsible for implementing policy in the area of social affairs, solidarity and social cohesion, public health and social protection.	17 June 2016	Face to face, Nantes	1 h 15
Marisol Touraine	Member of the <i>Conseil d'Etat</i> (State Council).	Minister of Health (May 2012–May 2017). In position during the most recent change to the Evin Law (in 2016).		18 December 2017	Face to face, Paris	48 min
Gérard Dubois	Retired.	Professor of medicine, one of the five founders of the Law. Involved at the beginning of the Evin Law.		28 September 2016	Phone	1 h 52
Albert Hirsh	Retired.	Professor of medicine, one of the five founders of the law. Involved at the beginning of the Evin Law and its evolution as administrator of the <i>Ligue contre le cancer</i> (Cancer League).		29 March 2017	Phone	49 min
Claude Got	Retired.	Professor of medicine, one of the five founders of the law. Involved at the beginning of the Evin Law.		20 February 2016	Phone	2 h 04
Alain Rigaud	President of the French national association for the prevention of	Involved in all the changes to the Evin Law as a member of the ANPAA and	<i>Association Addictions France</i> is a French NGO whose mission is to promote and contribute to a	23 September 2016	Face to face, Paris	1h19

	<p>alcoholism and addiction (ANPAA), now named <i>Association Addictions France</i></p> <p>Mediatized key informant regularly writing op-eds in newspapers.</p>	<p>as a mediatized key informant in addictology.</p>	<p>comprehensive policy preventing the risks and consequences of alcoholism and addictive practices.</p> <p>Its advocacy role is important in France. It is the only NGO certified to take legal action for non-compliance with the Evin Law in France.</p>			
Bernard Basset	<p>Vice-president of the French national association for the prevention of alcoholism and addiction, now named <i>Association Addictions France</i>.</p> <p>Mediatized key informant regularly writing op-eds in newspapers.</p>	<p>Involvement in all the changes to the Evin Law as a member of the association and as a mediatized key informant in addictology.</p> <p>Deputy director in charge of the policy for the prevention of addictive behavior from 2000 to 2007, and project leader for regional health projects from 2010 to 2012 at the Ministry of Health.</p>		14 December 2016	Face to face, Rennes	1 h 08
Serge Karsenty⁺	Retired.	<p>Involvement in the most recent changes to the Evin Law as the former president of <i>Alliance Prévention alcool</i> (Alliance for alcohol prevention)</p>	<p><i>Alliance Prévention alcool</i> (Alliance for alcohol prevention) was a French NGO that brought together organizations, NGOs, insurance companies, etc. from 2009 when the law authorized alcohol advertising on the Internet. Its aim was to provide a counterweight to alcohol advertising and to the producers' lobby.</p> <p>It was dissolved in 2015.</p>	22 February 2017	Face to face, Nantes	1h12
Antoine Deutsch	<p>In charge of tobacco and alcohol prevention in the <i>Institut National du Cancer</i> (French national cancer institute).</p>	<p>Indirect involvement in the most recent changes to the Evin Law.</p>	<p><i>Institut National du Cancer</i> (French national cancer institute) is a public interest group responsible for coordinating scientific research and the fight against cancer in France. It is an expert health agency.</p>	27 January 2017	Phone	1 h 15
Elise Riva	<p>Head of office "Prevention of addictions" at the <i>Direction Générale de la Santé</i></p>	<p>Indirect involvement in public health political decisions.</p>	<p><i>Direction Générale de la Santé</i> (Directorate of Health) is one of the general directorates of the French Ministry of solidarity and</p>	13 February 2020	Face to face, Paris	51 min

	(Directorate of Health).		health responsible for preparing public health policy and contributing to its implementation.			
Amel Belaïd	Legal expert at the “Prevention of addictions office” at the <i>Direction Générale de la Santé</i> (Directorate of Health).	Indirect involvement in public health political decisions.		13 February 2020	Face to face, Paris	51 min
Michel Reynaud[†]	President of <i>Fonds Action Addiction</i> (Addiction action fund). Professor of psychiatry and addictology. Mediatized key informant regularly writing op-eds in newspapers criticizing the latest changes to the law.	Indirect involvement in public health political decisions as a mediatized key informant in addictology and president of ‘Addiction action fund’.	<i>Fonds Action Addiction</i> (Addiction action fund) created in 2014 is an independent non-political endowment fund bringing together patients, families, victims, professionals, scientists and associations to help patients, improve responses and develop innovative projects in the field of addiction.	16 March 2020	Videoc onference	1h01
Mickaël Naassila	President of <i>Société française d’alcoologie</i> (SFA, French society of alcoholology). Professor of physiology.	Indirect involvement in public health political decisions as president of the SFA.	<i>SFA</i> is an NGO recognized as being of public utility created in 1978, with the aim of developing alcoholology with a multidisciplinary approach. Its field of action covers prevention, therapy, evaluation, and everything concerning ethyl alcohol. This NGO had mobilized against the modification of the Evin Law in 2004.	17 March 2020	Videoc onference	1 h 16
Nicolas Prisse	President of <i>MILDECA</i> (Inter-ministerial mission for combating drugs and addictions) since 2017. Advisor in charge of public health politics at the Office of the Minister of Health in 2017.	Involvement in the most recent changes to the Evin Law.	<i>Mission interministérielle de lutte contre les drogues et les conduites addictives</i> (MILDECA, Inter-ministerial mission for combating drugs and addictions) is a French body under the authority of the Prime Minister that leads and coordinates the State's actions in the fight against drug abuse.	22 January 2020	Face to face, Paris	52 min
Laurent Chambaud	Director of the <i>Ecole des Hautes Etudes en Santé Publique</i> (EHESP School of public health). Former advisor of the Minister of Health Marisol	Indirect involvement in public health political decisions.	EHESP (<i>Ecole des Hautes Etudes en Santé Publique</i> – EHESP School of public health) is a graduate school for the administrative civil service specialized in the training of public health executives. It contributes to public health research at the	6 January 2020	Face to face, Rennes	56 min

	Touraine between 2012 and 2013.		national and international level. This establishment is placed under the joint supervision of the ministers of health and social affairs, higher education, and research.			
François Bourdillon	Former director of <i>Santé Publique France</i> (Public health France) until July 2019.	Involvement in the most recent changes to the Evin Law as former director of Public health France.	<i>Santé Publique France</i> (Public health France) is a public establishment placed under the supervision of the Ministry of Health. Its main missions are to carry out epidemiological surveillance and health monitoring to identify as early as possible the risks that threaten the health of the population and to participate in the fight against health inequalities through health promotion and prevention strategies.	10 January 2020	Face to face, Paris	1 h 06
Pierre Arwidson	Deputy Director of the prevention department at <i>Santé Publique France</i> (Public health France).	Involvement in the most recent evolutions of the Evin Law as Deputy Director of Public health France.		16 March 2017	Face to face, Paris	56 min
Amine Benyamina	<p>Head of the Department of Psychiatry and Addictology at the Paul Brousse Hospital.</p> <p>President of the <i>Fédération française d'addictologie</i> (FFA, French Federation of Addictology).</p> <p>Editor-in-chief of the <i>Alcoologie et Addictologie</i> (Alcoholology and Addictology) journal (a French peer-reviewed scientific journal).</p> <p>Author of a book on alcohol and lobbying of alcohol firms (Benyamina & Samitier, 2017).</p> <p>Mediatized key informant regularly writing op-eds in newspapers criticizing the latest changes to the law.</p>	Indirect involvement in public health political decisions as a mediatized key informant in addictology and president of the FFA.	<p>The FFA brings together most of the professional associations working in the fields of addiction (alcohol, tobacco, addiction interventions) whose aims are the study, teaching, training and research in the various fields of addictions, the development of structures for prevention, care and rehabilitation.</p> <p>The FFA has been mobilized against the different changes to the Evin Law.</p>	29 April 2020	Phone	43 min

Appendix 2. Strategies of the AI identified in the context of the French Evin Law (based on Savell et al.'s model)

New tactics within each strategy and new strategies that have emerged in France are underscored.

Strategies	Tactics	No. ^a	Examples of transcripts	No. (#)
<p>1. Supplying information and/or publishing studies favorable to the AI's interests through direct lobbying and/or indirect lobbying</p>	<p>Direct lobbying (meetings and correspondence with legislators and policymakers)</p>	<p>13 (9)</p>	<p>“At the time [...], the board met with Alexis Capitant [Director of the SAPRO <i>Avec Modération!</i>] [...]. It was at their request. They'd asked us several times for a meeting to present their association, their approach.” (E. Riva and A. Belaïd)</p> <p>“The cabinet of the Minister of Health, the previous <i>Dircab</i> [chief of staff] I met just before he left [...] told me ‘I've never seen a cabinet assailed by a lobby to that degree, I've never seen that.’” (A. Rigaud)</p>	#1
	<p>Indirect lobbying (using third parties, including front groups, to lobby on the industry's behalf)</p>	<p>88 (17)</p>		#2
	<ul style="list-style-type: none"> • Via front groups 	<p>14 (10)</p>	<p>“They put the spotlight on [...] <i>Vin et Société</i> and <i>Avec moderation!</i> who know very well how to play on their supposed difference, one defending spirits and beer and the other defending wines, so as to make us think their interests are different, but overall there's a very big overlap between these two lobbies, because I'm inclined to think it's the big alcohol firms who are behind <i>Vin et Société</i> just as it's the big alcohol firms who are behind <i>Avec Modération!</i>. Among these big alcohol firms, you've got the big wine concerns: Kering, LVMH, Champagne, and especially Castel who are very discreet but fantastically efficient.” (M. Reynaud)</p>	#2a
	<ul style="list-style-type: none"> • Via researchers/scientists 	<p>4 (3)</p>	<p>“They [the AI] infiltrate all the groups, companies, and foundations who support research.” (A. Benyamina)</p>	#2b
	<ul style="list-style-type: none"> • Via advertising agencies 	<p>5 (3)</p>	<p>“[During the implementation of the law] advertising companies play a very important role: they're right up front among the observers during all the parliamentary sessions.” (C. Got)</p>	#2c
	<ul style="list-style-type: none"> • Via the media 	<p>4 (3)</p>	<p>“[During the implementation of the law] we [health actors] lost part of the law on radio broadcasting [...]. They [radio broadcasters] basically play the same lobbying game as the three private TV channels and the advertising companies.” (C. Got)</p>	#2d
	<ul style="list-style-type: none"> • <u>NEW: via winegrowing</u> 	<p>25 (11)</p>	<p>“It's wine that's emphasized, and the small winegrowers. Even though we know <i>Vin et Société</i> doesn't represent only small winegrowers. [...] It's <i>Vin et Société</i> who are obviously calling the tune and are highlighting the small winegrowers, just like the tobacco industry points up the small tobaccoists, it's exactly the same mechanism.” (B. Basset)</p> <p>“I think it's the winegrowers who give shape to the lobby, in a way. Beer and spirits come after. Because wine is central. I think because they're organized, they're strong, they've got the numbers. Then of course the others come and join the organization, to my mind.” (A. Benyamina)</p> <p>”They put the spotlight on the appealing small winegrower, the soul of France, working the land, putting all his heritage into make good wine [...] and yet behind all that I think it's the big alcohol firms who are calling the tune and reaping most of the benefit.” (M. Reynaud)</p>	#2e

	<ul style="list-style-type: none"> <u>NEW: via parliamentarians/politicians who represent the wine sector</u> 	35 (15)	<p>“The national association of elected representatives for winegrowing and wine, ANEV [...] is a national lobby [...]. It’s the most powerful lobby because it connects winegrowers to politicians, both members of Parliament and local representatives, regional and local councilors in winegrowing areas, Côte d’Or, Aude, etc.” (<i>B. Basset</i>)</p> <p>“It’s complicated with alcohol because of the winegrowing areas represented in Parliament.” (<i>F. Bourdillon</i>)</p> <p>“When the Evin Law went to the vote by the Senate, Claude Got very aptly came up with: ‘It’s not a Senate anymore, it’s a wine cellar.’” (<i>G. Dubois</i>)</p> <p>“I’m fighting those politicians every day, at the National Assembly, the Senators who form very strong groups, influential lobbies [...]. Elected representatives in parliamentary groups defending winegrowers, the national association of elected representatives for wine, etc. are very conspicuous, and very active [...]. They are so strong that their discourse enters political debate [...]. We no longer know who’s doing the lobbying, it’s <i>Vin et Société</i>, and then it’s taken up by certain politicians, and in the end, we don’t know who’s pulling the strings.” (<i>M. Naassila</i>)</p>	#2f
	<ul style="list-style-type: none"> <u>NEW: via expert patients</u> 	1 (1)	<p>“What’s very new recently is the activity of patients, former alcoholics, expert patients who also take position [...]” (<i>M. Naassila</i>)</p>	#2g
	Lobbying (not known whether direct or indirect)	2 (2)	<p>“A lobby that was already extremely strong.” (<i>L. Chambaud</i>)</p>	#3
	Establishing industry/government collaboration (e.g. via working group, technical group, advisory group)/work alongside policymakers providing technical support/advice/policy development or implementation	8 (5)	<p>“The assessment report [of the Evin Law: Berger report, 1999] wasn’t properly done. [...] several participants had obvious conflicts of interest, in particular concerning the issue of TV advertising of beer.” (<i>C. Got</i>)</p> <p>“What completely dumbfounded me was the number of members of that commission and of those in that commission who went on to gain influence and power, it was completely monopolized by the alcohol business, really.” (<i>S. Karsenty</i>)</p> <p>“When the government plan to fight addictions was being submitted [in 2019], we had to wait until the alcohol firms had sent in their report so that the government plan to fight addictions could come out.” (<i>M. Naassila</i>)</p>	#4
	Supplying information in favor of the AI	31 (8)		#5
	<ul style="list-style-type: none"> Adding to the evidence base or shaping its understanding 	26 (7)	<p><u>Dissemination of research/publications</u></p> <p>“Hold so-called scientific meetings under a scientific veneer [...], launch commissioned studies” (<i>L. Chambaud</i>)</p> <p>“They [the AI] tried to set up a clinical trial to demonstrate the beneficial effects of low levels of alcohol consumption, which was above all 80% funded by the alcohol business.” (<i>M. Naassila</i>)</p> <p><u>Omission and selection of evidence</u></p> <p>“They [the AI] are also silent about the fact that no single measure can form a health policy, and that [...] the Evin Law would need additional measures, such as pricing, etc.” (<i>A. Rigaud</i>)</p> <p>“So if you listen to them [the AI], there are only good wines, Registered Designation of Origin, not one word about low-quality wines, even though we know that 50% of the wine drunk in France is low-end, with no geographical certification, or even imported in bulk” (<i>A. Rigaud</i>)</p> <p>“Alcohol firms asked me, ‘Will one molecule of alcohol damage your health?’ I replied that one molecule of strychnine</p>	#5a

			won't kill you, and nor will one molecule of alcohol. But you can't say strychnine is good for your health." (<i>G. Dubois</i>) Drafting reports "Parliamentary reports, you have to know that they are generally drafted by parliamentarians defending the interests of winegrowers and the wine trade. [...] It goes round in circles, because we have the alcohol lobby in Parliament who issue a report saying the Evin Law is ineffective, and this is then seized on by the alcohol lobby outside Parliament, but it's the same lobby." (<i>B. Basset</i>)	
	<ul style="list-style-type: none"> • Challenging nature of evidence 	5 (3)	<p>"So there was all that ignorance or even denial encouraged by the producers, so not all the French population realized the full importance of the issue." (<i>A. Rigaud</i>)</p> <p>"They also try to counter the arguments, for example they address the scientific aspects without always properly reading the studies." (<i>M. Naassila</i>)</p>	#5b
	<ul style="list-style-type: none"> • Give their opinion on governmental report 	4 (4)	"They [the AI] were associated with the prevention program a few years ago, with Agnès Buzyn [former French Health Minister], probably at President Macron's behest." (<i>A. Benyamina</i>)	#5c
	<ul style="list-style-type: none"> • <u>NEW: focusing evidence on wine</u> 	3 (1)	"They bring us back systematically to the wine issue [...]. Because in representations, wine is a drink that is supposedly less harmful than the others." (<i>M. Naassila</i>)	#5d
2. Creating alliances with other sectors and with other alcohol firms to give the impression of a stronger support of the AI's stance against marketing regulations	External constituency building (alliances with other sectors)	17 (9)		#6
	<ul style="list-style-type: none"> • Alliances with researchers 	2 (2)	"They [the AI] called me, they absolutely wanted me to come and discuss it with them." (<i>M. Naassila</i>)	#6a
	<ul style="list-style-type: none"> • Alliances with media 	1 (1)	"The alcohol lobby and the media... knowing that the media were financially dependent on alcohol advertising. And yet most editors took our side. They seem to have taken the opportunity to mark their independence." (<i>G. Dubois</i>)	#6b
	<ul style="list-style-type: none"> • Alliances with advertising agencies 	5 (4)	"[During the implementation of the law] it was the alliance of advertisers and alcohol lobbies." (<i>B. Basset</i>)	#6c
	<ul style="list-style-type: none"> • <u>NEW: Alliances with parliamentarians / elected representatives</u> 	7 (4)	"There are clearly parliamentarians, elected representatives, who are in charge of promoting alcohol and wine at the National Assembly, Parliament and certain local councils." (<i>A. Benyamina</i>)	#6d
	<ul style="list-style-type: none"> • <u>NEW: Alliances with expert patients</u> 	1 (1)	"There has recently been a lot of controversy about [...] the close relations between an expert patient called Madame C, and <i>Vin et Société</i> ." (<i>M. Naassila</i>)	#6e
	<ul style="list-style-type: none"> • <u>NEW: Alliances with sport federations</u> 	1 (1)	"It was both the alcohol lobby and the sports lobby and sports federations." (<i>B. Basset</i>)	#6f
	Internal constituency building (alliances with the alcohol sector)	7 (5)		#7
	<ul style="list-style-type: none"> • Between alcohol manufacturers 	5 (5)	<p>"There's a group in which there's Pernod Ricard, etc." (<i>C. Evin</i>)</p> <p>"There's completely overt lobbying by groups of alcohol firms." (<i>L. Chambaud</i>)</p>	#7a

	<ul style="list-style-type: none"> <u>NEW: Between winegrowers</u> 	2 (1)	“There are lots of winegrowing organizations, such as the unions of each AOC [<i>Appellation d’Origine Contrôlée</i> – Registered Designation of Origin]. So together they form a multipronged lobby.” (A. Rigaud)	#7b
3. Proposing and supporting alternative policies, e.g., voluntary codes, corporate social responsibility (CSR) campaigns instead of marketing regulation laws to curb alcohol consumption	Developing/promoting non regulatory initiative (generally educational programs)	7 (6)	<p>“On the ground, they [the AI] want to say, ‘Right, we do prevention’. They do targeted prevention, only on ‘young people and driving’ [...] and on ‘pregnancy and alcohol’, not on the risks of regular consumption.” (A. Rigaud)</p> <p>“They [the AI] have also published written reports [...] that are no more than covert advertising, for children, of school age.” (A. Benyamina)</p> <p>“They talk all the time about behavior that must be improved, but they’ll never put regulatory measures in place.” (M. Reynaud)</p>	#8
	Developing/promoting (new or existing) voluntary code/self-regulation	7 (6)	<p>“They [the AI] have all the codes of ethics.” (B. Basset)</p> <p>They [the AI] make periodical commitments on the theme, ‘we’re not going to promote alcohol’ and then use unacceptable indirect methods to do so.” (C. Got)</p>	#9
	Developing regulation from scratch and planning implementation	0 (0)		#10
	<u>NEW: Adding a message of ‘moderation’ to reduce the effect of the mandatory health warning</u>	9 (7)	<p>“This injunction ‘consume in moderation’ was added [to the mandatory message ‘alcohol abuse is dangerous for your health’], [...] but was not required by the initial law.” (A. Deutsch)</p> <p>“[Concerning the added injunction of the AI]: ‘Consume’..., no... neither in moderation, nor at all. This was an invention of the marketing people.” (S. Karsenty)</p>	#11
4. Using the legal system to thwart, weaken or elude marketing regulations	Using litigation/raising the prospect of legal action	0 (0)		#12
	Shaping international law	0 (0)		#13
	<u>NEW: “Using” the law to weaken its original scope (‘eroding’ the Evin Law)</u>	29 (11)	<p>“[The AI] weakened it the better to discredit it, and today, it is discredited for being ineffective, without saying that it has been watered down.” (A. Rigaud)</p> <p>“They play on this shift from the original law to say, ‘It’s not clear’, but they were the ones who created all this leeway.” (B. Basset)</p> <p>“No-one is saying, ‘The Evin Law must be repealed’. Even the alcohol business is not saying that. But they are deploying a whole strategy that in the end means [...] that the law is no longer an obstacle [...]. And I find that it is indeed very difficult to counter.” (L. Chambaud)</p> <p>“They [the AI] have taken the Evin Law apart bit by bit.” (M. Reynaud)</p>	#14
	<u>NEW: Circumventing the Evin Law</u>	59 (15)		#15
	<ul style="list-style-type: none"> <u>NEW: on the content</u> 	8 (5)	“Circumventing is having advertising that presents the product appealingly, which I personally wanted to avoid, and so indirectly, it’s the visuals that encourage consumption.” (C. Evin)	#15 a
	<ul style="list-style-type: none"> <u>NEW: on the media</u> 	6 (5)	<p>“Circumventing is more and more widespread, especially with digital supports and the internet.” (A. Rigaud)</p> <p>“I think in any case, massive circumventing occurs in movies [...]. I’m appalled to see that they drink more in movies than in real life [...], more alcohol in films than in real life, I wouldn’t</p>	#15 b

			want to think the production was up to something.” (<i>anonymous</i>) “Covert advertising, that’s advertising in places where the law forbids it.” (<i>A. Benyamina</i>)	
	<ul style="list-style-type: none"> <u>NEW: advertising in sports events</u> 	2 (1)	“Today, it [authorizing ads in sports events] has become a Trojan horse, with big sports clubs asking for it to be re-authorized for their business turnover [...]. We saw it with [...] the European Football Championship.” (<i>A. Rigaud</i>)	#15 c
	<ul style="list-style-type: none"> <u>NEW: “playing with the limits” of the law</u> 	6 (4)	“We knew that the limits of this law would in any case be tested legally [by the AI]. So they’d be constantly trying to pick it apart.” (<i>G. Dubois</i>)	#15 d
	<ul style="list-style-type: none"> <u>NEW: imagination and creativity of advertisers</u> 	8 (7)	“The fact is that permanent research on how to present the product attractively was the initial approach, if I can say that, of the advertising sector especially.” (<i>C. Evin</i>) “It was a law that I think was fairly ambitious in how it saw things. But it very quickly came up against feats of imagination to get round it.” (<i>L. Chambaud</i>) “There’s a lot of creativity used to find the crack and squeeze through it.” (<i>E. Riva and A. Belaïd</i>)	#15 e
	<ul style="list-style-type: none"> <u>NEW: targeting youth</u> 	6 (6)	“There must be a lot of circumventing for young people to keep on being attracted by alcohol.” (<i>A. Deutsch</i>) “When you do studies in young people, you see all the circumventing strategies that are used.” (<i>anonymous</i>) “We’re also concerned about the use of young YouTubers, influencers.” (<i>E. Riva and A. Belaïd</i>)	#15 f
	<ul style="list-style-type: none"> <u>NEW: creation of “alibi” brands</u> 	2 (2)	“It’s covert advertising, especially for example in international sports tournaments. We had the opportunity to see Carlsberg, for example [...] who used the logo, changing its name to advertise the presence of Carlsberg.” (<i>A. Benyamina</i>)	#15 g
	<ul style="list-style-type: none"> <u>NEW: advertising a non-alcoholic product</u> 	2(1)	“Heineken without alcohol is an advertisement for Heineken.” (<i>F. Bourdillon</i>)	#15 h
5. Offering direct or indirect monetary incentives / threatening financial withdrawal to policymakers in favor of / against marketing regulations	Threatening financial withdrawal	0 (0)		#16
	Financial incentive (gifts)	1 (1)	“She [a former female Deputy] told us how she had been invited [by the AI] along with other parliamentarians to little châteaux on the Loire, in Anjou, near Angers, in Touraine, etc., for smart parties.” (<i>A. Rigaud</i>)	#17
	<u>NEW: “Image” disincentive: personal attacks on opponents</u>	13 (9)	“When the response [of the AI] is an insult or a personal attack, I’ve always thought it was a sign of weakness in an adversary [the AI] out of arguments, and that finally victory was near” (<i>G. Dubois</i>) “I knew right then that I’d come in for criticism ...If you’ll excuse my choice of words, ‘She’s a pain in the butt, she shoots at everything that moves, all she can ever do is ban’.” (<i>M. Touraine</i>) “Make us (public health actors) look like ayatollahs, sententious killjoys.” (<i>M. Reynaud</i>)	#18
6. Integration of the wine sector in	<u>NEW: Infiltrating the government/office of the French President</u>	2 (2)	“It’s by the way amazing that a former [employee] of <i>Vin et Société</i> [a SAPRO founded by the AI] is in the President’s office today.” (<i>M. Touraine</i>) “The lobbies, which are very powerful, which have become more and more powerful, to my mind; omnipresent, accepted, tolerated; which have infiltrated all the strata of policy making. It’s remarkable, all the same.” (<i>M. Naassila</i>)	#19

<p>decision-making bodies</p>	<p><u>NEW: Infiltrating Parliament (French National Assembly, French Senate)</u></p>	<p>3 (2)</p>	<p>“We clearly have parliamentarians, elected representatives, who are engaged in promoting alcohol and wine at the National Assembly, Parliament and some local governments. It’s practically the sole pitch of their electoral campaigns. They don’t hide it [...]. There are many winegrowers who are parliamentarians. Most of those I’ve had dealings with, they [...] have as their objective to knock down, if you like, whatever seems to them to be the commercial risks for their product induced by the Evin Law.” (<i>A. Benyamina</i>)</p> <p>“I’m astonished all the same that the wine lobby are in politics. Before, they could talk to politicians, but now I get the impression they’re doing the politics themselves.” (<i>M. Naassila</i>)</p>	<p>#20</p>
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^a Number of occurrences (number of participants mentioning the topic)

Appendix 3. Arguments of the AI identified in the context of the French Evin Law (based on Savell et al.'s model)

New arguments that have emerged in France are underscored.

Frames	Arguments	No. <i>b</i>	Examples of transcripts	No. (#)
1. Marketing regulation laws are redundant , given the AI's initiatives (and irrelevant for some alcohol products)	Industry adheres to own self-regulation codes/self-regulation is working well or is better than formal regulation	1 (1)	"They all have the codes of ethics. [...], they don't follow them, obviously, but they use that to get themselves off the hook." (B. Basset)	#1
	Industry only markets to those of legal age/is actively opposed to minors using product	0 (0)		#2
	Existing regulation is satisfactory/existing regulation is satisfactory, but requires better enforcement	0 (0)		#3
	Industry is responsible (it presents itself as part of the solution)	5 (3)	"That's just what <i>Vin et Société</i> tried to put forward when they said they were partners in prevention." (A. Benyamina)	#4
	Individuals should consume product responsibly/individual-level approach needed	14 (8)	"The foundation <i>Alcoholology Research</i> [funded by the AI] is obviously working on individual vulnerabilities but is not working on what is linked to the product, or on environmental factors." (A. Rigaud) "The claim that 'if we educate people to drink responsibly when young, there won't be any excessive drinking among adults', has obviously never been backed up. No, of course we know it's the other way round." (B. Basset)	#5
	Industry (<u>wine: NEW</u>) has positive impact	45 (13)	<u>Cultural / Conviviality</u> "A French culture linked to alcohol, convivial moments linked to alcohol, they do exist." (A. Deutsch) "Wine is one of the products that make up France's image internationally, alongside luxury products such as perfumes and cosmetics, that's part of the argument we often find." (E. Riva and A. Belaïd) <u>Wine is beneficial for health</u> "Wine is good for your health in small doses'. Well, the more studies we do, the more we know that's untrue." (B. Basset)	#6
	<u>NEW: Wine is not an alcoholic beverage like the others</u>	11 (7)	"All the time there are more and more extreme demands, such as taking wine out of alcoholic beverages and making it a food, like in Spain: that's their dream." (G. Dubois) "Fermented drinks in France are not considered to be alcohol. Wine isn't alcohol." (S. Karsenty)	#7
	<u>NEW: Alcohol is a legal product, therefore safe</u>	2 (2)	"The product [alcohol] is not dangerous and it's legal; if it's dangerous, then ban it'. It's about time to remind them that between unlimited authorization and prohibition there are regulation and control." (G. Dubois)	#8
	<u>NEW: Moderation is beneficial</u>	5 (5)	"On the other side, the lobby consider that moderation can also be a form of prevention, and that alcohol consumed in moderation can quite clearly be part of a healthy lifestyle." (E. Riva and A. Belaïd, DGS) "Today, [...] there's a much more controlled discourse that integrates the need for moderation." (M. Touraine)	#9
	2.	Infringes legal rights of company	5 (4)	"We can easily see the arguments: 'uphold freedom of speech'" (B. Basset)

Marketing regulations infringe the legal rights of companies					“The law is characterized [...] as a law against press freedom because it reduces press revenues.” (C. Evin)	
			Regulation is more extensive than necessary/regulation is disproportionate	3 (2)	“To some extent they’re playacting on the theme, ‘ah! you’ve already done enough; it mustn’t go any further’” (S. Karsenty)	#11
			Interferes with a free market economy	1 (1)	“They [the AI] want us to have as little effect as possible on their marketing freedom and their business growth.” (anonymous)	#12
			<u>NEW: The Evin Law is abusive</u>	1 (1)	“The defense of winegrowing against the Evin Law, accused of being abusive.” (A. Rigaud)	#13
			<u>NEW: There is legal insecurity with the Evin Law</u> (for advertisers, alcohol companies, wine-growing regions, and journalists)	7 (5)	[About the arguments used to obtain the latest changes in 2016 to the Evin Law] “The journalists were always afraid to write about a winegrowing area, a wine, etc. so they felt unsafe. A new argument that proved fruitful, and it even went through a law that wasn’t even a health law.” (anonymous)	#14
3. There are negative and unintended consequences of marketing regulations	Economic	Manufacturers	The cost of compliance for manufacturers will be high/the time required for implementation has been underestimated	0 (0)		#15
			Regulation will result in financial or job losses (among manufacturers)	22 (11)	“The arguments in fact come down to blackmail on jobs.” (A. Hirsch) “The fact there’s an economic sector behind it, that there are workers, winegrowers, families... It’s always the same thing. Those were the arguments put forward in 1990, when the issue was debated in Parliament. They’re still there today.” (C. Evin) “The primary arguments are the economic arguments.” (A. Benyamina)	#16
			The regulation is discriminatory/regulation will not affect all producers/customers equally	1 (1)	“Anne Le Dain [French Deputy] said, ‘Why is it that we see advertising for whisky all the time and not for wines? It’s not normal’ [...]. The law never authorized more advertising for spirits than for other alcoholic drinks... but that’s what she thought...” (S. Karsenty)	#17
		Public revenue	Regulation will cause economic/financial problems (for city, state, country, or economic area)	29 (12)	“Tourism, export trade surplus, I don’t know how much that is, between 10 and 15 billion euros, so they always put forward that argument.” (M. Naassila)	#18
		Associated industries	Regulation will result in financial or job losses (among retailers and other associated industries, e.g. printing, advertising, leisure)	3 (3)	[In the 1990s] “Yes, there were a certain number of reactions, especially in the magazine press, because advertising was a source of revenue for the magazine press.” (C. Evin)	#19
			The regulation is discriminatory, or regulation will not affect all industries equally	1 (1)	[About the introduction of the internet in authorized media in 2009] “One argument was, ‘How is it possible that I can publish something in a newspaper but I can’t do the equivalent on the internet’. It’s archaic.” (anonymous)	#20

	Public health	Regulation will have negative public health consequences	0 (0)		#21
	Other	Regulation could have other negative unintended consequences: <ul style="list-style-type: none"> • NEW: The Evin Law harms the weakest (the winegrower) • NEW: The Evin Law is liberticidal • NEW: The Evin Law gives a bad image of wine abroad 	1 (1) 5 (4) 2 (2)	<p>“The small winegrowers, especially the independent winegrowers, the craftsmen, who make their wine with love like they tend their own vegetable patches.” (A. <i>Rigaud</i>)</p> <p>“The arguments about the French person’s freedom to consume.” (A. <i>Benyamina</i>)</p> <p>“It’s ‘France is a major exporting country, how can we give a bad image to a product that keeps us alive, That’s detrimental to our balance of trade?’” (<i>anonymous</i>)</p>	#22
4. Alcohol misuse is a complex issue that cannot be solved by marketing regulations		Complicated/beyond industry’s control	0 (0)		#23
		Collaboration with industry would be beneficial	0 (0)		#24
		Characterizing policymakers/public health actors as authoritarian/denigrating policymakers and public health actors	9 (4)	<p>“Some lobbies try to make us believe that we [the public health actors] are ayatollahs, etc.” (G. <i>Dubois</i>)</p> <p>“In recent months, in recent years, they [the AI] have been using very strong talk that works very well, setting the censorious hygienists [public health actors] against the epicureans” (M. <i>Naassila</i>)</p>	#25
5. There is insufficient evidence of the effectiveness of marketing regulations		There is insufficient evidence that the proposed policy will work			#26
		<ul style="list-style-type: none"> • Advertising regulation is not effective 	2 (2)	“They said it would be pointless, that banning advertising would be useless, that changes in consumption patterns [in France] showed that nothing had changed.” (S. <i>Karsenty</i>)	#26a
		<ul style="list-style-type: none"> • The Evin Law is ineffective 	3 (3)	<p>“The discourse, overall, is that ‘the Evin Law is ineffective’, though they forget to say that it has been softened up, that billboards have been authorized, the internet, and that social media are still unregulated. ‘So since the law is evidently ineffective, let’s repeal it!’” (A. <i>Rigaud</i>)</p> <p>“One argument used by the detractors of the Evin Law: ‘The Evin Law doesn’t work, there’s binge drinking’” (E. <i>Riva and A. Belaid</i>)</p>	#26b

^b Number of occurrences (number of participants mentioning it)

Dear Dr. Jernigan,

We would like to thank you and the reviewers for providing very helpful comments on our paper (manuscript No. JSAD-D-20-00395) entitled “An analysis of how lobbying by the alcohol industry has eroded the French Evin Law since 1991”. We appreciate the chance to revise our paper and have addressed each of the comments below.

Dr. JERNIGAN COMMENTS

1. Thank you for this excellent submission, which has now been sent to two qualified reviewers and has also been reviewed by me. We would be pleased to accept this paper for publication, provided you will consider and respond to the questions and editorial suggestions of Reviewer #1.

AUTHORS RESPONSE: Thank you for this positive feedback and helpful suggestions offered. We have taken into account all the suggestions expressed, and therefore you will find below our responses. We have highlighted our changes on the article using the red color.

2. In particular, a careful proofreading of the paper ...

AUTHORS RESPONSE: We have carefully reread our article.

3. ...and a clear definition of what is meant by "alcohol industry" would be helpful.

AUTHORS RESPONSE: In accordance with your remark and with the comment of Reviewer#1, we have added to the introduction a definition of what we mean by “alcohol industry”. We used the definition proposed by Savell et al. (2016, page 19) because our analysis is based on this model. According to them “alcohol industry” means “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses”. You will find the changes done **page 5 of our paper**: “By AI, we mean “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses” as proposed by Savell et al. (2016).”

SAPROs (Social aspects and public relations organizations) are not included in Savell et al.’s definition of alcohol industry per se, but are considered by these authors as “groups representing producers” and are included in their analysis as” indirect” actors. We mentioned in the discussion that they are wider definitions of the alcohol industry in the literature (Jernigan, 2009; Babor & Robaina, 2013) that include SAPROs.

4. Please also do not assume that readers are familiar with the Loi Evin and how it has been weakened over time. There are specific examples of these weakenings at the start of the paper; however, comments later and particularly in the appendices suggest that the weakenings have gone beyond what the authors describe.
5. Please be as specific as possible regarding how the law has grown weaker over time, as this is critical to understanding the comments that follow from the interviewees.

AUTHORS RESPONSE: We have added some details and clarifications concerning the Evin Law and its evolution on **pages 4 and 5**:

“The Evin Law applies to any beverages containing more than 1.2% alcohol by volume and comprises three measures. The first measure stipulates that alcohol advertising through media targeting young people is prohibited, but authorized in so-called “less” intrusive media. Thus alcohol advertising is permitted under the following circumstances: in newspapers aimed at adults; on the radio between midnight and 7 am on Wednesdays, and between 12 am and 5 pm on other weekdays; on billboards in alcohol production areas and sale settings; online (Internet and apps, except when young people are targeted and provided that the ads are not intrusive); inside sales outlets (with a maximum sign requirement of 0.35 m² and at tasting events such as wine fairs); on leaflets and mail flyers; on alcohol delivery vehicles; at special events (traditional markets, etc.); at wine museums; and on objects used for alcohol consumption (e.g., glasses). Any medium not listed in the law is strictly forbidden. The second measure of the law regulates advertising content in authorized situations, stating that advertising content must contain only factual/informative data and objective qualities of alcohol products. All advertisements aiming to present alcohol as related to pleasure, glamour, success, sex or sport are forbidden. The third and final measure requires the warning message “alcohol abuse is dangerous for health” to be included at the bottom of all alcohol advertisements.

The Evin Law was adopted in 1991, well before much scientific evidence for the influence of marketing of alcohol products on behaviors was available (Finan et al., 2020). It was championed by five professors of medicine with strong media exposure who collaborated with Minister of Health Claude Evin, after whom the law was named (Berlivet, 2013). Since its adoption, this law has been weakened in favor of commercial interests, as illustrated in the four following examples (Gallopel-Morvan et al., 2017):

1) In 1991, billboard advertisements were limited to production areas and sale settings. This restriction was overturned in 1994 and thus billboards were once again authorized everywhere in France, including on streets and in subways (République Française, 1994);

2) In 2005, it was once again allowed to feature human factors (e.g. producers, sellers, barmaids) in ads for “place of origin” alcohols, and this comprises a wide range of products originating from a specific region or country (such as wine from France, or whisky from Scotland) (République Française, 2005);

3) Online alcohol advertising was allowed in 2009 (République Française, 2009), even though it is a medium widely used by young people;

4) By 2016, alcoholic drinks with a “certification of quality and origin and linked to a production region or to cultural, gastronomic or regional heritage” (e.g. wine produced in France, vodka in Russia, whisky in Scotland) were no longer covered by the Evin Law. Thus, it is now permitted to use banned media (as per the original law) for providing information about these products (République Française, 2016)”.

REVIEWER 1 COMMENTS

6. This is an interesting study which makes an important contribution to the literature on alcohol industry involvement in public policy. I suggest a number of edits and amends which would strengthen the report and improve its potential to secure impact. Overall, the article would benefit from additional proof-reading.

AUTHORS RESPONSE: Thank you for your positive feedback and helpful suggestions offered. We have carefully reread our article.

7. **Abstract:** Objective - Amend "voted in 1991" to "passed in 1991".

AUTHORS RESPONSE: The request for change has been made (see **page 2**): “The French Evin Law was passed in 1991 to prohibit advertising for alcohol in media targeting young people and regulate content in authorized media.”

8. **Abstract:** Results – should the first sentence here be part of methods? That Savell et al's taxonomy was used to guide coding of the interview data?

AUTHORS RESPONSE: This is indeed more relevant in the methodology section. We have modified it (see **page 2**):

“Method. A narrative approach, consisting of the collection and analysis of semi-structured interviews with persons who recount their experience and offer interpretation was used to analyze lobbying by the AI against the Evin Law from 1991 to 2020. We conducted 18 interviews with French key informants involved in implementing and/or changing the Evin Law (including founders of the law) to explore strategies and arguments employed by the alcohol industry. An established framework of corporate political activity specific to the alcohol industry was used to classify the findings.”

9. **Abstract:** Conclusion - I advise changing the word "unravel" to "erode" - as unravel implies that the law has become undone, whereas it is largely still in tact.

AUTHORS RESPONSE: We have made this change throughout our article, as well as for the title (see **pages 1, 2, 11, 23 and 32**).

10. **Introduction:** A definition of the alcohol industry is required - does this working definition include SAPROs?

AUTHORS RESPONSE: We have added to the introduction a definition of what we mean by “alcohol industry”. We used the definition proposed by Savell et al. (2016, page 19) because our analysis is based on this model. According to them “alcohol industry” means “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses”. You will find the changes done **page 5 of our paper**: “By AI, we mean “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses” as proposed by Savell et al. (2016).”

SAPROs (Social aspects and public relations organizations) are not included in Savell et al.’s definition of alcohol industry per se, but are considered by these authors as “groups representing producers” and are included in their analysis as” indirect” actors. We mentioned in the discussion that they are wider definitions of the alcohol industry in the literature (Jernigan, 2009; Babor & Robaina, 2013) that include SAPROs.

11. **Introduction** p.3 - the sentence "the alcohol industry, which has successfully weakened it" needs clarification: it is surely the lawmakers who have amended the legislation, not the alcohol industry per se - who have worked to influence processes and decision-making.

AUTHORS RESPONSE: Thank you for pointing it out. We have made a modification in this regard. We have added this sentence **page 5**: Since its adoption, this law has been weakened in favor of commercial interests, as illustrated in the four following examples (Gallopel-Morvan et al., 2017).”

12. **Introduction** p.4 - the sentence "which now permits the use of media banned in the original law for such beverages" - it would be good to get clarity on what beverages this has affected and what the outcomes have been. For instance, have wine and champagne been affected?

AUTHORS RESPONSE: We have added some clarifications concerning the Evin Law and its evolution on **pages 4 and 5** (see #5). Concerning this specific point, we added these sentences **page 5**: “By 2016, alcoholic drinks with a “certification of quality and origin and linked to a production region or to cultural, gastronomic or regional heritage” (e.g. wine produced in France, vodka in Russia, whisky in Scotland) were no longer covered by the Evin Law. Thus, it is now permitted to use banned media (as per the original law) for providing information about these products (République Française, 2016).”

13. **Introduction** p.4 - the sentence "a report attacked the Evin Law" - this needs clarification: what is a government sponsored report? Who was it sponsored by? Its relevance needs to be clear.

AUTHORS RESPONSE: This is a report drawn up by senators who are members of the working group on sport (see <https://www.senat.fr/basile/visio.do?id=a/presse/cp20200618c.html&idtable=a/presse/cp20200618c.html&c=Evin&rch=gs&de=20190824&au=20200824&dp=1+an&radio=dp&aff=se&tri=p&off=0&afd=ppr&afd=ppl&afd=pjl&afd=cvn>). We have decided to delete this example for space reasons, as this report had no impact on the current law.

14. **Introduction** p.4 - the sentence "Early research was conducted at the project stage...." this needs clarification: research conducted by whom? The authors of this article? Or is this providing an overview of published literature?

AUTHORS RESPONSE: Thank you for your comment. We have added this sentence **page 6**: “Previous research on the lobbying of the AI against marketing regulations in other countries have been conducted at the project stage and/or at the beginning of the implementation of anti-alcohol laws”.

15. **Introduction** p.5 - amend the phrase "this framework was well-suited to framing..." to "This framework was applied to framing".

AUTHORS RESPONSE: The request for change has been made **page 6**: “This framework was used in research conducted in Australia, Finland, Thailand and Lithuania (Martino et al., 2017; Sama & Hiilamo, 2019; Kaewpramusol et al., 2019; Paukste et al., 2014).”

16. **Method** p.6 - There is repetition of the use of Claude Evin's name. Furthermore, I would advise removing names and only describing positions - having the names either in an appendix or in a table only.

AUTHORS RESPONSE: We have been attentive to the repetitions of the name Claude Evin and we have removed names which can indeed be found in Appendix 1 (**page 25**).

17. **Method** p.6 - Did Roselyne Bachelot provide consent for her name to be used in this report in the context of declining to participate in the study?

AUTHORS RESPONSE: No, she had not provided consent. Thus we did not mention her name, we wrote: “[...] all agreed to be interviewed except one public health expert” (**page 7**).

18. **Method** p.6 - need to include a reference for the term Social Aspects/Public Relations Organizations.

AUTHORS RESPONSE: We have added a reference from Babor & Robaina (2013) in the discussion since the “alcohol industry” definition chosen does not include SAPROs. You can find the sentence **page 17**: “Broader definitions exist that include the associated industries (Jernigan, 2009), trade associations and SAPROs (Babor & Robaina, 2013) in the definition of AI, as it funds these bodies.”

19. **Results** p.8 - as per my comment above, I think the application of the Savell et al framework to inform the data analysis should be presented in the method section.

AUTHORS RESPONSE: Savell et al. framework is now presented in the method section. You can find these sentences **page 8 in the method section**: “Savell et al. (2016) framework, described later, was used to analyze and classify strategies and arguments mentioned by the opinion leaders interviewed to weaken the Evin Law. The classifications and associated transcripts are detailed in Appendices 2 and 3.”

20. **Results** p.8 - a clear definition of what constitutes that alcohol industry (as per my recommendation for the introduction) will help the reader to understand what constitutes 'indirect' versus 'direct' lobbying. I would question the use of the term 'indirect' lobbying, as SAPROs are generally included in definitions of the alcohol industry

AUTHORS RESPONSE: We have added to the introduction a definition of what we mean by “alcohol industry”. We used the definition proposed by Savell et al. (2016, page 19) because our analysis is based on this model. According to them “alcohol industry” means “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses”. You will find the changes done **page 5 of our paper**: “By AI, we mean “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses” as proposed by Savell et al. (2016).”

SAPROs (Social aspects and public relations organizations) are not included in Savell et al.’s definition of alcohol industry per se, but are considered by these authors as “groups representing producers” and are included in their analysis as “indirect” actors. We mentioned in the discussion that they are wider definitions of the alcohol industry in the literature (Jernigan, 2009; Babor & Robaina, 2013) that include SAPROs.

We discussed this in **page 17**: “Third, as we used Savell et al.’s model, we selected their definition of the AI that only includes “large multi-national companies and tiny specialist brewers, and both on- and off-trade businesses” and considers SAPROs as “indirect” actors.

Broader definitions exist that include the associated industries (Jernigan, 2009), trade associations and SAPROs (Babor & Robaina, 2013) in the definition of AI, as it funds these bodies. According to these definitions, SAPROs and trade associations could have been considered “direct” actors of lobbying (and not “indirect” as suggested in Savell et al.’s model).”

21. **Results** p.9 - it would be interesting to have more detail on what issues the "expert patients" advocated for - were they supportive of industry arguments?

AUTHORS RESPONSE: A famous expert patient (a former alcoholic patient, who had completed addiction training), Laurence Cottet, works with the French SAPRO “*Vin et Société*” on its “prevention” campaign (see https://www.lepoint.fr/vin/j-etais-alcoolique-et-je-suis-passionnee-d-oenologie-26-03-2019-2303938_581.php). She participates to the CSR campaign of the alcohol industry and spreads the message of a “responsible” consumption, so an interviewee we interviewed considers she endorses the lobbying strategies mobilized by the AI (see **page 10**): “One respondent identified a new indirect lobbyist: an expert patient (a former alcoholic patient, who had completed addiction training) works with the SAPRO *Vin et Société* on its “prevention” campaign about “responsible consumption”. A key informant we interviewed felt that she endorses the lobbying strategies mobilized by the AI. (#2g).”

22. **Results** p.9 - the sentence "respondents mentioned CSR campaigns developed in France by the AI to target young people...." were these campaigns developed by alcohol producers or SAPROs? This is another example where clarity around definitions of the AI is needed.

AUTHORS RESPONSE: These campaigns are, according to the key informants interviewed and in the facts, set up by the manufacturers (for example Pernod-Ricard, Bacardi: <https://pernod-ricard.com/fr/download/file/fid/10697/> and <https://www.rayon-boissons.com/actu-flash/prevention-le-groupe-bacardi-s-offre-rafael-nadal-comme-ambassadeur-d-une-consommation-responsable-16886>) and also by SAPROs (for example *Vin et Société*, or *Prévention et Modération*: <https://www.preventionetmoderation.org/programmes/prevention-de-la-consommation-dalcool-au-volant-avec-lassociation-prevention-routiere>). So CSR campaigns are launched by both actors in France.

Now we use the terms “manufacturers and SAPROs” (**page 11**): “The respondents referred to French CSR campaigns developed by manufacturers and SAPROs to target young people, pregnant women and in the context of road safety (e.g. distribution of alcoholmeters in nightclubs) (#8; six interviewees)”.

23. **Results** p.11 - More detail should be given on the "personal threatening attacks" - what form did these take?

AUTHORS RESPONSE: We have added some details. You can find these changes **page 12**: “Personal threatening attacks, a new tactic highlighted by nine respondents (#18) are considered as an “image” disincentive (pressure on or discredit of the AI among its opponents in favor of marketing regulations): they mentioned insults and criticisms such as public health “ayatollahs” or “sententious killjoys”.”

24. **Results** p.11 - the emergence of the new strategy - integration of the wine sector into decision-making bodies - literature exists on the 'revolving door' for officials who move between government and industry positions - eg Robertson NM, Sacks G, Miller PG. 'The revolving door between government and the alcohol, food and gambling industries in Australia'. It would be good to discuss how this strategy sits within that literature.

AUTHORS RESPONSE: Thank you for mentioning this point. We have discussed this in the discussion by adding elements on **page 16**:

“While the AI has managed to position itself as a key partner in the marketing regulation policy process in many countries (Casswell, 2009; McCambridge et al., 2018), it goes further in France. Alcohol companies seem to develop the “interlocking directorates” practice whereby a member of one company's board also serves on another company's board or in institutions (Hofman & Aalbers, 2017) and to the “revolving door” phenomenon (Robertson et al., 2019) whereby officials move between government and industry positions, many examples of which have been recently reported by the authors (Knai et al., 2021). In France, the AI, and particularly the wine sector, infiltrates national and governmental bodies through deputies, governmental advisors and SAPROs. A relevant example is Audrey Bourolleau, that had been the director of the SAPRO Vin et Société from 2012 to 2017, and from 2017 to 2019, she had joined the government of the President Macron as Agriculture, Fisheries, Forestry and Rural Development Advisor. This strategy allows corporate interests to gain access to the heart of the decision-making process and influence debate by stressing the economic issues of marketing regulations to the detriment of public health. This in turn works to undermine public trust in government because of resulting conflicts of interest and weakened public policies (Knai et al., 2021).”

25. **Discussion:** p.16 - more detail about what reasons the SAPROs gave for not participating in the study would be useful - along with some reflections about potential bias

AUTHORS RESPONSE: We have added some details about what reasons the SAPROs gave for not participating in our study and some reflections about potential bias.

The SAPROs gave no clear reasons for not participating. Three of them did not reply in spite of our reminder, and *Vin et Société* replied yes at the beginning but did not answer us to fix an appointment. Only one categorically told us that he refused to be interviewed because *Avec Modération!* no longer existed and the president (Alexis Capitant) did not feel legitimate to respond (see **Appendix 1 of this document**).

This difficulty in accessing SAPROs may be explained by the fact that the researcher who contacted them (Ana Millot, PhD student under the supervision of KGM) works at the EHESP School of Public Health, and this public research institute is well known for its studies on alcohol control and its criticism of the marketing of the AI (through KGM's works). It may be an explanation because the French SAPRO *Vin et Société* likes creating links with researchers and “*Grandes Ecoles*” when “responsible consumption” is concerned. For instance, *Vin et Société* and KEDGE Business School launch the first research and teaching program (“*chaire*”) dedicated to responsible consumption (<https://kedge.edu/l-ecole/presse/communiqués-de-presse/vin-societe-et-kedge-business-school-lancent-la-premiere-chaire-de-recherche-et-d-enseignement-de-die-e-a-la-consommation-responsable>).

Another reason for their refusal would be that they would not want to express themselves on the Evin Law publicly.

Concerning the bias, we added to our limitations the sampling bias. We have indeed only interviewed opinion leaders with a public health view. It would be interesting to compare the discourse of AI disseminated in press for example to those of the public health opinion leaders.

You will find the changes made **page 17**: “Second, this study was limited by the fact that only public health key informants responded to our invitation for interview. It would have been relevant to compare the views of the 18 key informants with those of alcohol economic actors and partners, however, the main French SAPROs we contacted either declined the interview invitation, or failed to respond. SAPROs’ lack of explanation for declining (or non-response) may be explained by the fact that the researcher who contacted them works at the EHESP School of Public Health, well known in France for its studies on alcohol control and its criticism of AI marketing. Future research should analyze the discourse of the French SAPROs on the Evin Law in the media and trade journals.”

REVIEWER 2 COMMENTS

26. The authors provide a foundational analysis for understanding the contemporary strategies and activities which influence public policies on critical public health issues, such as alcohol marketing. The identification of the typologies of modern influence shaping provides an important analytical benchmark for other scholars who wish to analyze the relationship between industrial policy goals and its impact on markets. It is well-researched and nuanced, articulating both the tactical procedures and formulation used to shape decision-maker perceptions of public health measures. The submission also provides a informed discussion of the institutions and representatives involved in determining the trajectory of this influential law. The paper is especially timely, given the emerging debates at the national and trans national levels on the regulation of alcohol and other products.

AUTHORS RESPONSE: Thank you for your positive feedback. We are pleased to have the opportunity to contribute to the literature through our article.

Appendix 1. Summary of exchanges with the French SAPROs

Email template / contact form sent to SAPROs:

Hello,

I am a PhD student in management sciences (social marketing), and I am interested in the Evin Law (only on the alcohol aspect) as part of my thesis.

I would like to contact you because I would like to interview [name of the president/manager] in order to get his/her opinion on the relevance of this law, its efficiency and on alcohol prevention in general.

The interview lasts one hour and can be conducted either by phone or in person, depending on the preference. Working in Rennes, I can easily travel to Paris.

I remain at your disposal for any further information.

I look forward to receiving your reply, which I hope will be favorable.

Ana Millot

Speech during phone calls:

Hello,

I am Ana Millot. I am a PhD student in social marketing. I allowed myself to contact you again by phone, because I am studying the Evin Law (alcohol aspect only) as part of my thesis, and more particularly I am studying its context of implementation, its different evolutions, the arguments put forward which pushed the elaboration of the law.

Within the framework of this work, we interviewed different stakeholders such as health actors, NGOs, public organizations. I thought it was important to also interview the SAPROs.

Thus, I would like to interview [name of the president/manager] in order to collect his/her opinion on the Evin Law. This is either a telephone interview or a face-to-face interview (knowing that I can easily travel to Paris) which lasts 1 hour.

Would it be possible to arrange an appointment?

Thank you

SAPROs	Summary of the exchanges
Brasseurs de France	<p>Mail sent to request an interview on 13/12/19 via their website (no return)</p> <p>1st telephone exchange on 07/01/20 (number found on the internet): will relay my request to the president - but did not seem convinced of my approach</p> <p>2nd telephone exchange on 03/02/20: informs me that they are very busy with the installation of their stand of the Agriculture Show. Are very busy for the moment. Will see if they can follow up on my request.</p> <p>No return for the moment</p>

<p>Avec Modération !</p>	<p>The phone number of the association found on the internet is wrong. We found through our networks the personal phone number of the general manager</p> <p>Telephone exchange on 10/01/20 : <u>Refusal of the interview</u> because this SAPRO no longer exists. He does not feel legitimate to express himself on the issue.</p>
<p>Vin et Société</p>	<p>Mail sent to request an interview on 13/12/19 via their website</p> <p>Return by e-mail on 17/12/19 from their consultant in communication. She asks me to contact her by phone in January</p> <p>1st telephone exchange on 17/01/20 with their consultant in communication. After explaining the research project, she asked me to contact their president by e-mail in order to arrange a telephone meeting (only for a few minutes)</p> <p>Mail sent to the president on 21/01/2020 to request a telephone appointment</p> <p>Mail reminder to the consultant in communication on 03/02/2020: she invites me to remind him by mail. Tells me that he must be very busy with the period of the pruning of the vines</p> <p>2nd mail sent to the president on 03/02/2020</p> <p><u>No return for the moment</u></p>
<p>Vignerons indépendants</p>	<p>Form sent for interview request on 13/12/19</p> <p>Return by mail on 08/01/2020 <u>inviting us to contact Vin et société</u> which is "the organization authorized to express the position of the sector, and thus ours, on this subject".</p>
<p>Prévention et Modération</p>	<p>1st telephone exchange on 07/01/20: telephone number of the association found on the internet is similar to that of the French Federation of Spirits. Gives me the email contact of the general manager of the French Federation of Spirits, at the initiative of the creation of Prévention et Modération</p> <p>Mail sent to the general manager of the French Federation of Spirits on 07/01/2020 to request a telephone meeting</p> <p>2nd telephone exchange on 03/02/20: asks me to send an email to the general manager of the French Federation of Spirits (who is very solicited)</p> <p>2nd mail sent on 03/02/20 to the general manager of Fédération Française des Spiritueux</p> <p><u>No return for the moment</u></p>