

COLLAGIN

PRODUCER: Young in Spirit

SUMMARY OF DECISION

The Independent Complaints Panel ruled that, given the context of a product named after a combination of gin and collagen, the words or phrases ‘The Elixir of Youth’, ‘beauty drink’, ‘rejuvenating’, ‘anti-aging botanicals’ and ‘Skin & Tonic’ which all appeared on the label implied the product had therapeutic effects and therefore breached Code rule 3.2(j).

LICENSEE ACTION AND TIMETABLE FOR IMPLEMENTATION

Licensees are asked not to place orders for stocks of CollaGin with the existing packaging as shown after 29 October 2017. Licensees who place orders before this date should consider limiting the order to the quantity that would normally be sold by this date.



AUGUST 2017

The product opposite has been found in breach of the Portman Group’s Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

Licensees who currently stock the product shown opposite should take careful note of the Licensee Action and Timetable for Implementation sections.

The following should be borne in mind:

- manufacturers are not legally bound to buy back stock from retailers even if the current stock infringes the Code;
- licensees should continue to honour any existing purchase orders and not sell existing stock other than by normal retail trade;
- when reviewing a liquor licence, a licensing authority may enquire about licensees’ compliance action with regards to products that breach the Code, so it would be advisable to keep any relevant records, for example the date of new orders placed.

If you have any questions or wish to receive a copy of the Code or additional copies of this Bulletin, please contact: Portman Group, 4th Floor, 20 Conduit Street, London W1S 2XW. Tel: 020 7290 1460; or email info@portmangroup.org.uk

The Portman Group Code is supported by over 140 Code Signatories representing the overwhelming majority of the drinks industry. The Secretary of State’s Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions (in particular, in relation to an application for the grant, variation or review of a premises licence), consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group’s Retailer Alert Bulletins.

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