

Germany

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Ludwig Kraus, Petra Kümmler, Sven Jünger, Thomas Karlsson and Esa Österberg (2002)

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The country

After the Second World War, Germany was divided into four administrative districts. The Western Allies, France, the United Kingdom and the USA, supported a liberal-democratic federal structure leading to the foundation of the Federal Republic of Germany (FRG), whereas the USSR introduced into its administrative area a centrally governed people's democracy, which led to the foundation of the German Democratic Republic (GDR). The reunification of the two German states with a western democratic structure took place in 1990.

Germany is situated in the centre of Europe, bordered on the north by the North Sea, Denmark, and the Baltic Sea, on the east by Poland and the Czech Republic, on the south by Austria and Switzerland and on the west by France, Luxembourg, Belgium, and the Netherlands. Germany is a federal state consisting of 16 states (Länder), one of which, Berlin, is the new capital of the reunited Germany. Five of the states are so-called Neue Bundesländer covering the territory of the former GDR.

Germany covers an area of 357,021 km². With a population of 82 million inhabitants, the average population density is 230 inhabitants per km². About one tenth of the German population are foreigners. Some 38 per cent of the population are Protestants, 34 per cent Roman Catholics and 1.7 per cent Muslims. About 26 per cent of the population are unaffiliated to any religion or to other smaller religious confessions.

By the mid-1990s the German economy had recovered from the recession at the beginning of the 1990s. The export sector was the first to expand again. Today the unified Germany is a significant trading nation and one of the leading exporters in the world. In spite of the recovery, per capita industrial output in the former East Germany is still only one third of that in the former West Germany. Germany has an uneven distribution of income. In 2004 the official unemployment rate was 11.7 per cent. Germany has a highly developed welfare system and a health policy that insures a high level of medical care for all citizens. About 21 per cent of the population work in the industrial sector without the building trade, 6 per cent work in the building trade, approximately 2 per cent in agriculture and over 70 per cent in the service sector.

In Germany the head of the government or the prime minister is called the chancellor. The chancellor is chosen by a majority of the popularly elected lower house of the parliament, the Federal Assembly (Bundestag), usually by a coalition of parties. The federal president, the head of state, is elected for a five-year term by the Federal Convention (Bundesversammlung), which consists of the members of the Federal Assembly and an equal number of members from the state legislatures. The functions of the president are largely ceremonial.

The federal parliament consists of the Federal Assembly and the Federal Council (Bundesrat). The Federal Assembly is popularly elected at intervals of no more than four years. The 68 members of the Federal Council are appointed by the 16 state governments. Representation is determined by the amount of population, with each state having no less than three and no more than six seats in the Federal Council.

Alcohol production and trade

In 2003, the production of beer in Germany amounted to 105.3 million hectolitres. Counted together, the production of beer in the FRG and GDR in the mid-1970s was about 115 million hectolitres. In 2003, exports of beer were 12.0 million hectolitres or 11 per cent of the total beer production. The imports of beer were 2.7 million hectolitres or approximately 3 per cent of the German beer consumption. Denmark was the most important country of origin of the imported beer (Deutscher Brauerbund, 2005, Hurst, Gregory & Gussman, 1997). It should, however, be noted that of the 1.3 million hectolitres of imported Danish beer in 2003 (Deutscher Brauerbund, 2005), a good part went back to Denmark by the Danish border shoppers. In 1985, for instance, 0.44 million hectolitres of beer were imported from Denmark and according to surveys on border trade, 0.47 million hectolitres of beer were taken from Germany to Denmark by the Danish border shoppers. In 1986 this amount had increased to 0.86 million hectolitres (Thorsen, 1988). In 1970, before Denmark became a member of the EU, the imports of Danish beer were 0.07 million hectolitres.

About 5,000 brands of beer are produced in Germany. The large selection is primarily explained by the large number of breweries. In 2004, there were about 1,200 breweries in Germany, and family breweries dominate the industry. The beer industry has been rationalised significantly during the last decades as over 1,000 breweries have closed down during the past three decades. Bottom fermented beers have the far largest share of the market and they accounted for about 85 per cent of the beer markets at the beginning of the 1990s (Deutscher Brauerbund, 2005, Hurst, Gregory & Gussman, 1997).

In 2001, the production of distilled spirits in Germany was 3.8 million hectolitres (551 million bottles per 0.7 litres). In the same year, the exports of distilled spirits were about 0.8 million hectolitres (119 million bottles) and the imports were 2.3 million hectolitres (336 million bottles) (BSI, 2004). Like the beer markets also the German spirits markets have strong ties to regional and local products, and there are over 100 independent producers of distilled spirits in Germany. Imported products have, however, increased in popularity during the last decades (Hurst, Gregory & Gussman, 1997).

2002 the yearly production of wine was around 11 million hectolitres, of which nearly 3 million hectolitres were exported. At the same time some 12 million hectolitres of wine or nearly half of the domestic consumption were imported. Of the total wine production about 8 per cent was sparkling wine in 2002 (Statistisches Bundesamt, 2004). About 80 per cent of the German wine production consists of white wine (Hurst, Gregory & Gussman, 1997).

Alcohol consumption

Table 8.1 shows the annual consumption of beer, wine, sparkling wine and distilled spirits in the FRG from 1950 to 1985 and table 8.2 gives similar information from the GDR for the 1960-1985 period. As Germany belonged to the losing side in the Second World War, the recovery of alcohol consumption to the levels prior to the war took longer on both sides of Germany than in countries which were not in the battlefield at all. In the FRG the growth in all alcohol beverage categories continued to the mid-1970s, and in sparkling wine until the 1990s. After the mid-1970s, the consumption first levelled off and then began to decrease slightly. In the GDR the total alcohol consumption was growing throughout the 1960-1985 period, and this also goes for each beverage category.

Year	distilled spirits	beer	wine	sparkling wine	Total
1992	165	261	23	37	487
1993	151	289	22	36	498
1994	150	307	25	46	528
1995	140	361	27	46	575
1996	155	394	25	48	622
1997	146	402	25	50	623
1998	124	431	25	48	627
1999	110	380	21	42	555
2000	125	388	31	54	597
2001	134	360	35	46	575
2002	132	347	27	54	560
2003	118	336	24	48	525

Table 8.1. Consumption of alcoholic beverages in the Federal Republic of Germany by beverage categories, beer, wine and sparkling wine in litres of the product per capita and distilled spirits in litres of pure alcohol per capita, 1950-1985 in five year intervals

Source: Sparrow et al., 1989.

Table 8.2. Consumption of alcoholic beverages in the German Democratic Republic by beverage categories, beer and wine in litres of the product per capita and distilled spirits in litres of pure alcohol per capita, 1960-1985 in five year intervals

Year	Beer	Wines	Distilled spirits
1960	79.5	3.2	1.4
1965	80.6	4.2	1.9
1970	95.7	5.0	2.6
1975	119.7	7.4	3.5
1980	139.1	9.6	4.7
1985	141.6	10.30	4.8

Source: Sparrow et al., 1989.

Table 8.3 gives the figures for total alcohol consumption and the consumption of different categories of alcoholic beverages in litres of pure alcohol per capita, as well as the proportion of different beverage categories of the total alcohol consumption in five-year intervals since 1950. The source for these figures is Hurst, Gregory and Gussman (1997). The 1955 data includes only the FRG, but from 1960 on also the former GDR is included. In 1959 the total alcohol consumption in the FRG was 7.5 litres per capita and in 1960 it was 7.9 litres. In 1960 the total alcohol consumption in the GDR was 5.4 litres. Adding the GDR figures to the FRG figures gives a total consumption of 7.3 litres in 1960 for the whole Germany. When actually reunited in 1990, the total alcohol consumption was about 12.5 litres per capita both in the former FRG and the former GDR. The main difference with the former FRG and GRD in 1960 is that in the FRG the proportion of wines of the total alcohol consumption was clearly higher than in the GDR (cf. Tables 8.1 and 8.2). Before the reunion in 1990 beer accounted for nearly 60 per cent of alcohol consumption both in the FRG and in the GRD. In the FRG the proportion of wines of the total alcohol consumption was clearly higher (about 25 per cent) than in the GRD (about 9 per cent), and consequently the proportion of distilled spirits of the total alcohol consumption was clearly lower in the FRG (about 18 per cent) than in the GDR, where distilled spirits accounted for about 40 per cent of the total alcohol consumption.

Table 8.3. Consumption of alcoholic beverages by beverage categories in Germany in litres of pure alcohol per capita and as percentages of total recorded alcohol consumption in the years 1955, 1965, 1975, 1985 and 1995, five years' averages

	1955	1965	1975	1985	1995*
Total alcohol consumption	5.70	9.37	12.17	12.44	11.71
Consumption of distilled spirits	1.33	2.33	3.10	2.87	2.28
Consumption of wines	1.03	1.49	2.10	2.46	2.61
Consumption of beer	3.34	5.55	6.97	7.11	6.82
Percentage of distilled spirits	23	25	26	23	20
Percentage of wines	18	16	17	20	22
Percentage of beer	59	59	57	57	58

* The figures for 1995 have been calculated by taking the per capita consumption figures for beer and wine from the World Drink Trends (2002) and using the same alcohol contents for beer and wine, 5.0 per cent and 11.5 per cent respectively, as Hurst, Gregory and Gussman (1997). According to World Drink Trends (2002, 60) the total alcohol consumption per capita in 1995 was 11.0 litres.

Sources: Hurst, Gregory & Gussman, 1997; World Drink Trends, 2002.

In the area of the present Germany, the total alcohol consumption was increasing almost constantly in the 1950s and in the 1960s as well as in the first half of the 1970s. In the second half of the 1970s, the total consumption of pure alcohol was about 12.5 litres per capita. Since then the total alcohol consumption has been slightly decreasing but still on a high level, in 2002 it was 10.2 litres pure alcohol per capita (Bühringer et al., 2000; Meyer & John, 2005).

The consumption of all alcoholic beverage categories has more or less followed the same development. The consumption of beer, wine and distilled spirits increased before the mid-1970s, and after that it decreased. The development of the consumption of different beverage categories is also quite similar in terms of the magnitude of changes. This is shown in table 8.3 by the percentages of the different alcoholic beverage categories of the total alcohol consumption.

From the mid-1950s to the mid-1970s, the consumption of distilled spirits increased three percentage points and in the mid-1970s one fourth of all alcohol was consumed in the form of distilled spirits. Since then the rate for distilled spirits has decreased by six percentage points so that in the mid-1990s one fourth of all alcohol was consumed in the form of distilled spirits. From the mid-1950s to the mid-1990s the consumption of wine increased four percentage points, reaching the figure of 22 per cent of the total alcohol consumption in the mid-1990s. The figures for beer in the total alcohol consumption have been almost constant, constituting nearly 60 per cent of all alcohol consumed in Germany.

Table 8.4 shows new developments in the consumption of pure alcohol from 1997 to 2002. The total consumption of alcohol is constantly on a high level without any striking changes. From 1997 to 2002 the consumption of wine increased about three percentage points of total consumption. In the same period the consumption of beer decreased about two percentage points of the total consumption of pure alcohol. The consumption of distilled spirits is approximately on the same level. The consumption of sparkling wine differs from 1997 to 2002 by only about 0.8 percentage points.

Table 8.4. Consumption of alcoholic beverages by beverage categories in Germany in litres of pure alcohol per capita and as percentages of total recorded alcohol consumption from 1997 to 2002.

	1997	1998	1999	2000	2001	2002
Total alcohol consumption*	10.8	10.6	10.5	10.3	10.4	10.3
Consumption of distilled spirits	2.0	2.0	1.9	1.9	1.9	1.9
Consumption of wines	2.0	2.0	2.0	2.0	2.1	2.2
Consumption of beer	6.3	6.1	6.1	6.0	5.9	5.8
Consumption of sparkling wines	0.5	0.5	0.5	0.4	0.5	0.4
Percentage of distilled spirits	18.5	18.9	18.1	18.4	18.3	18.4
Percentage of wines	18.5	18.9	19.0	19.4	20.2	21.4
Percentage of beer	58.3	57.5	58.1	58.3	56.7	56.3
Percentage of sparkling wine	4.7	4.7	4.8	3.9	4.8	3.9

*The figures for the years have been calculated by taking the per capita consumption for beer, wine, distilled spirits and sparkling wine based on an agreement between the alcohol industry and public health experts. The following alcohol contents were fixed: for beer, 4.8 per cent, for wine and sparkling wine, 11 per cent, for distilled spirits 33 per cent.

Sources: Meyer & John, 2005; Bühringer et al., 2000.

In 1980, the total consumption of alcoholic beverages reached 180 litres per capita, and the total consumption of commercial non-alcoholic drinks 390 litres per capita. This consisted of 159 litres of coffee, 73 litres of milk, 70 litres of soft drinks, 41 litres of

bottled waters and 19 litres of juices. These figures only refer to the FRG. When the GDR was included in the figures in 1991 there were not, however, any major changes with regard to the year 1990. As these kinds of estimates are in any case very crude, we will in the following compare the 1980 figures from the FRG to the 1999 figures for the reunited Germany.

In 2003, the consumption of alcoholic beverages per capita was 28 litres lower than in 1980 while the consumption of commercial non-alcoholic drinks had increased by 123 litres to 513 litres per capita. The per capita consumption of coffee was 155 litres, that of bottled waters 102 litres and that of soft drinks was also 110 litres. The per capita consumption of coffee had changed a little as well as the consumption of tea, which was 30 litres per capita in 2001. The per capita consumption of bottled waters had increased by 61 litres and the consumption of soft drinks by 40 litres. The consumption of juices had increased in the 1980-2001 period by 39 litres to a level of 58 litres per capita in a year. Like the consumption of alcoholic beverages, the consumption of milk was lower in 2001 than in 1980. The decrease was 14 litres meaning that the per capita consumption of milk was 59 litres in 2001 (World Drink Trends, 2004).

Administrative structure of preventive alcohol policies

In the nineteenth century, the high availability of distilled spirits, especially in North Germany, led to an increase in alcohol abuse, but also to an increasing criticism of the prevailing alcohol situation. In 1850, the first so-called temperance associations were founded, and even then they could count more than one million members. An exception to this trend was Bavaria, where no temperance associations were founded.

The temperance associations criticised especially drinking alcohol in public. Although the associations could not change drinking behaviour, they succeeded in changing the attitude towards drinking. Drinking in public was more and more seen as problematical. Physicians delivered further arguments against drinking by describing for the first time the clinical syndrome of alcohol dependence. For the first time alcoholism was considered an illness and not condemned as a moral problem or a vice.

This perspective also added a new dimension to alcoholic beverages. Alcohol became possibly dangerous, as it was likely to trigger dependence. This assessment of the dangers of alcohol was further supported by the industry, because of the large number of mistakes made by alcohol-consuming workers. Also studies of family heritage often found physical and psychological disorders in the descendants of heavy drinkers. Alcohol was soon not only seen as an individual danger but also as a serious threat to people's health. Finally in 1968, alcoholism was recognised formally as an illness in terms of the Imperial Decree of Insurance, because alcoholism could be seen as an objectively tangible state of body and soul that deviates from the norm and that can be healed, relieved or at least preserved (Athen, 1997).

Three social subsystems are more or less directly concerned with alcohol consumption. The first is the legal system, with the police and the legislative system, including regulating authorities. Their primary concerns are the consequences of dependence, which are interpreted according to an ethical-judicial model. The paradigm of

dependence as a vice will be found here, but modern approaches like dependence as an illness are considered more and more. The second subsystem is the health and social system, which includes general practitioners, counsellors, psychotherapists, social workers and other healing professions, who directly offer professional help. Self-help organisations belong to this system because of their own involvement. Physical, psychological or social treatment are all prominent. Dependence and abuse are defined according to the medical or psychosocial model of illness. The third subsystem, the educational system, takes an intermediate position between the regulating and helping authorities. It offers indirect help in the first place by preventing the disorder and in the second place by supporting the recovery.

Legislation can influence the availability of alcohol in society as a whole, for instance, by price and tax policy or by restricting the hours and days of retail sales. It can also restrict the availability of alcohol for specific groups like children and youth by protective legislation. Legislation can also indirectly influence the atmosphere and opinion concerning alcohol matters by influencing alcohol advertising or law enforcement. Furthermore, the state has the possibility to initiate and finance education campaigns and prevention programmes. Influencing alcohol consumption by education policy, on the other hand, is the task of the state parliaments, as the states are autonomous in the area of education.

Prevention has to be carried out on the structural and communicative level. Structural measures include direct measures on the spot as well as in social settings. An example of primary prevention with structural means is the law restricting driving under the influence of alcohol. On the spot police controls can be intensified. Unspecific structural means may include offering the opportunity for leisure activities, supplying housing, and reducing unemployment. Specific communicative means are concerned with recommendations for alcohol consumption.

Secondary prevention includes means that directly initiate or extend offers of counselling or help. The government has to provide the financial means to enable the implementation of these initiatives. Communicative means are carried out by the mass media, posters, advertisement and press on the one hand, and by education and life competence programmes on the other hand.

The Federal Centre for Health Education (BZgA) was established on July 20, 1967 as the national prevention office in the sphere of the Federal Ministry of Health. It is concerned with social settings as well as the implementation of concrete measures. The task of the BZgA is health education at a national level. This includes developing principles and guidelines for contents and methods of practical health education, training and continuing education of professionals in health education, and coordination and support of health education, as well as cooperation with foreign countries. In order to achieve these goals, standing measures are necessary as well as the ability to react quickly to current topics with national significance and continuously adapt to developments of research and society. To achieve this, two committees have been established: the permanent coordination committee, which coordinates between the BZgA and other institutions and advises on concrete projects and tasks, and the scientific advisory board that, besides other tasks, guarantees quality standards and the scientific basics. The latter consists of nine scientists from the fields of epidemiology,

psychology, empirical research, youth research, economy and communication research, as well as public health, and a representative of the Federal Ministry of Health and of the working group of the health authorities of the states. Members of the permanent coordination committee are, in addition to the Federal Ministry of Health, the cooperation partners of the BZgA, especially the states, health insurance institutions, the federal professional association of physicians, the team of German professional associations of chemists, the Robert Koch Institute, and the Federal Association for Health.

Licensing policy

There is no licence needed for production, wholesale or retail sale of alcoholic beverages. There are, however, laws which are not alcohol-specific, but which also affect the production, wholesale and retail sale of alcoholic beverages, like the Health Act or the Food Act. In addition to the contents of food and the purity of ingredients, these laws also regulate the course, supervision, and quality of the production. Furthermore, for running a restaurant or public house, a licence (Gewerbeschein) has to be applied for. This licence is easy to obtain, and obligations and regulations connected with it are not specifically related to alcohol. The licence to run a restaurant can be refused if the applying person is not reliable enough, e.g. consumes alcohol immoderately or supports abuse of alcohol. Food and health rules must be sufficiently known, and work and youth protection laws must be met. The rooms and the location have to comply with the regulations. This federal law can be amended by laws of the states which put the minimum requirements concerning location, furnishings, equipment, and division of rooms in concrete terms. Furthermore, conditions can be specified at any time (Law of public houses and restaurants, 1994).

In Germany raw alcohol produced from potatoes or molasses has to be delivered to the Federal Monopoly Administration of Spirits (Bundesmonopolverwaltung für Branntwein; BmonV), which is a federal institution in the responsibility of the Federal Ministry of Finances. In case the raw alcohol is produced from grain, it is to be given to the German Utilization Office of Corn Spirit (Deutsche Kornbranntwein-Verwertungsstelle, DKV). In both cases prices that cover costs are paid to the manufacturers.

BmonV and DKV purify raw alcohol and sell it for producing distilled spirits as well as for producing pharmaceutical and cosmetic products. Part of the alcohol is sold to the food industry as well. Because of the competition with other countries, the EU member states included, raw alcohol has to be sold at a price under its production cost, and this difference is balanced by the Bundeshaushalt. At the moment about 300 million Deutschmarks are spent on this subvention annually. Although this structure has been established in order to support especially small agricultural holdings and not in order to control the production of alcoholic beverages, it nevertheless means that all distillation of spirits which is not delivered to the monopoly administration is illegal.

Other restrictions on the physical availability of alcoholic beverages

All beverages which contain more than 1.2 per cent alcohol by volume have to be labelled according to the food-labelling provisions which went into effect on September 6, 1984. According to the law for the protection of youth in public from February 2, 1985, three kinds of alcoholic beverages are differentiated:

- Beverages containing distilled spirits, defined as every product made by the distillation of fermented alcoholic liquid. Mixed drinks such as cocktails also belong to this category, if they contain distilled spirits.
- Food that contains more than a small amount of distilled spirits.
- All beverages that contain alcohol without containing distilled spirits, like beer and wine, but also other beverages whose alcohol is produced by fermentation or wine pressing, and that are not distilled.

In July 2004 the law for the protection of youth in public was extended. Sweet Drinks which contain distilled spirits (Alcopops) with more than 1.2 per cent alcohol by volume have to label with the following advice: It is not allowed that young people under 18 purchase this kind of alcoholic drink (§ 9 (4)) (Bundesgesetzblatt, 2004).

The age limits on the purchase and consumption of alcoholic beverages are regulated by the law for the protection of youth in public. The first version of this law came into force on December 4, 1951, and was revised on July 27, 1957. The currently valid version is from April 1st, 2003. In the current version, children and young people under 18 are generally not allowed to purchase or consume distilled spirits, beverages containing distilled spirits, or food containing more than a small amount of distilled spirits. Other alcoholic beverages like beer, wine, sparkling wine may be purchased or consumed by young people 16 years or older (Bundesministerium für Familie, Senioren, Frauen und Jugend, 2003).

Even in the first version of the law for the protection of youth in public from December 4, 1951, the age limits on the purchase and consumption of distilled spirits were set at 18 years and on other alcoholic beverages at 16 years. However, youth and children were allowed to consume other alcoholic beverages when accompanied by a parent or a legal guardian. It was nevertheless not defined who could be a legal guardian. The version of July 27, 1957 defined the legal guardians as all other persons over 21 years that were entrusted with the care of the child. Furthermore, it was provided that youth accompanied by a parent or legal guardian may drink alcoholic beverages except distilled spirits, but that they have to be at least 14 years old. The version of 2003 generally excludes the consumption of alcoholic beverages among youth under 16 years. The age limit for a legal guardian has been changed to 18 years. Furthermore, the term food containing distilled spirits has been generalised to all food that contains more than a small amount of distilled spirits. A small amount has been defined as distilled spirits used for preservation or flavouring. According to the law to protect youthful workers from 1986, employers are not allowed to give alcohol to employees under the age of 16 years (Bundesministerium für Familie, Senioren, Frauen und Jugend, 2003).

The law for restaurants and public houses from May 5, 1970 originates from the German Empire Law of 1879. The law concerning public houses and restaurants in order to combat alcohol abuse was enacted on April 28, 1930. A revision of 1960

affected the period of validity of the permission to run a public house, another revision of 1961 allowed exceptions from the selling of distilled spirits in vending machines otherwise forbidden. Only in 1970 has the permission to run a restaurant been made dependent on professional knowledge, without demanding a special certificate. The revisions since 1970 have not affected the provisions concerning alcohol and are therefore not described here.

The governments of the states are urged by law to set up a closing time for public houses. This closing time can be changed for individual establishments. If alcoholic beverages are sold, non-alcoholic beverages also have to be sold. A revision of the law in 1994 required that at least one non-alcoholic beverage has to be sold at the same price as the cheapest alcoholic beverage.

For a special event, serving of alcoholic beverages can be forbidden completely or partly for certain time periods or places, if this is necessary to maintain public order. This regulation is applied e.g. at soccer games or in concerts. Generally forbidden is the sale of distilled spirits in vending machines but not of beer, wine and beverages which contains alcohol but not distilled spirits. Vending machines with this kind of alcoholic beverage have to be under the control of adults round the clock. Furthermore it is forbidden to sell alcoholic beverages to visibly intoxicated individuals, as well as the selling of non-alcoholic beverages in public houses only together with alcoholic beverages or raising the prices of non-alcoholic beverages if no alcoholic beverages are bought (Bundesministerium für Familie, Senioren, Frauen und Jugend, 2003).

The availability of alcohol is further restricted by the limitation of closing times by the general law on shop closing times, enacted on November 28, 1956, and last revised on July 30, 1996. A shop has to be closed on Sundays and public holidays, on Saturdays from 4 p.m., and on weekdays between 8 p.m. and 6 a.m. There are, however, a great variety of exceptions to this rule, with regard to time, regions and single trades. Petrol stations, for example, are allowed to be open during all days of the year. They are, however, not allowed to sell alcoholic beverages during the general shop closing hours. Other exceptions are shops at stations, airports and harbours, which are also not allowed to sell alcoholic beverages during the general shop closing times. The current version of the law has considerably liberalised the closing times, as in the earlier version, shops had to be closed between 6.30 p.m. and 6 a.m. on weekdays and after 2 p.m. on Saturdays, except on the first Saturday of the month, when shops had to be closed at 6 p.m. at the latest.

Alcohol taxation

Alcoholic beverages are economically important products and also the government has economic and fiscal interests in them. In Germany the excise duty rates for beer and distilled spirits are on a relatively low level, and on wine there is no excise duty at all, or to take it officially, there is an excise duty rate for wine, but it has been set at zero. Since 2nd August 2004 there is an excise for Alcopops. Alcopops are alcoholic beverages which contain 1.2 per cent and more alcohol by volume (§1 (2)). It is a special tax additional to the existing taxes for this kind of alcohol beverage. The aim of

this tax is to reduce the persistent alcohol consumption of young people (Bundesgesetzblatt, 2004).

It was the first time in Germany, that alcohol taxes have been used as an instrument of public health and not only considered as a financial factor. Already five kinds of alcohol excise duties are levied. There is an excise duty on beer (Biersteuer), an excise duty on distilled spirits (Branntweinsteuer), an excise duty on sparkling wine (Schaumweinsteuer), an excise duty on Alcopops and an excise duty on products between wine and distilled spirits called intermediate products (Zwischenerzeugnissteuer).

The excise duty on beer is a federally regulated consumption tax that is collected by the customs administration and given to the states. The excise duty is levied on beer of malt and mixtures of beer with non-alcoholic beverages, but not on non-alcoholic beer. The amount of the excise duty is set per hectolitre due to the grade of original gravity of the beer, measured in degrees of Plato. At the moment the excise duty rate is 0.79 Euro per hectolitre per degree of Plato (Table 8.5). Consequently, a middle strong beer is burdened with 9.44 Euro per hectolitre. Beer excise duty is not levied on non-alcoholic beer or beer that is given free to the employees and workers of the breweries, as well as up to two hectolitres of beer brewed by amateurs for their own consumption per calendar year. Furthermore, there are tax reductions of up to 50 per cent of the standard rate for small independent breweries. It is 0.39 Euro per hectolitre per degree of Plato for breweries producing less than 10,000 hectolitres in a year, 0.47 Euro for breweries producing less than 20,000 hectolitres, 0.55 Euro for breweries producing less than 40,000 hectolitres and 0.59 Euro per hectolitre per degree of Plato producing less than 200,000 hectolitres a year. Likewise, for small distilleries with a yearly production limited to 10 hectolitres of pure alcohol the excise duty rate is 56 per cent of the standard rate or 0.73 Euro per hectolitre of pure alcohol in the finished product.

Table 8.5. Excise duty rates for alcoholic beverages in Germany in 2000 in Euros

Alcoholic beverage category*	EUR
Beer, per hectolitre per degree of Plato in the finished product	0.79
Wine, and fermented beverages other than wine and beer, per hectolitre of the product	
Still	0.00
Sparkling, below 6% alcohol by volume	51.13
Sparkling, 6% alcohol by volume or over	136.00
Intermediate products, per hectolitre of the product	
Not exceeding 15% alcohol by volume	102.26
Over 15% alcohol by volume, sparkling	136.00
Over 15% alcohol by volume, still	153.39
Distilled beverages, per hectolitre of pure alcohol in the finished product	1,303.79

Source: European Commission, DG XXI, Excise duty tables, November 2000.

The excise duty on distilled spirits is administrated by the federal finance authorities and the tax revenues are kept by the federal state. This tax concerns ethanol and distilled spirits with an alcohol content of more than 1.2 per cent alcohol by volume. Also all beverages where ethyl alcohol has been added and which have an alcohol content of more than 22 per cent by volume are included in this tax category. The excise duty rate is 1,30 Euro per hectolitre pure alcohol in the finished product. No taxes are collected on alcohol produced for a specific non-beverage use, e.g., for cosmetics, medicines, foodstuffs and aromas, as well as vinegar and products for heating and cleaning or similar uses other than drinking. Table 8.6 shows the development of the excise duty rate for distilled spirits since 1966.

Table 8.6. Excise duty rates for distilled spirits in the Federal Republic of Germany from 1966 to 1990 in Euros per hectolitre of pure alcohol in the finished product

Date	Excise duty rate €	Increase in excise duty rate, per cent
Before 1966	0,51	
1.1. 1966	0,61	20.0
1.1. 1972	0,76	25.0
23.2.1976	0,84	10.0
1.1.1977	0,99	18.2
1.4.1981	1,15	15.4
1.4.1982	1,30	13.3

Sources: BSI, 2004.

For sparkling wine with an alcohol content between 6 and 15 per cent by volume, the excise duty rate is 136.0 Euro per hectolitre of the product, and for sparkling wine with an alcohol content below 6 per cent alcohol by volume the excise duty rate is 51.12 Euro per hectolitre of the product. From 1972 to April 1982, the excise duty rate for sparkling wine with alcohol content between 6 and 15 per cent by volume was 102.25 Euro (Hurts, Gregory & Gussman, 1997).

The excise duty on Alcopops depends on the content of alcohol and amounts to 5550 Euro per hectolitre (100 litres) of pure alcohol at 20 degrees Celsius (§ 2). The special tax is about 0.84 Euro for a 0.275 litres bottle with an alcohol content of 5.5 per cent alcohol by volume. The tax is collected by the federal finance authorities and the tax revenues are kept by the federal state. The money will be used for prevention programs for young people to reduce under-age alcohol consumption and alcohol related harm (Bundesgesetzblatt 2004).

Intermediate products are defined as those beverages having an alcohol content between 1.2 and 22 per cent alcohol by volume and not belonging to wines or beer. The excise duty rate is 102.3 Euro per hectolitre of the product for beverages with an alcohol content less than 15 per cent by volume and 153.4 Euro per hectolitre of the product for beverages containing over 15 but under 22 per cent alcohol by volume. The excise duty on intermediate products was first introduced in 1993.

The excise duty rate for beer at 12 degrees of Plato is 9.44 Euro per hectolitre. This rate was introduced in January, 1993. From 1972 to 1993 the excise duty on beer was levied separately for normal strength beer with an original gravity between 11 and 16 degrees of Plato, for low strength beer with an original gravity from 7 to 11 degrees of Plato, for light beer with an original gravity less than 7 degrees of Plato and for full strength beer with an original gravity over 16 degrees of Plato. The standard rate was lowered for low strength beer by 25 per cent and for light beer by 50 per cent. For full strength beer the excise duty rate was 50 per cent higher than the standard rate. Furthermore, the excise duty rate was differentiated according to the amount of beer produced. For the first 2,000 hectolitres produced the excise duty rate was 6.13 Euro and for the production of over 120,000 hectolitres it was 7.66 Euro per hectolitre of the product. On the average, the standard excise duty rate was 7.30 Euro per hectolitre for beer with an alcohol content of 5 per cent by volume which means that the excise duty rate for beer increased by about 30 per cent in 1993.

Changes in excise duty levels referred to above are given in nominal values. During the 1950-2000 period the value of the Euro has decreased because of inflation. The increase in the general price level in the FRG in the 1960-1990 period and in the unified Germany in the 1990-2000 period as described by the consumer price index (CPI) are given in table 8.6.

Table 8.7. Consumer price index in the Federal Republic of Germany, 1960-1990, and in Germany, 1995-2000, 1995 is 100

Year	1960	1965	1970	1975	1980	1985	1990	1995	2000
CPI	30.6	35.0	39.5	53.2	64.8	78.3	83.8	100.0	107.0

Source: OECD, Main Economic Indicators, March 2000 CD-ROM.

When comparing the figures in table 8.6 and 8.7 it can be concluded that the excise duty rate for distilled spirits has decreased by some 30 per cent since the mid-1990. The decrease in excise duty rate for beer in real terms since the beginning of the 1970s has been about 50 per cent.

In the mid-1990s one third of beer taxes constituted of excise duties. The corresponding figure for distilled spirits was about 80 per cent. Counted per litre of pure alcohol the tax burden was about the same for beer and wine. The tax burden of distilled spirits was nearly three times that of wine. Taxes constituted about 13 per cent of wine prices, 20 per cent of beer prices and some 60 per cent of the prices of distilled spirits.

Alcohol prices

As it is very difficult to find data on alcohol prices in Germany, the following information is not complete. Table 8.8 shows the development of retail prices of German wine in the years 1965 to 1998.

Table 8.8. Retail prices of German wine from different wine growing areas apart from branded wine and sparkling wine, 1965-1998, Euros per litre of the product

Wine growing areas	1965	1975	1980	1985	1990	1991	1993	1994	1995	1996	1997	1998
Rheinpfalz	1.12	1.85	2.41	2.43	2.42	2.56	2.32	2.41	2.58	2.81	3.02	3.13
Rheinessen	1.60	2.42	3.02	2.83	2.67	2.71	2.82	2.86	2.84	3.24	3.27	3.01
Mosel-Saar-Ruwer	1.95	2.61	3.37	2.92	2.64	3.00	2.42	2.22	2.59	2.96	2.75	3.30
Baden	1.76	2.77	2.77	2.83	2.83	2.86	3.02	3.01	3.07	3.12	3.04	3.32
Württemberg	1.57	2.28	2.78	2.79	3.23	3.36	3.36	3.41	3.32	3.34	3.56	3.90
Nahe	1.56	3.06	3.63	3.21	3.07	3.21	3.66	3.93	3.93	4.06	4.62	4.33
Rheingau	-	-	3.87	3.54	4.00	3.76	3.44	3.89	3.74	4.38	4.06	3.95
Franken	-	-	4.39	3.31	3.93	3.82	3.66	3.79	3.86	4.00	4.10	3.88
Ahr	-	-	4.05	3.71	4.44	4.59	-	-	-	-	-	-
Average	1.54	2.40	2.97	2.81	2.85	2.97	2.82	2.87	2.94	3.21	3.27	3.35

Source: GfM, GfK-study.

On the average, the retail prices of wine have been increasing in nominal terms. However, depending on the wine growing area, a different pattern can also be seen. A decrease in average prices in the years 1991 to 1993 can also be seen in table 8.8, but there were also areas that could keep or increase their prices. The CPI was 35.0 in 1995 and 104.3 in 1998 meaning that consumer prices had tripled in Germany in the 1965-1998 period. In 1998, wine prices on the average were about twice their 1965 level. Consequently, in real terms wine prices have decreased by some 25 per cent in the 1965-1998 period.

Table 8.9 shows the development of nominal prices of sparkling wine in the years 1955 to 1998. In comparison with the 1950s, sparkling wine became cheaper during the 1960s, as it was more easily available at this time. Prices distinctly started to increase at the beginning of the 1980s. This development continued until the mid-1990s. Compared to the CPI, it is evident that the real prices of sparkling wine are nowadays about half of what they used to be in the mid-1960s and about one third of their level in the mid-1950s.

Table 8.9. Average retail prices of sparkling wine in Germany, 1995-1998, Euros per litre of the product

Year	Average retail prices of sparkling wine
1955	2.77
1965	2.25
1970	2.41
1975	2.25
1980	3.10
1985	3.57
1990	3.42
1995	3.79
1998	3.67

Source: Verband Deutscher Sektkellereien.

Table 8.10 shows the retail prices of selected branded spirits in the years 1975 to 1998. No systematic pattern, such as a continuous rise in prices, can be seen. On the contrary, there are brands that became more expensive and brands that had almost stable prices. Smaller decreases in prices can also be seen. Together, the price pattern seems to be dependent on supply and demand, and therefore on consumption.

Table 8.10. Prices of selected branded spirits in Germany, 1975-1998, Euros per litre of the product

Brand	1975	1980	1985	1990	1995	1998
Bommerlunder	5.62	6.70	8.17	7.79	8.20	7.94
Malteserkreuz	6.71	7.74	9.65	9.52	10.33	10.73
Berentzen Korn	3.73	4.21	4.92	4.96	5.20	5.62
Strothmann Weizen	3.74	4.16	5.10	5.07	5.37	5.00
Doornkaat	5.75	6.68	8.01	7.71	8.03	8.02
Fürst Bismarck	5.81	6.65	7.83	7.79	8.61	8.51
Schinkenlager	5.48	5.95	7.48	7.48	7.65	7.68
Gorbatschow	4.93	5.35			6.80	6.76
Puschkin	5.17	5.65			6.51	6.24
Chantre		5.53		6.53	6.20	5.88
Mariacron		6.12		7.02	6.78	6.69
Asbach		9.40		10.34	11.20	10.91
Scharlachberg		7.31		7.56	6.68	6.02
Dujardin		7.43		7.51	8.40	8.05
Winkelhausen		5.06		6.18	6.06	6.08
Attache		4.81		5.28	5.25	5.27
Noris		4.81		5.49	5.39	5.27
Springer Urvater		4.36		5.39	5.50	5.50
Osborne				9.36	9.75	9.60
Metaxa				10.48	11.36	11.10
Berentzen Apfelkorn		4.13		4.90	5.23	5.10

Source: DIFA Forum

As the general price level in Germany doubled in the 1975-1998 period, it can be concluded that real prices for distilled spirits have clearly decreased in Germany during the last two decades. When the figures in table 8.10 are compared with those in tables 8.8 and 8.9 it also become evident that in Germany pure alcohol is clearly cheapest in the form of distilled spirits.

Restrictions on alcohol advertising and sponsorship

Table 8.11 shows that since 1992 the expenditure for alcohol advertising has clearly increased from 0.48 billion Euros to 0.63 billion Euros in 1998. That was more than 22 per cent and the highest peak was reached in that year. Between the years 1998 to 2003 the expenditure for alcohol advertising decreased by more than 16 per cent to 0.52 billion Euros. In 2003 most of the expenditure for alcohol advertising was for beer which cost 0.34 billion Euros. In second place was the expenditure on distilled spirits. It was followed by sparkling wine at 0.05 billion Euros and wine at 0.03 billion Euros (Meyer & John, 2005).

Table 8.11 Expenditure on alcohol advertising from 1992 to 2003 in Million Euro
Source: Meyer & John, 2005; Nielsen Media Research GmbH, 2004.

Year	distilled spirits	beer	wine	sparkling wine	Total
1992	165	261	23	37	487
1993	151	289	22	36	498
1994	150	307	25	46	528
1995	140	361	27	46	575
1996	155	394	25	48	622
1997	146	402	25	50	623
1998	124	431	25	48	627
1999	110	380	21	42	555
2000	125	388	31	54	597
2001	134	360	35	46	575
2002	132	347	27	54	560
2003	118	336	24	48	525

Table 8.11 does not contain the expenditure on alcohol advertising in the Internet. Obviously the alcohol industry invests a lot of money in the presentation of their products through an Internet website. It is especially for young people. For minors it is not a problem to have access to these websites.

In the new version of the law for the protection of youth of April 2003, alcohol advertising is banned in cinemas. The law aforesaid that alcohol and tobacco advertising is prohibited in all cinemas before 6 p.m. It is the unique law for the advertising of alcoholic beverages, which was enacted (Bundesministerium für Familie, Senioren, Frauen und Jugend, 2003).

On the other hand there are voluntary rules of conduct drawn up by the German Advertising Standards Authority. These rules have been drawn up by the Advertising

Federation in collaboration with several organisations and federations of the alcohol industry. The following principles ought to be observed in the design and realisation of advertising:

- Consumers shall not be called upon to indulge in abuse or excessive consumption, nor should such consumption be trivialised or portrayed as commendable.
- The impression should not be conveyed that abuse is impossible because of a low alcohol content.
- Juveniles should not be urged to drink, nor should they be portrayed as drinking, being invited to drink, or inviting other people to drink.
- No statements should be made in which juveniles are referred to as being mature enough to consume alcoholic beverages and thus encouraging them into drinking. Nor should any statements be made suggesting that the person portrayed in the advertisements has already consumed alcoholic beverages as a juvenile.
- No competitive sportsmen should be shown drinking or inviting others to drink.
- The drivers of motor vehicles should not be called upon to drink, nor should they be shown drinking or of being called upon to drink, and neither should any other kind of association be established between drinking and driving.
- There should be no portrayal of situations in which safety regulations are violated.
- No reference should be made to medical recommendations or medical reports nor should there be any portrayal of persons performing the duties of a member of the medical profession, the nursing profession or of pharmaceutical trade.
- No statements should be made that refer to the cure, relief or prevention of disease.
- No statements should be made claiming that alcoholic beverages have the effects of a medical drug.
- No statements should be made that refer to disinhibiting effects of alcoholic beverages.
- No statements or presentations should be made that refer to the cure or relief of conditions of anxiety.
- No statements or presentations should be made that refer to the elimination or overcoming of psycho-social conflicts.
- No presentations should be made that derogate abstinence in general or in special cases.

The following also applies to television advertising, taking into account the provisions of the European Communities Television Broadcasting Directive of October 3, 1989:

- Advertising should not link the consumption of alcohol to enhanced physical performance.
- Advertising should not give the impression that the consumption of alcohol contributes to social or sexual success.

In Germany the federal government approved the European Convention on Transfrontier Television on May 5, 1989. This law regulates some of the recommendations of the German Advertising Federation. In accordance with the convention for advertising alcoholic beverages on television, the following rules shall be complied with:

- Advertisements shall not be addressed particularly to minors, and no one associated with the consumption of alcoholic beverages in advertisements should seem to be a minor.
- Advertisements shall not link the consumption of alcohol to physical performance or driving.

- Advertisements shall not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal problems.
- Advertisements shall not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light.
- Advertisements shall not place undue emphasis on the alcoholic content of beverages.

Education and information

The current major institutes in the field of prevention are the Federal Centre for Health Education (BZgA), the German Centre for Addiction Issues (DHS), and the Ministry of Health of each state (Conference of Ministers of Health). Health insurance companies (e.g. DAK, AOK, Barmer) and other organisations (e.g. ADAC, Blaues Kreuz) are also involved in campaigns and make available information material for specific groups like physicians or patients.

The strategic approach of these institutions points at a public health approach that no longer focuses on abuse and dependence only, but also on risky consumption patterns that may lead to future problems. Problems with alcohol consumption are no longer considered individual problems, but also problems of the community. Although consumption patterns in general are of special interest, effective prevention is focused on certain target groups with specially developed approaches. Besides the actual target group, possible mediators such as relatives, and role models such as mass media idols, are also to be taken into account. If, for instance, the target group consists of workers, mediators are also colleagues and superiors.

Education and information about alcohol is primarily provided through leaflets and websites in the Internet, advertisements in newspapers and magazines or short promotional films that appeal to moderate consumption or show consequences of alcohol abuse. The role model function of well-known sportsmen, musicians, and actors is used for appeals, and information brochures are laid out in doctor's practices or public health departments. Advertising campaigns in the mass media aim at the persons at risk as well as at their relatives and other persons important to them. Great emphasis is being laid on prevention at early stages, which should start as early as possible including kindergarten, parents, and schools. There are special actions like Action Youth Care, and information brochures for teachers like the ADAC magazine and ADAC signal.

BZgA tries to raise the awareness of the misuse of psychotropic substances and appeals to grown-ups to take responsibility and be a model for a sensible approach to alcohol. Teachers, educators, and social workers are called upon to use their function as mediators or role models. In addition to advertisements, television spots, and posters, the BZgA arranges seminars for teachers and social workers, and provides teaching material and information material to parents. A drug hotline has also been set up.

Since 2000 the BZgA enlarged information about alcohol in the Internet. Especially for the young they still improved their offers. Interested young people can take information direct from the websites. If they need more than answers to their questions they can contact a hotline.

The messages in campaigns and brochures are no longer only trying to prevent abuse and excessive drinking, but appeal for a sensible and moderate approach to alcohol consumption, which includes changes in drinking behaviour. A sensible treatment of alcohol means

- that beverages with a low alcohol content should be preferred,
- that alcohol should not be used for quenching thirst,
- that the way of drinking should be focussed on enjoyment,
- that alcohol should not be drunk without having eaten before,
- that alcohol should not be drunk during the day,
- that drinking to reduce boredom should be avoided,
- that regular consumption in the same situations should be avoided, and
- that daily drinking should be avoided.

Furthermore, tolerance towards abstinence and responsibility for others are supported, e.g. by offering alcohol-free beverages as a host, or by not pushing someone to drink. The concept of point abstinence in certain situations, activities, or occasions is propagated; for example, while driving, during pregnancy, while taking medicaments, and during work.

Recommendations on the quantity of drinking have varied greatly since the mid-1960s. The probability of physical consequences like pancreatitis or cirrhosis of the liver served at that time as a reference point for consumption limits, and therefore the recommendations were high and varied considerably between 100 grams and 160 grams of pure alcohol per day. In the 1970s these values were lowered to between 60 and 100 grams of pure alcohol per day for healthy grown-ups, and the focus was laid on the psychological consequences like the risk of dependence.

Since the 1980s recommendations on quantity and drinking patterns have become more differentiated. Different limits on men and women have been introduced, as well as a classification of categories like dangerous consumption, harmful consumption but also low-risk consumption. Recommended levels were lowered to not more than 40 grams of pure alcohol per day for men and 25 grams for women. These limits were lowered again in the 1990s. Today the recommended limits are not more than 30 grams of pure alcohol per day for men and 20 grams for women. In addition, specific circumstances are described when people are recommended not to drink at all. These periods of point abstinence include pregnancy and lactation, driving a car, during the working hours or while under the influence of medicine.

Alcohol is the most often abused substance in Germany. In spite of education programmes and prevention policy, Germany is still a country with a very generous attitude towards alcohol consumption. Excessive consumption of alcoholic beverages is, on the one hand, disapproved but on the other hand also more or less tolerated. The positive attitude of the majority of the population makes it in fact rather difficult to refuse a drink in public. In Germany there are almost no restrictions on the consumption patterns. An early morning drink is as commonly accepted as drinking in the evening or while having lunch or supper, or while watching television, as well as the drinking of small amounts of alcohol distributed over the whole day.

Alcohol abuse and dependence are in general seen as problems. The individual case, however, will often not be noticed. Public opinion concerning moderate consumption still differs from the official recommendations on healthy consumption. Thus, a very high consumption of alcohol is still seen as moderate. Furthermore, illegal drugs are perceived as a much greater danger.

Health education is an important element of social and health policy. The goal of prevention policy is to make people aware of the problem in the sense of a critical and distanced attitude towards addiction-eliciting substances. This awareness includes knowledge of the background and motives of abuse and dependence.

Organisations like DIFA Forum, Alcohol and Responsibility, call for a responsible consumption of alcohol, sensible support and effective prevention against misuse of alcohol, e.g. for point abstinence, but they fight against legal restrictions, which are called for by the European Alcohol Action Plan of the World Health Organization. They demand an objective and functional approach, as the majority of people already deals responsibly with the matter. They also feel responsible for protecting the age-old cultural possession of alcohol.

Drunk driving

The endangering of traffic by consumption of alcoholic beverages is regulated in the criminal code (§ 315c StGB). According to the code, someone who is no longer able to safely drive a car because of drinking, and therefore puts people and things of value in danger, will be punished by a fine or by imprisonment up to 5 years. Even the attempt to drive after drinking is punishable. Also according to the traffic law (§24a StVG), driving a car under the influence of alcohol has been prohibited since 1973.

The Federal Court of Justice introduced an objectively measurable limit on the ability to drive a car under the influence of alcohol on November 5, 1953. At first, this legal limit on blood alcohol concentration (BAC) was set at 0.15 per cent. A revision on December 9, 1966 lowered the BAC limit to 0.13 per cent and on July 26, 1973 to 0.08 per cent, this time as an action of the federal legislature. In 1990, another limit with regard to an absolute disability to drive was passed by the Federal Court of Justice, specifying a level of 0.11 per cent. On May 5, 1998, the federal legislature passed the 0.05 per cent BAC limit. The current BAC limits on driving a car are presented in table 8.12.

Table 8.12. Blood alcohol concentration limits on drunk driving in Germany in 2000

BAC limits	(Legal) Consequences
0.03%	Starting point of possible legal consequences.
0.05%	Lower limit for infringement of the regulations. 200 Deutschmarks fine and 2 points at the register for traffic offences.
0.08%	Lower limit for endangering when driving a car. Infringement according to §24 of the traffic law (StVG). Possible withdrawal of driving licence for a time.
0.11%	Absolute disability to drive a car, punishable according to §315c and §316 of the criminal code (StGB).
0.16%	Limit of absolute disability to ride a bicycle, punishable according to §315c and §316 of the criminal code (StGB).
0.20%	Possible reduction of being responsible and punishable according to §21 of the criminal code (StGB) because of clearly diminished ability to drive.

With the introduction of the BAC limit of 0.05 per cent, the Federal Assembly also equated the breath alcohol measure with the BAC for levels below 0.11 per cent. The breath alcohol concentration is not directly comparable to the BAC, thus special breath alcohol limits have been defined. Breath alcohol content of 0.25 milligrams per litre is equivalent to 0.05 per cent of BAC. The measurement can only be taken with a reliable instrument that takes two independent measurements with different procedures. Someone who is not responsible and punishable because of high BAC according to §21 of the criminal code, can still be punished according to §323a of the criminal code, which regulates criminal offences in a state of total inebriation.

Since 1970 people have usually not been imprisoned because of drunk driving, but rather have been put on probation. The above-mentioned legal consequences have nevertheless been carried out thoroughly and the punishment, especially the suspension of the driving licence, has been consistently executed. A coordinated strategy of public information, legislative support, an increase in police controls, together with transparent sanctioning, has led to a decreased drinking and driving.

Furthermore, the driving allowance code (FeV) was revised in 1984 and the driving licence on probation has been introduced. This measure is directed especially at controlling and regulating with a period of two years of probation. If during this time the person commits one criminal offence (§315c, §316, §323a) or two offences (e.g. §24a), the driver is subjected to take lessons in driving. If new offences are committed, the driving licence exam has to be repeated, and if not passed, the driving licence will be withdrawn. In addition, a medical-psychological report can be ordered.

Generally, according to the driving law, applicants for a driving licence have to be physically and mentally able to drive a car. A compulsory report on the ability to drive will be ordered if the driver is caught with a BAC level of more than 0.16 per cent.

Demonstration projects on psychological rehabilitation measures have been carried out for first-time and for recidivists.

The administrative structure of treatment

The addiction help system in Germany operates locally but also nation-wide. Ideally, it is a network of graded and coordinated subsystems that covers all four phases of treatment: the contact phase, detoxification, rehabilitation, and after-care.

Counselling centres, general practitioners, and psychotherapists, as well as self-help institutions, are part of the local dependence care system, which covers the whole range of treatment from pre-care to after-care, including outpatient rehabilitation. In addition, inpatient rehabilitation offers nation-wide treatment possibilities. Specific programmes for the rehabilitation of alcohol dependence are offered mainly by private institutions, but also by some psychiatric hospitals. Moreover, there are specialised transition hostels and long-term hostels.

Most people having substance abuse problems will get into contact with the helping system in outpatient treatment. They mainly turn to general practitioners, psychosocial counselling centres, dependence outpatient services, self-help groups, health authorities and company dependence counsellors. Detoxification is mostly carried out by general hospitals, in wards specialising in internal diseases, and by psychiatric hospitals. Long-term therapy and rehabilitation is carried out on an inpatient or outpatient basis. Whereas inpatient rehabilitation today mainly aims at a therapy of short or middle duration, from less than two months up to four months, outpatient care can take much longer. Another advantage of outpatient rehabilitation is that it takes place in the original environment of the patient, which is also cheaper. Approval of being entitled to carry out outpatient rehabilitation is given by the Federal Associations of Health and Pension Insurance. In the field of after-care, special emphasis is laid on measures for professional and social rehabilitation. The treatment programme as a whole is based upon the principle of interdisciplinary cooperation of different institutions.

The legal framework for the funding system for treatment of dependent people is laid down in the dependence agreement that has been agreed upon by the Association of the Health Insurance Companies and the Federation of German Pension Insurance Institutions. In this agreement it is stated that rehabilitation is the responsibility of the pension insurance institutions and any medical examination or treatment, including detoxification, will be funded by the health insurance. If there is no insurance coverage, the social welfare system will fund the treatment.

Important non-governmental organisations include the German Centre for Addiction Issues (Deutsche Hauptstelle für Suchtfragen, DHS) and the Federation of German Pension Insurance Institutions (Vereinigung Deutscher Rentenversicherer, VDR), as well as the Association of the Health Insurance Companies.

DHS was founded in 1947 as the main working group against the dangers of addiction. It is an umbrella organisation of 26 member organisations, which are primarily non-governmental organisations, and it represents more than 1,000 counselling centres,

about 7,500 self-help groups, over 160 specialised clinics, and all psychiatric hospitals and other institutions working in the field of addiction treatment and prevention. The Council is involved in health politics on behalf of its member organisations, and it is a clearinghouse for questions about substance abuse. In detail its tasks are:

- Coordination of interests of its members and representing these interests to government, federal authorities and national associations of pension and health insurance companies.
- As a national clearinghouse and focus on expertise on addiction, to identify topics concerning the problems of addiction; to prompt professional discussion; to make statements on problems and topics connected to addiction, and to develop appropriate principles and conceptualisations.
- To organise professional conferences and to contribute to the exchange of experiences, and to influence public opinion.

The scientific exchange is supported by the journal on substance abuse, *Sucht*, which is jointly published by the DHS and the German Society for Addiction Research and Therapy (DG Sucht).

VDR is an umbrella organisation of pension insurance agencies, which provide medical rehabilitation to persons with substance-induced disorders, aiming at making patients fit for work again. It funds a big part of rehabilitation, especially in the inpatient sector, and increasingly in the outpatient setting as well. As the organisation manages funds given by its members in trust, the quality and output of treatment are of special importance to it. The agencies responsible for the insurance are independent of the state and are controlled by their members.

Summary

Germany is a country with a tolerant attitude towards alcohol consumption. Excessive consumption of alcoholic beverages is on the one hand disapproved but on the other hand also more or less tolerated. The positive attitude of the majority of the population makes it rather difficult to refuse a drink in public. There are almost no restrictions on the consumption patterns. An early morning drink is as commonly accepted as drinking in the evening or while having lunch or supper, or while watching television, as well as the drinking of small amounts of alcohol distributed over the whole day.

Prevention policy in Germany aims at making people aware of the general problems of psychotropic substances, and includes creating a critical and objective attitude towards alcohol. Two institutions shape the prevention policy. The Federal Centre for Health Education is a governmental institution that works on principles and guidelines of practical health education, trains professionals working in the field of prevention and coordinates and emphasises health education. The German Centre for Addiction Issues is an umbrella organisation of institutions working in the field of dependence that represents the interests of its members to the government and other federal authorities. The task of this institution is to identify relevant topics of dependence, to stimulate technical discussion, and to develop appropriate conceptualisations.

There are very few legal restrictions on alcohol production in Germany. In measures affecting the availability of alcohol, a distinction is made between beverages containing

distilled spirits and other alcoholic beverages, which are mainly wine, beer and sparkling wine. Structural preventive measures taken by the government in order to restrict the general availability of alcohol are:

- Closing time in restaurants and public houses, and no off-premise retail sales of alcoholic beverages during general shop closing hours, which are on weekdays from 8 p.m. to 6.30 a.m., on Saturdays from 4 p.m. and no sales on Sundays and public holidays.
- Prohibition of sale and consumption of distilled spirits to persons under 18 years and of other alcoholic beverages to people under the age of 16.
- Measures concerning specific situations like prohibition of sale of alcoholic beverages to obviously drunk persons or the possibility to prohibit alcohol sales during mass events like football games.
- No sale of distilled spirits in vending machines.
- Structural preventive measures by making it easier to purchase non-alcoholic beverages, i.e. at least one non-alcoholic beverage has to be offered at the same price as the cheapest alcoholic one.

It is the first time in Germany that a special tax on alcopops is used as a preventive structural measure to improve the protection of young people against the consumption of alcohol. Price levels and changes in alcoholic beverage prices follow supply and demand. During the last two or three decades, prices of alcoholic beverages have decreased in relation to other prices. Despite this, the consumption of alcoholic beverages has been stable or even on the decrease since the late 1970s. The expenses of alcohol advertising have been continually increasing in an effort to stop the declining consumption trend. The content of advertisements is restricted by voluntary rules except the law for the protection of youth in public which bans alcohol and tobacco advertising in cinemas before 6 pm since April 2003. Beyond this, the restrictions of the European Convention on Transfrontier Television have been obligatory since 1989.

Violations of traffic regulations and laws are strictly punished, following a graded system that includes fines, withdrawal of driving licence, and legal consequences for drivers and cyclists. In 1998 a BAC limit of 0.05 per cent was introduced. As early as in 1990, there was provision for a general medical-psychological examination of driving competence for a driver caught driving at any BAC level above 0.11 per cent. Further measures have been the introduction of a probationary driving licence for beginners. The frequency and extent of police controls have been intensified. Implementing the controls has been made easier for the police by equating the breath alcohol measurement with the blood alcohol measurement in 1998.

Current preventive measures aim at a sensible, moderate consumption of alcoholic beverages, with point abstinence in specific situations or for specific groups. Recommendations on the quantity of drinking have varied greatly since the mid-1960s when they were high and varied considerably between 100 grams and 160 grams of pure alcohol per day. In the 1970s these values were lowered to between 60 and 100 grams of pure alcohol per day for healthy grown-ups. Since the 1980s separate limits for men and women have been introduced and recommended levels have been lowered to not more than 40 grams of pure alcohol per day for men and 25 grams for women. These limits were lowered again in the 1990s. Today the recommended limits are not more than 30 grams of pure alcohol per day for men and 20 grams for women. Using the

concept of standard drinks 30 grams means about three drinks and 20 grams about two drinks. In addition, specific circumstances are described when people are recommended not to drink at all. These periods of point abstinence include pregnancy and lactation, driving a car, during the working hours or while under the influence of medicine.

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