

Midstream social marketing intervention to influence retailers' compliance with the minimum legal drinking age law

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Abstract

Purpose – Alcohol availability is strongly related to excessive alcohol consumption. This study aims to examine social marketing's response to concerns about retailers' noncompliance with the minimum legal drinking age (MLDA) law by proposing and evaluating a social marketing intervention directed at sellers in off-premise stores.

Design/methodology/approach – The study is based on a non-randomized quasi-experimental design, focusing on an evaluation of the implementation of the "18 rules!" intervention in four cities in Slovenia. Two waves of underage purchase attempts were conducted pre- and post-intervention in 24 off-premise businesses, following a mystery shopping protocol.

Findings – The initial rate of retailers' noncompliance with the MLDA law in off-premise establishments was high. After the social marketing intervention, an increase with compliance with the law was observed; the proportion of cashiers selling alcohol to minors after the intervention decreased from 96 to 67 per cent. Qualitative insight suggests an existence of retailers' dilemma in complying with the MLDA.

Research limitations/implications – A social marketing approach could contribute to a better understanding of the social working of the MLDA law.

Practical implications – A social marketing approach could complement the usual enforcement strategies and contribute to a better understanding of the social working of the MLDA law, and encourage deliberate retailers' compliance with it while developing valuable exchanges among people and stakeholders.

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Originality/value – The paper conceptualizes retailers' dilemma in complying with the minimal legal drinking age law and offers social marketing response to it. Results of the study show that also solely non-coercive measures have the potential in increasing retailers' compliance with regulations.

Keywords Youth, Enforcement, Alcohol availability, Midstream social marketing, Minimum legal drinking age law, Mystery shopping

Paper type Research paper

1. Introduction

In the field of social marketing, the complexity of behavioral determinants is being increasingly recognized (Gordon, 2013; Spotswood and Tapp, 2013; Kamin and Anker, 2014), but social marketing interventions to prevent alcohol-related problems still focus on individuals with risky behaviors, who are, in most cases, young people (Stead *et al.*, 2007; Kubacki *et al.*, 2015). Besides investing huge resources into managing alcohol-related harm and encouraging young people to stop high-risk drinking, additional approaches should be taken to prevent young people from consuming alcohol to begin with; attention to the contextual dimensions of the risky behaviors and “drinking cultures” is needed (Spath *et al.*, 2008; Jones, 2011, 2014).

Decreasing the availability of alcohol through a strengthening of regulations is recognized as an important strategy in reducing alcohol-related harm for both young people and the general population (Treno *et al.*, 2008; Anderson *et al.*, 2009; Babor *et al.*, 2010). Studies continually identify alcohol availability as a significant factor in teenage drinking patterns (Babor *et al.*, 2010): it affects drinking behavior through the direct availability of alcohol (Dent *et al.*, 2005) and by influencing norms, attitudes and personal beliefs about drinking (Wagenaar and Toomey, 2002; Lipperman-Kreda *et al.*, 2010). The easy availability of alcohol encourages the perception that alcohol consumption at any time and for every occasion is normal (Kenny and Hastings, 2011), while young people interpret the easy availability of alcohol as social consent to or encouragement of alcohol consumption (Kuntsche *et al.*, 2008; Bajt and Zorko, 2009; Lipperman-Kreda *et al.*, 2010).

This article argues that social marketing has the potential to increase acceptance of and respect for regulation of alcohol availability. It aims to assess the potential of midstream social marketing intervention to improve compliance rates of the retailers without an enforcement element and to gather additional understanding of the workings of the minimum legal drinking age (MLDA) law, as guidance in future interventions to tackle alcohol availability to young people.

The objective of the paper is threefold. First, to present the rationale for and implementation of midstream social marketing intervention in addressing alcohol availability in off-premise commercial settings; second, to evaluate the effectiveness of such intervention in increasing retailers' compliance with the MLDA law with study using a non-randomized quasi-experimental design; and third, to present qualitative insights about social working of MLDA law obtained during the intervention.

First, we examine the regulation of alcohol availability to young people and the limitations of its enforcement methods. Second, we demonstrate that midstream alcohol-related social marketing interventions are rare and propose how social marketing can be utilized to enhance retailers' compliance with MLDA law. Third, our intervention is presented, as well as the study devised to test its effects. Fourth, we discuss the implications of the study for social marketing practice and further research.

2. Regulating alcohol availability for young people

The physical availability of alcohol beverages can be managed through bans on sales, MLDA laws, rationing, government monopolies of retail sales, restrictions on times of sale, restrictions on density outlets or differentiated availability by alcohol strength (Babor *et al.*, 2010). The assumption behind restricting availability is that it will reduce demand for alcohol by increasing the effort needed to obtain it (Babor *et al.*, 2010).

We discuss regulation and reduction of alcohol availability to young people through one of the most common methods: an MLDA law. In practice, this law obliges sellers of alcohol on-premise (where alcohol can be bought and consumed on-site, e.g. clubs, restaurants and bars) and off-premise (where alcohol can only be bought but not consumed on-site, e.g. supermarkets, grocery stores and liquor stores) to check the age identification of young purchasers attempting to buy alcoholic beverages and to refuse them if they do not meet the legal drinking age. When sellers do not respect the MLDA law, either legal persons (license holders), natural persons (sellers) or (least commonly) minors may be sanctioned, with financial fines being the most common sanction (Mulder *et al.*, 2013).

The positive impact of MLDA laws has been detected in the decreased amount of alcohol consumed, reduced number of car crashes involving underage drinkers and improvements in other alcohol-related problems, such as suicide and vandalism (Wagenaar and Toomey, 2002). However, the potential of MLDA law is far from exhausted. Studies continually document the ease with which underage youth around the world obtain alcohol in commercial settings despite the legal drinking age (Dent *et al.*, 2005; Gosselt *et al.*, 2007; Huckle *et al.*, 2007; Paschall *et al.*, 2007; Romano *et al.*, 2007; Rossow *et al.*, 2008; Geidne and Eriksson, 2009; Holmila *et al.*, 2010; Gosselt *et al.*, 2011; Schelleman-Offermans *et al.*, 2012, 2014; Mulder *et al.*, 2013;). In some trial-purchase studies, minors succeeded in buying alcohol in more than half of all purchase attempts (Rossow *et al.*, 2008). In general, it is documented that underage alcohol purchases result in retailer's compliance levels between 0 and 50 per cent (van Hoof *et al.*, 2011).

2.1 Measures to increase compliance with the MLDA law in commercial settings

Various measures have been taken to deter commercial outlets from selling alcohol to underage youth; in general, we could group them as intensified law enforcement checks (e.g. violations of the law are sanctioned); training retailers and servers in responsible alcohol-related service; enforcement communication (e.g. media coverage, annual reports and official letters to premises) and mass media intervention campaigns; approaches that combine several of the above-mentioned interventions; and technological innovations intended to nudge retailers into better compliance with remote age verification (van Hoof and van Velthoven, 2015), which are promising dramatic increases in compliance and decreases in alcohol availability from commercial settings but which may not yet be feasibly adopted on a nationwide scale.

The majority of published evaluated interventions to improve compliance with MLDA law in commercial settings focused on enforcement checks (Wagenaar *et al.*, 2005; Montgomery *et al.*, 2006; Paschall *et al.*, 2007; Huckle *et al.*, 2005, 2007; Schelleman-Offermans *et al.*, 2012; Erickson *et al.*, 2013). This group of studies combined assessment of retailer's compliance with the method of decoy underage shoppers pre- and post-intervention, along with increased visits by law enforcers to commercial

establishments to check and sanction in accordance with the MLDA law and enforcement communication. *Van Hoof et al. (2011)* describe an intervention that consisted solely of a feedback letter to commercial outlets informing them about their (positive or negative) results in compliance checks with decoy youth shoppers. All the above-mentioned interventions that used the enforcement element, including the intervention of *van Hoof et al. (2011)*, reported positive effects in reducing violations of MLDA laws.

Positive effects were also reported in several interventions aimed at achieving better compliance with MLDA law by training retailers and servers in responsible alcohol-related services (*Toomey et al., 2001; Wagenaar et al., 2005; Paschall et al., 2007*). One study also described an extensive alcohol retailer toolkit intervention in which a toolkit with various materials was developed and distributed to alcohol retailers to support them in better compliance, but the study only measured reported use of the toolkit in the shops and reported (perceived) effects of the toolkit on compliance (*Wolff et al., 2011*). Significant improvement in compliance was also reported as achieved through a mass media campaign directed at informing the public about the importance of compliance with MLDA laws (*Gosselt et al., 2011*), but it remained low. In sum, all the above interventions showed positive effects in reducing violations of MLDA law, but increased enforcement and technical solutions showed far better results than did interventions focused on training and mass media campaigns.

2.2 Limitations of enforcement methods

Nevertheless, there are several limitations to interventions that rely primarily on law enforcement, the main one being that the positive effect of increased enforcement interventions decreases over time (*Wagenaar et al., 2005*), suggesting that communities should also conduct compliance checks at all establishments regularly – more than once or twice per year – to maintain a long-term reduction in alcohol sales to minors (*Paschall et al., 2007; Wagenaar et al., 2005; Erickson et al., 2013*). However, this is very resource demanding and often unfeasible (*Mulder et al., 2013; Erickson et al., 2013*).

The unsustainability of enforcement methods in achieving long-term compliance with MLDA laws may be related to the nature of legislative regulation, which commonly tries to influence behaviors by increasing the cost of undesired behaviors (*Lee et al., 2011*) and effective only as long as law enforcers maintain (or appear to maintain) high detection rates of transgressors. Behaviors encouraged solely through coercion are easily abandoned as soon as the enforcement intimidation is absent. A focus on enforcement by coercion strengthens the discourse of legality and illegality of alcohol sales to minors, usually on account of engagement in questions about vendors' social and personal responsibilities relating to alcohol consumption by young people and consequently in affecting their well-being.

We would also like to consider the limitations of enforcement methods in the context of our observation that studies of compliance with MLDA laws usually consider legislation as a policy tool for top-down management of social behavior. This instrumentalist conception of legislature (*Griffiths, 2003*) exhibits little interest in the complexities of causal relationships between the law and desired behaviors or of the social factors that condition compliance. To know if MLDA law work as a tool and, if so, how, we should look at them in terms of how they work socially; this, according to

Griffiths (2003), acknowledges the concrete social situations in which the social actions and interactions that are the subject of regulation take place.

2.3 A midstream social marketing approach to increase retailers' compliance with MLDA law

Because social marketing approach to social change is customer/citizen centered and is not readily associated with coercion measures to change social behaviors, a "bottom-up" approach to law should be closer to a social marketing approach than an instrumental approach to law enforcement. The social marketing approach could contribute to a better understanding of the social functioning of MLDA law and thus helpfully complement enforcement strategies that are more common by influencing social norms, increasing the perceived legitimacy of MLDA law and encouraging deliberate compliance with it while developing valuable exchanges with people and stakeholders for the greater social good.

Alcohol-related interventions that use social marketing principles are shown to achieve good results in tackling alcohol-related harm: they have been found to create some immediate but also longer-term changes via attitude, behavioral intention and/or raising awareness; some also achieved positive behavioral outcomes (Stead *et al.*, 2007; Kubacki *et al.*, 2015). The majority of evaluated alcohol-related social marketing interventions published to date were oriented downstream (the target population was primarily young people and the problem addressed was either alcohol consumption or drink driving); only a few interventions were oriented midstream (e.g. targeting medical and health professionals) (Stead *et al.*, 2007; Kubacki *et al.*, 2015). However, to solve such stubborn problems as alcohol-related problems, we need to use additional strategies and approaches; focusing on young people is insufficient. Although several community-based interventions to tackle commercial alcohol availability to young people do exist and we briefly discussed them in the previous section, midstream social marketing could be helpful in increasing their effectiveness (Jones, 2014).

In this context, it is impossible not to work with parts of the private sector, such as retailers. Not to do so would mean ignoring a large portion of the marketing system that shapes social problems (Lefebvre, 2012). By undertaking a social marketing approach to the availability of alcohol in commercial settings, we would focus on the immediate social environment where alcohol is purchased; a midstream social marketing approach would engage retailers in active behavioral changes and consequently form a culture in which easy access to alcohol is not a norm. The social marketing approach is unique because it holds behavioral change as its bottom line, is essentially customer driven and emphasizes the co-creation of attractive exchanges that encourage social change (Andreasen, 2002, p. 7). Everything else derives from these three guidelines.

Under a midstream social marketing approach, we should deepen retailers' critical understanding of MLDA rules, strengthen the abilities of retailers to follow the rules and encourage their willingness and motivation to comply. These three conditions significantly affect compliance with the law (Griffiths, 2003; Gosselt *et al.*, 2012). Given that the issue of noncompliance with MLDA laws in commercial settings is so important, it is surprising that sellers' accounts of (non)compliance have rarely been acknowledged in the community interventions to date (Griffiths, 2003).

2.3.1 Retailers' dilemma. Following guidelines for service thinking in midstream social marketing (Russell-Bennett *et al.*, 2013), sellers can be defined as enactors that

influence the immediate social environment of intending underage alcohol consumers. Considering retailers in the midstream social marketing context is not common. In fact, with regard to MLDA law, they have conflicting interests, a status we call the “retailer’s dilemma”, illustrating the gap between perceived private interests with public interests. The insufficient overlap of private interests with public interests is one of the factors on an industry level that may condition effectiveness of compliance (Dorbeck-Jung *et al.*, 2010; Gosselt *et al.*, 2012). On the one hand, retailers are service oriented, with a “consumer first” business philosophy and on the other hand, they are a service responsible for tackling problems related to alcohol availability to young people by implementing MLDA law. In the context of their primary business, they are expected to satisfy the needs and wants of their consumers, while in the context of MLDA laws, they are supposed to reject young consumers’ intentions to purchase alcohol. This can lead to perception of “conflicting job roles/identities” (Russell-Bennett *et al.*, 2013, p. 232) and beliefs and attitudes that performing in accordance with MLDA laws could undermine their professional status and expertise as sellers, maybe even influence the decreased perceived quality of their service in the eyes of their costumers. When such conflicts exist, social marketing interventions could help to resolve them in favor of increased compliance with MLDA law by providing them with justification for respecting the law. Social marketing could thus help to bridge the gap between private and public interests without undermining and compromising sellers’ identity.

3. Methods: a social marketing intervention to improve retailers’ compliance with the MLDA law in Slovenia

3.1 *The Slovene context of off-premise alcohol sales to minors*

According to the WHO (2014), Slovenia ranks above average on per capita adult alcohol consumption, at 11.6 liters of pure alcohol, compared to European average of 10.9 liters per year. Looking at consumption among young people, 80.6 per cent of 15 year olds have drunk alcohol, with 13.9 per cent drinking alcohol on a weekly basis (Jeriček Klanšček *et al.*, 2015). The legal drinking age is regulated by the law on the restriction of drinking alcohol, which makes it illegal to sell or offer alcoholic drinks to young people below the age of 18.

Retailers’ compliance with the MLDA law in Slovenia is monitored by the Market Inspectorate. As of 2014, 100 inspectors were employed, but as the Inspectorate is responsible for a wide range of matters, compliance is monitored only occasionally. In 2014, they carried out 856 inspections across the country and 20 breaches of the law were found. The Inspectorate admits that the result does not reflect reality and that the compliance rate is smaller (TIRS, 2014). ESPAD reported that 30 per cent of Slovenian 15 to 16 year olds had purchased some kind of alcohol in off-premise stores in the past year and that 88 per cent of 15 to 16 year olds perceive alcohol to be obtained fairly or very easily (no differences between boys and girls) (Hibell *et al.*, 2012).

3.2 *Intervention*

3.2.1 *Intervention development.* The development of the current intervention started in 2010 within a small-scale local community program, “Mobilizing local communities for more responsible use of alcohol”, which targeted off-premise enterprises, young people and youth party organizers in Ljubljana city center (financially supported by the Municipality of Ljubljana) and aimed to raise awareness that sellers but also young

purchasers need to cooperate on compliance. We developed (with the participation of young people and sellers) toolkit materials (posters, stickers, signs, candies, age calculators and T-shirts) to ensure the visibility of the MLDA law and assist in identity document (ID) checks of young purchasers of alcoholic beverages. Selected shops in the city center were equipped with the materials explaining the law in a branded, creative manner with the slogan “18 je zakon!” (which can be read as “18 is the law!” or “18 rules!”) and a cartoon superhero named “Zakon” (Law). Throughout the project, shop managers were regularly visited by the project’s associate to check if the shop was properly equipped with the project’s material, provide the shops with additional material and engage with sellers (shop managers and cashiers) in discussions about their experiences with young purchasers, the usability of the project’s toolkit and perceived compliance. Shops included in the project displayed the toolkit; sellers found branded signs that appeared on the shelves with alcohol, in the entrance of the shop and at the checkout register useful because they humorously but informatively addressed compliance. After each visit to the shop, the project’s associate made notes about the main issues discussed with sellers. These issues were then discussed in the project team with other project associates. On the basis of the data gathered from personal discussions with the sellers, we identified several issues related to retailer’s compliance with the MLDA law that we aimed to address in the current intervention:

- (1) *Normative misperceptions* (based on opinions and values about perceived descriptive norms) (Kenny and Hastings, 2011). Sellers from all the visited shops believed that their shop performed rather well in compliance when compared to their competition. They believed that all other shops sold alcohol to minors and that minors whose alcohol purchases were rejected in their shop ended up buying alcohol from competing retailers.
- (2) *Myths about the MLDA law’s aim*. Sellers saw law enforcers as biased in unevenly and deceitfully performing compliance checks; saw compliance as a forced behavior and as a state tool to collect penalty money. Understanding is lacking in Slovene culture of the rationale behind the MLDA law and of why sales personnel are regarded as the party responsible for compliance.
- (3) *Diminished ability to act according to the rules*. Sellers reported difficulties in confronting minors, who often reacted offensively to the refusal of alcohol sales (using abusive language, threatening cashiers, and associating the cashier’s compliance measures with their dull and unkind personality); cashiers also mentioned ID checks as a burden that affected their efficiency at the counter (checking ID, calculating the age of the customer and arguing about the refusal to sell alcohol took time), which could get them into trouble with respect to the store’s efficiency norms.

These three issues point to the importance of acknowledging the social functioning of the MLDA law, which may lead sellers to resist the rules. The intervention in the current study used the “18 rules!” toolkit material that was well accepted in the local community program and complemented it with a personal communication intervention, aiming at increasing the compliance rate without the law enforcement element in selected shops in four of Slovenia’s biggest cities.

Recognizing the sellers as midstream social marketing enactors without active possibility to influence the law encouraged us to design an intervention that would position the sellers as our potential partners in decreasing the availability of alcohol to minors, rather than framing them as part of the problem, unwilling to comply with the law and thus needing to be corrected and punished if necessary. In our program, we framed them as part of the solution, with the presumption that sellers want to comply with the law but needing assistance to do this more efficiently and in a socially approved way.

3.2.2 Current intervention's procedure. We respected store policies in Slovenia and approached higher management first, introducing the intervention project and asking for their approval to address their staff directly. No retail management refused to participate in the intervention, and all retailers but one allowed direct contact with the cashiers and store managers in selected shops. One retailer allowed only direct contact with the store manager in selected shop (one intervention). In 12 interventions, carried out in the experimental group, we directly addressed 38 sellers (cashiers and store managers); the intervention groups had two to six participants, depending on the size of the shop. Interventions were designed as face-to-face group interviews with sellers in their working environment, usually in the morning, before they started their working day. Because we aimed to assess the effect of intervention without an enforcement element, neither higher management nor sellers were informed about our pre- and post-intervention measurements of compliance. Thus, no enforcement discourse, such as informing sellers about their compliance performance in the pre-intervention measurement, was included in the intervention.

A project associate experienced in qualitative research approached the shop managers and cashiers. Personal group interventions lasted from 15 and up to 60 min, structured as introduction, group discussion about MLDA law and systemic and personal barriers to compliance, and invitation to cooperate. The contents of the intervention are presented in [Table I](#). Because of the delicate issue, the intervention was not recorded, but the project associate organized the notes from the intervention and prepared a report on issues discussed for each intervention.

3.3 Research evaluating the intervention's design

We aimed to assess the potential of the intervention to improve compliance rates without an enforcement element and to increase our understanding of the social functioning of MLDA law to guide us in future interventions, without any intention of generalizing from the compliance rates with the MLDA law in Slovenia.

The study, which was ethically approved by the Slovene information commissioner, consisted of two sequential data collection phases (two waves of underage mystery shopping to determine compliance rates), with intervention between the two mystery shopping waves. The study had a non-randomized quasi-experimental design with one experimental and one control group. The cities in which the study took place were selected from four biggest Slovenian regions that match in levels of urbanization and social stratification: Ljubljana, Maribor, Celje and Kranj. Selection of the stores was based on discussions with youth workers from the participating cities and desktop searches of stores near schools and other places where young people spend their free time. After the general selection procedure, a list of 24 stores was made and equally divided between the experimental and control groups.

Improving conditions for better compliance with the law	Description of intervention's components
Deepen retailer's critical understanding of the MLDA rules	As the sellers of alcohol are not involved in the law-making processes, they need to become more aware of the reasons behind the law to understand their role in tackling alcohol-related problems in Slovene society better. The reasons for the MLDA law were presented in the context of vulnerable, still-developing young bodies. Responsibilities that we have as adults to protect youth from alcohol harm were introduced
Strengthen the abilities of retailers to follow the rules	We acknowledged that the law puts many responsibilities on sellers and that this often provokes stressful situations. We emphasized sympathy with their struggles and our wish to help them with the "18 rules!" toolkit (branded stickers with age limits, posters, checkout signs and signs for shelves of alcohol beverages with citations of the law setting the age limit and enabling the sellers and cashiers to request customers' ID), which can be used to ease the process of compliance Sellers were advised how to use the toolkit to disburden themselves of the emotional aspect of compliance with the rules and accelerate the process of discussing the process of identification with young purchasers. Sellers were also advised on how to deal with rude young customers
Encourage willingness and motivation to comply	We addressed the sellers' perceptions that they are in minority when they respect the law. We encouraged them to reposition their perception of compliance as passive subordination to rules in active co-management of young people's well-being and therefore contributing to better communities. We explained the benefits that sellers could derive from the intervention, acknowledging their stressful assignment as part of a collective effort to solve alcohol-related problems in Slovene society. Sellers were awarded for cooperating in the tackling of alcohol availability problems with a token of appreciation: an "18 rules!" T-shirt
Note: The intervention's approach to addressing conditions for better compliance with the MLDA law without an enforcement element	

Table I.
Midstream social marketing intervention to influence compliance with the minimum legal drinking age law

In all of the selected stores, mystery shopping took place both before and after the intervention, with exactly the same protocol and visits on the same day of the week. We measured the effect of intervention by measuring compliance with MLDA law in terms of alcohol not being sold to minors before and after the intervention in shops with interventions (experimental group) and without the intervention (control group). The effect of the intervention was not measured with regard to attitude change; attitudes toward the law were only subjectively assessed during the intervention itself. We measured the effects of the intervention in actual behavioral change using the pre- and post-intervention mystery shopping measure. The primary outcome measure was a

dichotomous variable evaluating whether alcohol was sold to the underage mystery shopper. The pre- and post-intervention measurements took place between February and May 2014, in 24 stores, which were part of eight retail chains, in four major Slovene towns, with the stores in the intervention group being asked to participate in the intervention after pre-measurements were carried out. In total, there were 24 measurements before and 24 after the intervention for each of the groups.

In all, 16 young people participated as mystery shoppers (16 or 17 years of age) and observers (from 18 to 22 years of age), of which four were males and 12 female. Parents whose children participated were asked for their written informed consent. Mystery shoppers were recruited through the Slovene youth organization "No Excuse"; adolescents who were selected had had some prior experience of working in the area of alcohol-harm reduction. It was ensured in advance that the underage participants followed appropriate dress codes to ensure they all looked their actual age.

The mystery shopping protocol was as follows: in the shop, the mystery shoppers took a 0.5-liter can of beer (regardless of the brand) and a snack and tried to pay for it at the checkout desk. If the cashier asked about their age, the mystery shoppers were instructed to lie and say that they were 18 years old. If cashiers asked for an ID, the mystery shoppers were instructed to show their real ID (in Slovenia, an identification card, driving license or passport is considered valid proof of identification). The observer discreetly monitored the process from a safe distance to avoid being identified as accompanying the purchaser. Together with the mystery shopper, the observer filled in the questionnaire immediately after each mystery shopping visit. If the transaction was successful, the observer collected the purchased alcohol.

The mystery shopping always took place on Fridays (at the end of the school week), with one measurement carried out in the morning/noon (9.00-13.00) and the other one in the afternoon/evening (14.00-18.00). The measurements were carried out on the same day in Ljubljana and Kranj and again in Maribor and Celje.

4. Results

4.1 *Qualitative insights in social working of the MLDA law*

All participating retailers in the intervention reported that they were familiar with the MLDA law, according to which they are obliged to check IDs of young purchasers of alcohol. However, they questioned the advisability of this policy, in that young people can always get alcohol somewhere (so why not in their shop?). Nobody freely admitted that he or she commonly sold alcohol to minors, but they were undoubtedly accusing their competitors in other store chains of such behavior. Some of them shamefully confessed that they had already been sanctioned for noncompliance with the rules. Sellers often pointed to the circumstances that make compliance (checking IDs and calculating the purchaser's age) difficult and stressful, such as abusive and rude customers and expected work speed. Interestingly, some were convinced that minors do not try to buy alcohol in their shop, indicating a distorted perception of the rate of alcohol purchase attempts. The majority of these issues had been detected in our previous interviews with sellers (described above). In addition, we would like to draw attention to explicitly expressed comments about conflicting job roles/identities. Their identity is linked to the job of a seller and associated tasks, expertise and responsibilities, but MLDA law bring confusion in their working routine and uneasiness with carrying out a task for which they are not trained and initially employed. It was possible to detect

annoyance with the role the MLDA is prescribing them. (“We are here to sell, not to perform control”). To sum up, among the participants of the intervention, compliance with the MLDA law was not perceived as a useful social norm and awareness of the importance of the MLDA law and of the link between noncompliance and social consequences was rather poor.

4.2 Effect of the intervention on compliance

Comparing results from the experimental and the control group before and after the intervention, it can be seen from Figure 1 that in the experimental group, the rate of sold alcohol decreased by almost a third, whereas in the control group, the rates remained the same.

Figure 2 shows how the intervention influenced cashiers in checking IDs. Results were grouped into four categories based on whether the cashier checked the ID and whether the cashier subsequently sold alcohol. It can be seen that there were more cases of asking for ID and still selling alcohol in the control group compared to the intervention group, even before the intervention itself.

To compare the results not only across stores, but also within them, a new variable was created, with the categories “Less”, “Equal” and “More”. As two measurements

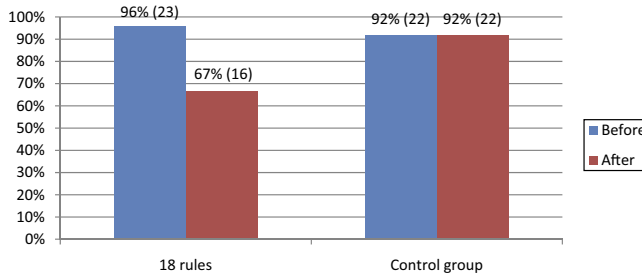


Figure 1. Beer sold before and after the intervention in total for experimental and control groups

Note: The number of measurements in each of the groups was 24 before and 24 after the intervention (both relative frequency and actual number of measurements are presented)

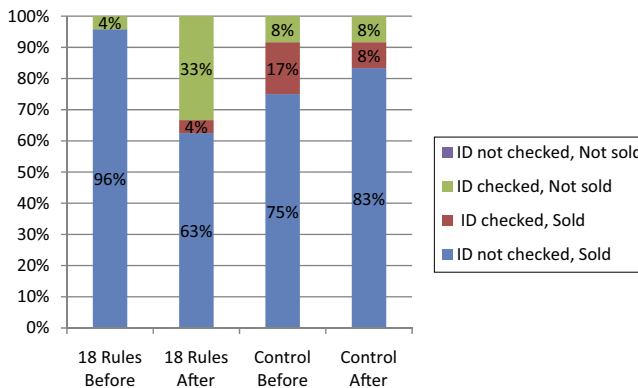


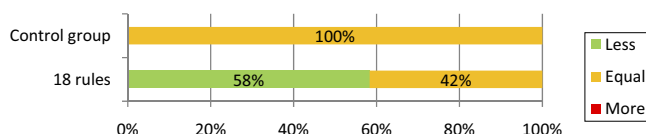
Figure 2. Categories based on checking of ID and selling of alcohol according to type of intervention and time of measurement

were carried out in each store before and two after the intervention, the categories were based on comparisons of the number of beers sold before and after the intervention in specific stores. In the “Less” category were all the stores that sold less beer at the second measurement than at the first. In the “Equal” category were the stores that sold an equal number of beers at both measurements, and in the “More” category were stores that sold more beers at the second measurement than at the first. The results, presented in Figure 3, show the percentages of stores for each category; in the control group, there were no changes and the same number of beers were sold pre- and post-intervention in all stores. In the experimental group, 58 per cent sold fewer beers at the second measurement than at the first measurement. There were no cases in which stores sold more beer after the intervention.

5. Discussion

The initial rate of noncompliance with the MLDA law in the shops studied was very high and in accordance with the data from ESPAD that point to disturbingly easy alcohol availability to minors in commercial settings in Slovenia (Hibell *et al.*, 2012). The results of the study show that the intervention had a visible effect on compliance rates in shops, decreasing the number of beers sold from 96 to 67 per cent, but, generally, this is still unsatisfactory because in 67 per cent of cases, young people were still able to obtain alcohol, even after the intervention. A range of factors could have influenced this, such as the seller not being present at work on the day of the intervention because of uncontrollable factors such as illness or the various degrees to which store managers decided to use the materials received. Possible measurement error because of not having 100 per cent control over presence of all sellers in particular store at the time of the intervention might have reduced the accuracy of the measurement. If these factors were entirely controlled, effect of the intervention might have been even higher. However, we should note that managers of every store in the experimental group agreed to use the intervention material at their store with all employees.

It should also be mentioned that a considerable number of sellers asked for ID but then sold the alcohol anyway. This could be a personal strategy to solve the retailers’ dilemma by complying half of the way: satisfying the young customer with a successful purchase and satisfying the law by apparently checking the ID. It could also be related to difficulties with calculating age from an ID, which was mentioned by some sellers. These reasons should be researched further, as obstacles to complying with the rules and interventions should be adjusted accordingly. If the main reason is a difficulty calculating age, then we could develop helpful age-calculating tools for cashiers or redesign identity documents to make calculations easier.



Note: The 24 “Before” and “After” measurements in each of the groups were compared and taken into consideration for the variable

Figure 3.
Quantity of sold
beers before and
after the intervention

From the results, it can also be seen that there were slight differences in two groups of stores when it comes to retailers' ID checking behavior at the first measurement; despite similar overall ratios of alcohol sold, the control group in the first measurement contained more sellers who actually asked for ID. Therefore, caution has to be exercised when drawing conclusions, because other factors may have affected the compliance rate.

Qualitative insights from the interventions, which complement results on difficulties with compliance with MLDA laws found by *Gosselt et al. (2012)*, point to several tasks for future interventions like challenging sellers' beliefs and attitudes that acting as "midstream social marketing enactors" will undermine their professional status and expertise. Researchers into alcohol availability issues could organize staff training with retail management to address and resolve issues of conflicting roles and job identity, encourage staff with reward programs (in combination with internally organized compliance checks), introduce standardized protocols for addressing young purchasers and other midstream social marketing service thinking strategies (*Russell-Bennett et al., 2013*).

It should be emphasized that this study measured only the short-term effects of the intervention and thus cannot argue for its long-term effects. In addition, the study did not assess how the intervention impacted retailers' attitudes toward selling alcohol to young people. We evaluated only immediate reactions, concerns and beliefs discussed during the intervention itself. Such subjective evaluations indicated that sellers acknowledged the importance of their behavior in the overall attempt to lessen the burden of alcohol in Slovenia, but when it came to practical application, they still had other matters prioritized, and from the results of evaluation, it can be seen that checking ID for attempts to purchase alcohol was not necessarily one of them.

A further limitation is that compliance was checked for only one alcoholic drink: beer. In evaluation of the research procedure, the mystery shoppers pointed out that the results may have been different if stronger alcohol had been included in the study, so this is one of the possibilities for expanding the study in the future. Perhaps beer is not considered a serious alcoholic beverage by sellers because of its low alcohol content. Furthermore, in Slovenia, young people buy and consume beer in a slightly higher percentage than other types of alcoholic drinks (wine, alcopops and spirits) (*Hibell et al., 2012*).

It should also be noted that mystery shoppers were participating on a voluntary basis and thus there was no possibility of regulating the number of participants by gender, and no particular advance screening processes took place apart from the prior experience that youth organization leaders had. However, because the perceived availability of alcohol is similar for boys and girls (*Hibell et al., 2012*), we suppose that gender did not influence results. As far as participation by young people is concerned, use of this research method purposes of transformative research should also be explored; in this study, young people acquired many new insights by participating in the process of research and were able to learn firsthand how regulations operate in their environment.

Despite the several limitations of this study, we can conclude that the social marketing intervention approach can bring results in increasing compliance with the law when it comes to regulating alcohol availability to young people. The findings should encourage alcohol policymakers to invest resources in designing tailored social

marketing programs for sellers to improve the social working of MLDA law and encourage compliance with it. Social marketing programs and the monitoring of their success by means of mystery shopping could be implemented either by supermarket chains as a way of self-regulation (perhaps as part of their corporate social responsibility program) or imposed directly by the authorities. The study suggests that sellers should be approached as possible partners in addressing the problem of alcohol availability to young people in a way that increases the perceived social usefulness of the MLDA law in Slovene society.

6. Conclusion

Up-to-date studies on community interventions to create environments that discourage youth drinking demonstrate how very complex and challenging it is to reduce alcohol availability in a given society and that a social marketing approach could improve some of the weaknesses of the existing approaches that aim to shape communities supportive of young people's decisions to abstain from alcohol (Jones, 2014). This article exposes the limitations of solely enforcement approach to legislative regulation of alcohol availability to young people. In the current study, we considered a midstream social marketing intervention to tackle alcohol availability to young people and aimed to assess whether interventions without a coercive element have any potential to assist other existing approaches in achieving higher compliance rates with MLDA law in commercial settings. Using a non-randomized quasi-experimental design study, we found that social marketing interventions have the potential to increase compliance with MLDA law, but they need further development and testing for long-term effects.

In the context of MLDA law, we contemplated off-premise enterprises as entities with potentially conflicting interests – private and public – and pointed to the retailers' dilemma in circumstances when a young customer wishes to purchase alcohol. This dilemma was evident in our study and calls for more research attention that would lead to better systemic solutions in addressing this dilemma and lead to better management of alcohol availability to young people.

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