

Seagram bellies up to broadcasting

Liquor company breaks tradition with commercial on Texas TV station; Representative Kennedy counters with bill to ban liquor ads on radio and TV

By Christopher Stern

Ending a 48-year voluntary ban by the liquor industry on broadcast advertising, Seagram last week began airing ads for its Crown Royal Canadian whiskey on KRIS-TV, NBC's affiliate in Corpus Christi, Tex.

It took Congress only three days to respond with a proposal to ban advertisements of hard liquor on television and radio. Public interest groups, including the Center for Science in the Public Interest, also attacked the ad campaign, claiming that Jos. E. Seagram & Sons Inc. is doing nothing less than "declaring war on children."

At a time when broadcasters are busy fending off efforts by Congress and the White House to make TV more "family-friendly," ABC, CBS, NBC and Fox were quick to promise last week that they would not carry hard-liquor ads on their networks or their owned-and-operated stations. They said, however, there is nothing that they can do about the advertising practices of their affiliates.

That's not good enough for Representative Joseph Kennedy (D-Mass.). His bill, officially introduced as legislation last Thursday, would ban all broadcast advertising for hard liquor. "The latest move by Seagram could open the airwaves to a flood of hard-liquor ads," Kennedy said. The bill would not affect beer and wine advertising.

Even Television Bureau of Advertising President Ave Butensky finds fault with Seagram for breaking the self-imposed ban: "For a company to strike out on its own, I think that's wrong."

Citing almost 50 years of self-imposed restraint, the Distilled Spirits Council of the U.S. said it was unfair to ban hard liquor while the beer and wine industries continue to advertise freely on radio and television. Unlike the hard-liquor industry, the beer and wine industries have never abstained from broadcast advertising. Kennedy also introduced a bill last month that would severely limit beer and wine advertising between 7 a.m. and 10 p.m.



The ad (frames shown above and at left) will air on KRIS-TV once each evening for a month.

Kennedy conceded last week that his proposal to restrict beer and wine advertising did not have much chance of moving forward, but that legisla-

tion seeking only to maintain the status quo for hard liquor would have a better chance of success. "This is not the same uphill battle," Kennedy said, adding, "If we thought for a second that we could get beer and wine included, believe me we would try."

Kennedy said that the courts upheld a similar ban on cigarette advertising in 1971. But First Amendment lawyers

noted last week that the cigarette ban has not been tested in 25 years. During the intervening years the Supreme Court has greatly expanded First Amendment protections for commercial speech, said Hogan & Hartson's Robert Corn-Revere.

Seagram's decision to advertise on television comes one month after the Supreme Court threw out a Rhode Island law that restricted print advertisements for liquor prices.

Seagram's decision to advertise on KRIS-TV is the culmination of an eight-year campaign by T. Frank Smith Jr., the station's owner and general manager. He conducted his first experiment with liquor advertising in 1988, when he carried a six-week advertising campaign for local liquor stores—300 spots in all.

Although he aired the campaign in the middle of a local Baptist convention, Smith says, he received fewer than 20 complaints.

The ads are the result of long-term discussions with his local Seagram distributor, Smith says. "Somebody had to open the door, and I've done it."

Smith says a poll of 6,000 viewers, more than 70% of KRIS-TV's audience, does not object. ■

Station swaps highlight week in trading

Swaps between major broadcast groups dominated station-trading activity last week. Viacom Inc. and Hubbard Broadcasting Inc. discussed such a deal, while Evergreen Media Corp. and Greater Media actually made one.

Evergreen last Friday said it would swap its WKLB-FM Framingham/Boston, Mass., for Greater Media's WEBR-FM Washington. Evergreen also agreed to buy Greater Media's WWRC(AM) Washington for \$22.5 million (all pending FCC approval). That would boost Evergreen's holdings to four radio stations in the nation's capital and leave it with six in Boston.

Evergreen just closed on its purchase of WKLB-FM in May, paying \$34 million cash. Greater Media already owns the station's direct format competitor, WBCS-FM Boston, along with WMEX(AM) and WMJX-FM.

Meanwhile last week, Viacom was negotiating with Hubbard to swap two TV stations in New York for one in Tampa/St. Petersburg, Fla., says Robert Hubbard, president of Hubbard's TV group.

Viacom would trade to Hubbard NBC affiliates WNYT(TV) Albany and WHCTV Rochester, N.Y., which are in markets 52 and 73, respectively. In exchange, Viacom would get Hubbard's WTOG(TV) Tampa, a UPN affiliate in the 15th-largest market. "That's really where Viacom wants to be," one broker says.

Viacom has an option to buy up to 50% of the United Paramount Network, and that network tie may be fueling the deal. "A station in a significant market means more to them," Hubbard says of Viacom.

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