The Road to the Alcohol Act 2018 in Finland: A conflict between public health objectives and neoliberal goals

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A B S T R A C T
Finnish alcohol policy has aimed for decades years to mitigate alcohol-related harm by using high taxation and restrictions on the physical availability of alcohol. The state monopoly on the retail of alcohol has played a central role in reducing the availability of alcohol. In 2011, preparations began for a comprehensive reform of the Alcohol Act 1994. Over time, the issue became highly politicised, lobbied and divisive. It took intense work of two consecutive governments to finalise the reform. The new Alcohol Act came into force in 2018. It expanded the rights of grocery stores to sell alcohol and reduced the administrative burden for on-premise sales. As a result, the state monopoly on the retail of alcohol was weakened, but it still has an important impact on the physical availability of alcohol. The Finnish public health community expected an increase in alcohol sales following the reform because of greater alcohol availability and expected price reductions related to greater competition of sales in grocery stores. However, prices decreased less than expected in 2018, partly due to a simultaneous increase in alcohol taxes. It is difficult to evaluate the impact of the reform at this early stage. However, after the reform, the 10-year (2008–2017) downward trend in the total per capita alcohol consumption was discontinued despite the tax increase. According to preliminary analyses, the change in the law may have slightly increased recorded alcohol sales but the effect was not statistically significant.

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1. Introduction

It has been a major aim of Finnish health policy to reduce alcohol-related harm using high alcohol excise taxes and restrictions on the physical availability and marketing of alcohol. The World Health Organization has designated these methods as “best buy” policies [1]. In terms of the availability of alcohol, the state-owned Alko stores have played a central role. The state monopoly on the retail of alcohol has, over the decades, been gradually weakened through policy changes and also because in 1995, Finnish legislation was adapted to that of the European Union (EU) [2].

A debate on the position of the Finnish state alcohol monopoly is a recurring issue. The current system of alcohol distribution has been defended with evidence on the impact of alcohol availability on alcohol consumption [3–5] and the close link between per capita alcohol consumption and severe alcohol-related harm (Fig. 1a; [6]). Conversely, in recent years, support for the relaxation or even abolition of the alcohol monopoly has increased, with supporters drawing on various market economy and neoliberal political arguments.

Development in other parts of Europe moved in the opposite direction until the early 2010s, with more restrictions being introduced than removed regarding the taxation and physical availability of alcohol [7]. Although development has since stagnated [8], Russia, Lithuania and Estonia have recently enforced new policies raising alcohol taxes and introducing restrictions on the marketing of alcohol [9–12]. In 2019, Estonia and Latvia changed course and lowered alcohol taxes to combat decreasing sales and revenues [13].

In 2011, a reform of the Finnish Alcohol Act 1994 [41] commenced with the purpose of technically updating it. After a long and contentious process, the new Alcohol Act [14] which was brought into force in 2018 further reduced the exclusive alcohol sale rights of state retail units. In this paper, we analyse the reform process, i.e., we present a case study on the policy-making process in an environment of multiple stakeholders and conflicting values and interests. Additionally, we discuss preliminary experiences following the implementation of the Alcohol Act 2018.

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2. A short history of Finnish alcohol control before the 2000s

Finnish alcohol policies have been characterised by comparatively strict regulations, following a strong “temperance culture” in the late 19th and first half of the 20th century. Corresponding situations can be found in other Nordic countries (Sweden, Norway and Iceland) and several US States and Canadian provinces. In Finnish alcohol policy, three broad principles have been applied to mitigate alcohol-related harm: 1) restricting private profit interest in alcohol sales; 2) restricting the physical availability of alcohol (reducing the number of sales outlets, limiting opening hours and increasing the legal age to purchase); and 3) restricting economic availability by means of high excise taxes on alcohol [2].

A key measure in the application of these principles has been a state monopoly on the retail of alcohol. From 1932–1968, the monopoly had exclusive rights to the production, retail and wholesale, import and export of any alcoholic beverages. In 1969, the monopoly’s exclusive right to retail alcoholic beverages was diminished, as grocery stores were allowed to sell beer containing up to 4.7% alcohol by volume (AbV) (Alcohol Act 459/1968). The second reduction in the exclusive rights of the monopoly occurred with the Alcohol Act 1994 (1143/1994), as Finland joined the EU in 1995 and exclusive rights were retained only for off-premise retail sales. The coverage of even this monopoly was slightly reduced as, in addition to beer, other alcoholic beverages made by fermentation (e.g. cider) with a maximum alcohol content of 4.7% were allowed to be sold in grocery stores. Also the definition of “grocery stores” was widened to include kiosks and petrol stations (see the first column in Table 1).

As a result, alcohol sales in grocery stores have increased at the expense of sales in state stores both in absolute and relative terms. This was reinforced by the policy that began in the 1950s whereby consumption was steered towards milder beverages through various methods including lower pricing and higher availability. This was successful regarding the types of beer consumed in that, in the early 1990s, consumer preference changed from stronger beer (typically 5.2% strength and at that time available in state stores and at restaurants) to medium-strength beer (at that time available in grocery stores). In 2008, the volume retailed in grocery stores surpassed the volume sold in state stores (Fig. 1b). In 2017, the sales from state stores covered 33% of all alcohol consumption in Finland (measured in 100% alcohol) while the corresponding figure for grocery stores was 38%. On-premise consumption and travellers’ imports covered the rest (11% and 18%, respectively; [15]).

Fig. 1 shows that the level of alcohol consumption in Finland has substantially increased over the past 50 years. The increase has taken place alongside various other liberalisations in alcohol-related policy in addition to those concerning off-premise sales. Drinking in public places and the advertisement of alcohol were made legal in 1995 and quotas for travellers’ alcohol imports from other EU countries were removed in 2004 after an exemption period with the EU ended [2] amid a longer-term shift to wider criteria for obtaining licences to serve alcohol and to other later opening hours [16].

3. The road to the Alcohol Act 2018

The process of reforming the Alcohol Act 1994 (1143/1994) has characterised the Finnish alcohol policy field since 2011 (Table 1). The original motive for the reform was that the law was technically incompatible with amendments to the Finnish Constitution made in 2000. Although the main motive was technical, the process opened discussion on the principles, practices and potential redefinition of Finnish alcohol policy and subsequently made the whole process both lengthy and highly politicised.

At first, only public sector representatives were involved in reforming the Act under the guidance of two consecutive social democratic Ministers of Family Affairs and Social Services. The views of economic operators and industry representatives were conveyed into the legislative process only indirectly, through the National Supervisory Authority for Welfare and Health (VALVIRA), a government authority under the Ministry of Social Affairs and Health [17], p. 4. This aroused strong criticism within alcohol industry associations (the Federation of the Brewing and Soft Drinks Industry, the Finnish Grocery Trade Association and the Finnish Hospitality Association).

In 2013, an open call for comments was issued, through which alcohol industry representatives expressed their aspiration for further consideration of industry views in the reform process (e.g. [18]). The industry lobbied politicians and government officials directly, but also worked hard to influence public opinion on alcohol policy issues and especially on regulations concerning the availability, pricing and advertisement of alcohol [19].

The legislative process continued despite these protests and in the Spring of 2014 a Bill, keeping the level of regulation practically at a status quo, was almost ready to be passed to the Parliament. However, a change of leadership within both major parties in the government, the Social Democratic Party (SDP) and the centre-right National Coalition Party (NCP), and the appointment of a new Prime
Minister in June 2014, put a sudden end to the planned revision of the Alcohol Act [2].

Although the government at this time decided that reform of the legislation governing alcohol should not be continued, in 2014 and 2015 amendments were made to the Alcohol Act 1994 making the advertisement of alcohol more restrictive: it was banned from public spaces, day-time television (with some exceptions) and social media communication, to protect children and young people. Opponents of the increased regulation argued that it contradicted the principles of freedom, responsibility and free speech [19].

The process of reforming the Alcohol Act was continued in the Summer of 2015, when a new centre-right government was appointed. The new government invited industry and economic representatives to take part in the process of preparing the legislation. One key aim in the new government’s strategic program was deregulation ([20], p. 28), to relieve businesses of “unnecessary bureaucracy” and “overregulation”. In fact, the reform of the Alcohol Act was to become a prime example of “cutting red tape”.

In this second phase of the reform of the legislation governing alcohol, public health and social arguments were seriously challenged by arguments about employment in the hospitality sector, deregulation and improved consumer rights. There was a shift in what Kingdon [21] called “the national mood”, and public opinion was sharply divided on the issue [22]. In public debate, various public health actors and researchers including the Finnish Institute for Health and Welfare, the Finnish Medical Association and other non-governmental organizations opposed liberalisation on the basis of the ensuing risk of alcohol-related harm. The strongestponent of liberalisation and the mobilizer of like-minded citizens and policy-makers who shared similar (neoliberal and anti-“nanny state”) values was the Federation of the Brewing and Soft Drinks Industry, that had a strong business interest in bringing a larger selection of stronger brewed beverages to grocery stores. The strong links between policy-makers, especially in the NCP, and the alcohol industry, were analysed in several news articles and TV programmes [23–25].

In February 2016, Juha Rehula, the centre party Minister of Family Affairs and Social Services, presented a preliminary proposal on the reform of the Alcohol Act to the ministerial group. It concentrated on the deregulation of the administrative burden for on-premise sales of alcohol, but suggested no major changes to off-premise sales. The Minister stated that “strong beer will not be introduced into the assortment of grocery stores” [26]. Both the NCP and the populist Finns Party government representatives disagreed with the suggestion and called for liberalisations, including an increase in the alcohol content of beverages allowed to be sold in grocery stores to above 4.7% by volume. In May 2016, this within-government conflict was externalised by the nomination of a working group consisting of members of parliament representing the three government parties. Contrary to the Minister’s assertion, the group suggested that for grocery store sales the upper alcohol content limit should be raised from 4.7% to 5.5% by volume and that sales of spirit-based premixed drinks of similar strength should be allowed [27]. This suggestion was agreed by the government and the proposition was finalised and circulated for comments in 2016. Heavy criticism of the reform from the public health community led to further clashes between the three parties in 2017, but the proposal was finally approved by the Parliament with a tight majority in December 2017 (Table 1).

In the fall 2017, as a part of the 2018 budget and roughly at the same time as the Alcohol Act was submitted to the Parliament, it was also suggested that the excise taxes on alcohol be raised (for the 6th time after 2007) by an average of 10% in January 2018, with a somewhat lower increase for spirits than for beer and wine. This was done to counterbalance the potential negative effects of the reform [28], which was also necessary in order to secure a sufficient number of MPs to be in favour of the reform. The tax raise was intended to be cancelled in December if the reform Bill had not been passed [29].

### 4. The content of the reform

The foundation of Finnish alcohol policy remains unchanged in the Alcohol Act 2018 insofar as its purpose is to reduce alcohol-related harm, and the state monopoly on the off-premise retail sale of most alcoholic beverages and existing licensing system are main-

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**Table 1**

Timeline of the Finnish alcohol legislation and policy.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>Finland joins the EU. Comprehensive monopoly structure abolished, off-premise monopoly remained ((&lt;4.7%) strength beverages). Ban on public drinking lifted. Ciders and ready- to-drink beverages made by fermentation (max strength 4.7%) allowed to be sold in grocery stores. Such drinks and beer allowed to be sold also in kiosks and petrol stations.</td>
</tr>
<tr>
<td>2004</td>
<td>Abolishment of quotas on tax-free alcohol imports for personal use by passengers to other EU countries in January. Excise taxes on alcoholic beverages lowered in March by 33% on average. Estonia joins the EU in May. Possible to import large quantities of cheap alcohol for personal use from Estonia to Finland.</td>
</tr>
<tr>
<td>2008</td>
<td>Excise taxes on alcoholic beverages raised by 10% on January. Taxes raised also in 2009 (twice), 2012, 2014 and 2018. Alcohol Act amended in January: stricter restrictions on alcohol pricing (e.g., prohibition of quantity discounts) and advertising.</td>
</tr>
<tr>
<td>2011</td>
<td>A reform of the Alcohol Act started in June by a government of the National Coalition Party (NCP), Social Democratic party and 4 other parties. Main motive: technical updating.</td>
</tr>
<tr>
<td>2014</td>
<td>The reform of the Alcohol Act failed and suspended.</td>
</tr>
<tr>
<td>2015</td>
<td>After parliamentary election in April, the centre-right government continues the reform of the Alcohol Act. General goal of the government: deregulation.</td>
</tr>
<tr>
<td>2016</td>
<td>A base proposition for a new Alcohol Act presented by Centre-party Minister of Family Affairs and Social Services in February, with main contents in deregulation of administrative burden for on-premise sales. In April parliamentary groups of the government parties agreed upon more liberal core contents of the new Alcohol Act (e.g., raising maximum strength of beverages to be sold in grocery stores to 5.5%, allowing spirits-based ready-to-drink beverages to be sold in grocery stores, and giving microbreweries the right for retail sales of their own craft beer. Draft proposal circulated for comments in November.</td>
</tr>
<tr>
<td>2018</td>
<td>The new Alcohol Act approved by the Parliament and the President in December. The new Alcohol Act enforced in January and March. The most significant change from a public health perspective: grocery stores, kiosks etc. can sell all kinds of alcoholic beverages up to 5.5% alcohol by volume. Key additional changes: off-premise sales are allowed for on-premise sales points; right for retail sales of craft beer (also &gt;5.5%) for microbreweries; restaurants and bars can advertise Happy Hour discounts; serving hours prolonged to 4 a.m. with a one hour drink-up time. Alcohol taxes were increased to counterbalance the effects of the law.</td>
</tr>
</tbody>
</table>
tained. The main changes that the reform brought with it were to expand the rights of grocery stores to sell alcohol and to dismantle unnecessary and outdated norms in the old legislation [30] and included:

Off-premise sales:
- The maximum strength of alcoholic beverages allowed to be sold in ca. 5 000 grocery stores was raised from 4.7% to 5.5% by volume, i.e. they could start selling stronger beer and cider (standard Finnish strong beer has an alcohol content of 5.2%). Previously, all products containing more than 4.7% were available only in the 360 state-owned (Alko) retail outlets.
- The requirement that only alcoholic beverages produced by fermentation could be sold in grocery stores was eliminated. This meant that grocery stores could also sell spirit-based premixed beverages.
- Independent microbreweries obtained the right to sell their own craft beer of up to 12%AbV from the brewery.
- The state stores’ weekday opening hours were extended by one hour, to 9 pm.
- Restaurants could apply for a licence for off-premise sales of alcohol containing less than 5.5%AbV.

On-premise sales:
- Serving hours were extended until 4 a.m.. A permission to sell could be obtained by merely submitting a notification, though new obligations for maintaining public order were involved.
- The prohibition on advertising “happy hour” discounts was eliminated.
- Several, mainly administrative, changes were made. E.g., a single licence would allow an establishment to serve all types of alcoholic beverages and staff qualification requirements were simplified.

To counterbalance the potential negative effects of the reform, excise taxes of alcohol were raised by an average of 10% in January 2018, with a somewhat lower increase for spirits than for beer or wine [28].

5. Expected and preliminary outcomes

Previous research evidence suggests that major changes to distribution and pricing systems have a considerable impact on alcohol consumption [3]. In Finland’s case, increases in physical availability both in 1969 and after the Alcohol Act 1994 were followed by a growth in alcohol consumption. It may also take several years before the full impact of policy changes take effect: after 1995, the increase in cider consumption lasted for 5 years, contributing to a 6% increase in total consumption.

Changes in economic availability have also been shown to affect alcohol consumption in Finland. A shift in the relative price of different types of beer in the early 1990s resulted in a substantial change in consumer preferences [31], and a major tax reduction on alcoholic beverages (33% on average) in 2004, combined with increased tourist imports after Estonia joined the EU, was followed by all-time-high figures for alcohol consumption in 2005–07 [32]. Correspondingly, five smaller tax increases in 2008–17 contributed to a 10-year progressive decrease in alcohol consumption by almost 20%. Due to fierce price competition between grocery stores, medium-strength beer has been available for much lower prices in them than in the state stores, while stronger beer only available in state stores has been minimally affected by price competition. Therefore, the reform was not only expected to affect consumption through greater physical availability but also through lowering prices.

It was widely expected in the public health field that the legislative change would increase the demand for strong beer, cider and premixed alcoholic beverages and raise their average alcohol content. Considering that, in 2017, almost 60% of all recorded alcohol sales in Finland were made up of beer, cider and premixed drinks, this could potentially increase the level of per capita consumption and alcohol-related harm, despite the fact that a lot of the increase in the affected types of beverage would result from the substitution of mid-strength beer and from travellers’ alcohol imports.

At the time of writing this, there are data only on alcohol sales for the 12 months following the law change, and a proper analysis of the outcome of the reform needs to wait for more data. The total (recorded + estimated unrecorded) per capita consumption of alcohol increased by 0.4%; recorded per capita sales decreased by 0.1%; and unrecorded consumption, which comprised 19% of the total, increased by 2.6%. However, what is noteworthy is that despite the increase in alcohol excise taxes, which has previously reduced consumption, and despite the 10-year downward trend in alcohol consumption with a decrease of 19% from 2008 to 2017, alcohol consumption in 2018 did not decrease but rather increased marginally. This suggests at least a small impact of the reform on alcohol consumption. A published interrupted time series ARIMA analysis of the recorded monthly alcohol sales in 2000–18 accounted for changes in alcohol taxes, the economy, number of good summer days and storage before the tax increase [33]. The point estimate for the impact of the law corresponded to a 1.9% increase but was not statistically significant. Also the warm summer and good economic situation increased consumption but, according to the model, taking into account the storage effect (which reduced registered sales in 2018 and increased them in 2017) and, in particular, the tax increase counterbalanced most of these impacts.

The off-premise sales of strong beer and premixed drinks, the beverage types most affected by the increased availability, have increased considerably. The increase in off-premise sales of premixed drinks containing more than 4.7% alcohol (made from spirits) was 380% (from 0.4 million litres to 1.7 million litres of 100% alcohol), or 50% in off-premise sales of any premixed drinks (any strength and method of production). For strong beer, the increase was 260% (from 0.5 million litres to 1.9 million litres of 100% alcohol), but this was a result of substitution particularly from the much higher sales of lower-strength beer, as the combined off-premise sales of beer decreased by 1.4%. The increase for strong cider was also clear (+12%) yet the level remained low (0.09 million litres of 100% alcohol). In total, off-premise sales increased by 0.1% and on-premise sales by 0.6%. Off-premise sales from restaurants have remained marginal.

Price competition has so far been much less intense than expected. The anticipation of Taloustutkimus, a market research company closely collaborating with the Finnish Grocery Trade Association, was that the “prices of strong beer, cider and premixed drinks would decrease by 40%” [34], and was plausible if price competition would have been similar to that for medium-strength beer. However, statistics on mean prices indicate a reduction of ca. 7% for strong beer (or ca 10% if the alcohol tax increase is taken into account) in the first 9 months, 1% (3%) for premixed drinks, and 0% (4%) for strong cider [35]. No systematic data collection exists for minimum prices. Sporadic observations on the major grocery store chains’ online prices (e.g. foodie.com) indicate that long-term sales promotion campaigns (the Alcohol Act 2018 continues the prohibition of short-term promotions) have brought greater price reductions than those seen for mean prices, but even these reductions have been far less than the anticipated 40%. 
6. Conclusions

The alcohol market is an example of an industry with a strong commercial interest in sales of an unhealthy commodity with the potential to cause severe harm to public health. This phenomenon has been studied and discussed under the umbrella term of "commercial determinants of health" [36]. The process of renewing the Alcohol Act in Finland has provided a prime demonstration of a conflict between public health and commercial interests, the latter backed up by public discussion about the "nanny state" and consumer freedom. The increasing involvement of the alcohol industry in alcohol policy-making has also been a recurring issue in other countries [37,38].

The end result, as seen in the enacted law, was a compromise where suggestions for an even greater change were limited to only introduce the sale of stronger beer and spirits-based premixed alcoholic beverages in grocery stores. Fortunately, there has been less price competition than was expected in the first year after the change and so the immediate impact on alcohol consumption has also remained smaller than expected. In the Bill to the Parliament for the Alcohol Act 2018, a goal was set to evaluate the impact of the law after 3 years. Such longer-term follow-up is essential before conclusions on the effects of the law can be drawn because pricing strategies and marketing activities can change after the initial increase in sales ceases to satisfy shopkeepers, consumer preferences may develop and data on alcohol-related harms will only become available with time.

During the lengthy process of reforming the legislation, public debate centred primarily around the alcohol content of beverages that could legally be sold in grocery stores and around creating more leeway for on-premise sales. Much less discussion was devoted to the fact that the new Act would further weaken the market position of the state monopoly on the retail of alcohol. In 2018, the alcohol sales from monopoly stores corresponded to 31% of all alcohol consumed in Finland (measured in 100% alcohol). In Norway and particularly Sweden, that have quite similar monopoly arrangements for the retail of alcohol, this figure is markedly higher. This may be taken as a serious sign that the foundations of the Finnish alcohol policy system as a whole are weakening. A weakening role of the monopoly in one country has the potential to activate discussions on the suitable role of the monopolies in other countries.

The Finnish policy change was partly motivated by the ambition of luring a greater proportion of alcohol sales back from neighbouring, cheaper Estonia. In response, Estonia and Latvia lowered their alcohol tax rates in 2019 to avoid a decrease in alcohol sales and related revenues. This kind of competition entails a risk of a race to the bottom of alcohol taxes that would be harmful both in terms of public health and in terms of government alcohol revenues in all three countries. EU Member States should co-operate to protect public health and to avoid harming each other. As a step towards resolving cross-border issues, the EU Commission launched a study in 2019 to quantify the magnitude of the problems relating to cross-border trade and to discuss possible solutions.

In connection with the 2019 parliamentary elections, the Finnish Grocery Trade Association strongly lobbied for the "next step": the introduction of wines into grocery stores. It has been argued that this would end the state monopoly and also bring spirits into grocery stores. This is because allowing the sale of wines in grocery stores would mean that spirits diluted to similar strength would also be sold there, cutting the sales of the alcohol monopoly so much that the network of the monopoly (Alko) stores would have to be considerably downsized. As a result, the monopoly might lose arguments for its existence in terms of EU regulations, and it would no longer be able to provide satisfactory services throughout the country and hence would lose its legitimacy. Indeed, in 2018, the NCP started advocating the abolition of all the exclusive rights of the state alcohol retail monopoly [39]. Such a claim implies a principled withdrawal from a policy system that has been recommended on public health grounds by the WHO in its global alcohol strategy [40].

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