

Drinking Age Limits

INTRODUCTION

This issue of *ICAP Reports* explores drinking age limits by looking at the legal consumption and purchasing ages for beverage alcohol in a number of countries. It is not intended to advocate or recommend a particular drinking age, but rather to draw out the issues which seem most relevant to different governments and societies.

CONSUMPTION VS. PURCHASE

It is important to be clear about terms from the outset. Drinking age laws cover a broad spectrum of behaviors concerned with where, when and under what circumstances beverage alcohol can be purchased and consumed. The minimum legal drinking age refers to the minimum age at which beverage alcohol can be consumed. This may be different from the minimum age at which beverage alcohol can be purchased. Some countries, including New Zealand and Indonesia, focus their legislation solely on the legal age of purchase of beverage alcohol, and do not address a minimum age for consumption.

Table 1 provides a summary of current age limits for purchasing and consuming alcohol beverages in countries where information is available. Within the countries represented, 48 specify a minimum legal drinking age. Information was not available for other countries, although it is probable that many have no laws relating to this topic. As the *Notes* in the table indicate, in some countries there are exemptions or special circumstances which may affect the age of consumption. For example, in Norway, the type of alcohol consumed has relevance — beer and wine may be consumed at age 16; spirits at age 18. The majority of states in the United States (31 of 50 states) have laws that prohibit or limit the consumption of beverage alcohol for those individuals under 21. In countries where no exceptions have been noted, 26 countries have minimum drinking ages of 18. Three have a national minimum drinking age of 21 (Malaysia, South Korea, and Ukraine). Five have a minimum drinking age of 16 (Austria, Belgium, France, Italy and Spain); and 2 countries (Japan and Iceland) have a minimum drinking age of 20. In Canada, where minimum drinking age laws are legislated by each province, two provinces set the consumption age at 19 and the others at 18.

From the information that was available, the national laws generally apply to drinking age limits for venues outside the home, such as taverns, bars, restaurants, nightclubs and similar establishments. Typically, these laws make no reference to alcohol consumption in the home. The United Kingdom is the only country that legislates a minimum consumption age in the home; they stipulate that alcohol may be consumed from age 5 with parental consent.

TABLE 1: MINIMUM DRINKING AND PURCHASING AGE LAWS*

COUNTRY	MINIMUM DRINKING AGE (MDA)	MINIMUM PURCHASING AGE (MPA)	NOTES
Argentina	18	-	
Australia	18	18	State and Territory laws prohibit the sale or serving of alcohol to those under 18.
Austria	16	16, 18 in some cases for spirits.	On-premises consumption of alcohol is subject to provincial regulation. In general, the MDA is 16. Some provinces also prohibit the consumption of spirits for those under 18.
Azerbaijan	No MDA	No MPA	
Belgium	16	16	The law prohibits anyone under 16 (unless married or accompanied by a parent or guardian) from entering a 'dance hall' where fermented beverages are sold.
Brazil	18	-	
Canada	In Alberta and Quebec it is 18; in all other provinces 19.	All provinces have their own legal MPA.	Drinking by minors under adult supervision is permitted in licensed premises in the provinces of Manitoba and New Brunswick and at home in Prince Edward Island, Alberta, British Columbia, Ontario and Saskatchewan.
Chile	18	-	
China	No MDA	-	
Colombia	18	-	
Czech Republic	18	-	
Denmark	-	18	There are no age restrictions on sales for off-license consumption.
Estonia	18	-	
Finland	18	18, 20	The MDA for on-premises consumption of all alcoholic beverages is 18; for off-premises consumption the MPA for beverages up to 21% alcohol by volume is 18. The MPA for spirits is 20.
France	16	16	
Georgia	No MDA	No MPA	
Germany	16, 18	16, 18	The MDA and MPA for beer and wine is 16, 18 for spirits
Hong Kong	18	No MPA	
Hungary	18	-	
Iceland	20	-	
Indonesia	-	16	
Ireland	18	18	Individuals under 18 are allowed in bars, but those under 15 must be accompanied by a parent or guardian.
Israel	18	-	
Italy	16	16	
Japan	20	20	
Korea (South)	21	-	21 years of age; or a college student, if under 21.
Latvia	18	-	
Lithuania	18	-	
Luxembourg	17, 18	18	The on-premises MDA is 17 if accompanied by an adult.
Malaysia	21	-	

*Courtesy of the Centre for Information on Beverage Alcohol (CBA), 15 Cavendish Square, London W1M 9DA, UK
 (-) = no further information available

COUNTRY	MINIMUM DRINKING AGE (MDA)	MINIMUM PURCHASING AGE (MPA)	NOTES
Mexico	18	-	
Moldova	18	18	
Mongolia	18	18	Parents and guardians may not offer alcohol beverages to their children under 18.
Netherlands	-	16, 18	The MPA for spirits is 18, 16 if accompanied by an adult. The MPA for beer and wine is 16.
New Zealand	20 (with some exceptions)	20 (with some exceptions)	In designated areas alcohol may be sold to those between 18 and 20 who are having a meal or are accompanied by their parent, guardian, or spouse aged over 20.
Norway	18, 20	18, 20	The MPA for spirits is 20. For beer and wine the MPA is 18.
Peru	18	-	
Poland	-	18	The MPA for alcoholic beverages (more than 4.5% alcohol by weight) is 18. There is no minimum purchasing age for beverages under 4.5% ABV.
Portugal	No MDA	No MPA	
Russia	-	21	
Slovak Republic	18	-	
Slovenia	18	18	"Applies only to buying or drinking in public places such as bars or discos."
South Africa	18	18	
Spain	16	16	Those under 16 may purchase beer and wine if accompanied by their parents.
Sweden	18	18, 20	Class 1 beer is non-alcoholic and no age restrictions apply. Off-license purchases have different age limits, the MPA for buying beer from food stores is 18, the MPA for buying other alcohol beverages at Systembolaget stores is 20.
Switzerland	14-18	14-18	Federal law prohibits supplying spirits to those under 18. The MDA and MPA for beer and wine is controlled by the Cantons and varies between 14 and 16.
Thailand	No MDA	-	
Turkey	-	18	
Turkmenistan	18	18	
Ukraine	21	21	
United Kingdom	18	18	In bars and off-licensed premises the MDA and MPA are 18. The MPA for beer and cider is 16 when purchased for consumption with meals (except when in a bar). Children over five may consume alcoholic beverages at home with a parent's consent.
United States	21*	21**	* In 19 states alcohol consumption by youth under 21 is not specifically illegal. ** Exceptions to the 21 law in some states include possession for religious purposes when accompanied by a parent, spouse or legal guardian; medical reasons; in private clubs or establishments; and in the course of lawful employment by a duly licensed manufacturer.
Uruguay	18	-	
Venezuela	18	-	

Fewer countries have legal minimum purchase age laws than have minimum legal drinking age laws. Thirty-four countries have national laws governing the minimum purchase age of alcohol beverages by minors. In countries where no exceptions have been noted, 12 countries set the purchasing age at 18. Five countries set the age at 16; one country at 20; and two countries at 21. Indonesia, Denmark, the Netherlands, Poland, Russia and Turkey are the only countries which have purchasing age laws but no minimum consumption age laws.

The exceptions to minimum purchasing age legislation are numerous. For example, in Austria some provinces prohibit the purchase of spirits on premises for those under 18, but allow the purchase of beer and wine at age 16. In Finland, the off premise age limit is 18 for purchasing beverages up to 21% alcohol by volume and for purchasing spirits it is 20. In Germany, a distinction is made as to whether the minor is under adult supervision. At 16, a German can drink or purchase beverage alcohol if under the supervision of an adult; otherwise the minimum drinking and purchasing age is 18. In the Netherlands, to purchase spirits one must be 18 years of age or 16 years if accompanied by an adult. Norway also makes the distinction between types of alcohol — age 20 for spirits and 18 for beer and wine. There are countries which distinguish purchasing age laws based on whether the alcohol is being consumed with a meal, as is the case with New Zealand, parts of Australia and the United Kingdom. In the United States, the purchase and public possession of beverage alcohol is generally prohibited for those under 21, although there are some exceptions. Table 1 notes these for the United States and other countries.

CASE STUDIES

In reviewing drinking age legislation around the world, it is apparent that different countries have differing views on youth and drinking. One has only to contrast the United States, which has the highest minimum beverage alcohol purchase age in the western world, with Europe and Australasia whose ages range from none at all to between 16 and 18 to realize that government views on the appropriateness of young people drinking beverage alcohol in these societies must be very different.

A variety of issues play a part in a government's decision to set a minimum consumption or purchasing age — or not to, as is the case in Azerbaijan, Georgia and Portugal. This next section discusses three case studies in terms of their minimum drinking age legislation; first, the United States, a country where there is no major change in drinking age legislation under consideration; second, the Netherlands, which is considering raising the minimum purchasing age; and, third, New Zealand where legislation to lower the minimum purchase age is being discussed.

United States

Legislation for the minimum drinking age in the United States varied from state to state just over a decade ago, ranging from 18 to 21. Driven largely by the desire to curb traffic fatalities associated with alcohol consumption, the National Minimum Drinking Age Act of 1984 required all states to raise their purchase and public possession of alcohol age to 21, or risk losing federal highway funds under the Federal Highway Aid Act. By 1987, all states had complied with the 21 minimum age law.

A large body of research exists regarding the impact of raising the minimum drinking age to 21 in the United States. Some of the research focuses specifically on whether the new law has had the desired effect of lowering traffic fatalities. Other studies have looked at the law's impact on patterns of youth drinking especially at the college level, and specifically binge drinking.

Based on statistics compiled by the National Highway Traffic Safety Administration (NHTSA), “alcohol-related”¹ traffic fatalities for people under 21 dropped by 43% (from 5,062 alcohol-related fatalities to 2,883) during the years 1987 through 1996.² This should be seen in the context of a 28% drop in alcohol-related traffic fatalities in the general population. From 1982 through 1986 when minimum purchasing and public possession age laws varied from 18 to 21, alcohol-related traffic fatalities for people under 21 dropped by 14% (from 6,329 alcohol-related fatalities to 5,455).³ Alcohol-related traffic fatalities for the general population during this period dropped by 4%. In NHTSA's view, the minimum 21 age laws “have had greater impact over the years as the drinking ages in the states have increased, affecting more drivers aged 18 to 20.”⁴

Recognition of a direct correlation between the raising of the MDA (minimum drinking age) and lower alcohol-related fatalities is not shared by all researchers. Vingilis and De Genova, for example, argue that the alcohol-relatedness of automobile accidents is based on police impressions and thus is purely subjective.⁵ Zylman has also noted similar methodological concerns.⁶ Hughes and Dodder point out that higher accident rates may be due to factors other than young peoples' drinking behavior. Changes in the economy, freedom to drive at an earlier age, changes

in the price of gasoline and more young people owning automobiles could, they argue, account for increases in automobile accidents.⁷

In its review of prevention strategies for young adults, the Kathryn Stewart Pacific Institute for Research and Evaluation states that “[m]any other countries find this strategy [the raising of the minimum purchase age] to be culturally unacceptable.”⁸ The paper references, for example, Simpson *et al.* who conducted research on alcohol-related traffic fatalities in Canada where the MDA varies between 18 and 19 depending on the province. They pointed out “that similar reductions in alcohol-related traffic crashes have occurred among young drivers without raising the minimum purchase age.”⁹ This observation, the report concluded, “does not indicate that raising the minimum purchase age is not effective, but rather that other strategies have been effective in Canada or that other influences have been at work.”¹⁰ Indeed, while Simpson *et al.* found that “the magnitude of the drinking-driving problem decreased significantly in Canada during the 1980s,”¹¹ they concluded that “while it might be comforting to speculate that the observed changes in the magnitude of the problem were somehow induced by the combined impact of all the drinking and driving initiatives, it is also possible the changes were unrelated to them.”¹²

On the issue of changing youth drinking patterns as a result of the MDA increase, the research again is mixed. In a review of the literature conducted in 1993, Wagenaar concluded that “studies employing strong research and analytical designs typically observed increases in alcohol use among youth following a lowering of the MDA.”¹³ Studies carried out by the United States General Accounting Office and MacKinnon and Woodward have found similar results.^{14, 15}

However, Hughes and Dodder, in looking at the behavior of college students over a four year period using baseline data, found that the “drinking patterns and behaviors exhibited by the students in this research remained roughly constant over time.”¹⁶ Wechsler in his research found that the legal drinking age fails to predict binge drinking and concludes that this raises questions about the utility of the 21 minimum drinking age in college alcohol policies.¹⁷

Engs and Hanson indicated that from research conducted during three different periods from 1982 through 1988, results “revealed few changes in collegiate drinking patterns and problems attributable to the nationwide increase in the minimum age for alcohol purchase.”¹⁸ Another study by Engs and Hanson during the 1987-88 academic year revealed that more students drank illegally than drank legally. They attributed their findings to reactance theory, a theory that suggests that when alcohol consumption is forbidden, it becomes more desirable and underage drinking increases.¹⁹

It should also be pointed out that massive education efforts about the perils of drinking and driving were supported by groups such as Mothers Against Drunk Driving, the beverage alcohol industry and state governments around the same time that drinking age laws came into effect. It is difficult to measure the exact impact of this effort, but few would doubt that these campaigns have played a role in raising awareness and changing behavior in relation to drinking and driving.

The 21 age limit law in the United States has also raised concerns about the apparent inconsistency in not allowing those under 21 to drink while being treated as adults in most other areas of life. O'Malley and Wagenaar perhaps put it best when they state "it may seem unfair to many observers to allow 18-20 year olds to marry, to have children, to own cars, homes and firearms and to be financially and socially independent, and yet to be legally prohibited from drinking a glass of wine in a restaurant, or even a glass of champagne at their own wedding."²⁰ While Toomey *et al.* argue that different activities have different ages of initiation and that the risks to youth and society are sufficiently great as to justify this apparent inconsistency,²¹ other countries do not feel the same. The United Kingdom, for example, recommended in its Report by the Central Policy Review Staff that "it would be impracticable to have a limit higher than the age of majority..."²²

The Netherlands

In the Netherlands, legislation is being prepared by the Dutch Department of Health, Welfare and Sports entitled "Bill on Alcoholic Beverages and the Hotel and Catering Industry" to raise the legal drinking age for all alcohol beverages to 18. Currently, the law allows people over 16 to buy and consume beer and wine; spirits may be bought and consumed at age 18. The Minister of Health has requested the bill be drafted to address what she sees as a growing problem of excessive drinking by young people.

While the bill is still in the development stages, many government officials and industry groups have spoken out against the proposal. An official from the Health Minister's own party has stated that "[I] understand the goal of the Minister, but I am not convinced of the means."²³ Indeed, one of the most frequently cited reasons in opposing the legislation is the difficulty of enforcement as there are no effective systems to verify age. The Netherlands, like many countries in Europe, is against mandatory proof of identification cards as many citizens feel it is an infringement of individual rights and an invasion of privacy. Thus, identity card schemes that are in place are on a voluntary basis only, similar to the program that has recently started in pubs in the United Kingdom.²⁴

One health official in the Netherlands has said that "Serving or selling alcohol only to 18 year olds is not workable; 83% of the young people between thirteen and sixteen drink alcohol on a regular basis. They really won't stop if this regulation becomes a reality. They will have their older friends buy it."²⁵ The trade and alcohol beverage industry agrees with this argument.

If the legislation is fully developed, which is uncertain, it is likely to be considered in 1998.

New Zealand

New Zealand is currently examining the minimum drinking age legislation in view of what has been described as "inefficient, unmanageable, confusing, and frustrating for the public, hospitality industry and enforcement bodies."²⁶ The current legislation in New Zealand specifies a minimum drinking age of 20, which applies to the purchase of alcohol, not consumption. However, there are a number of exceptions to this law revolving around where the alcohol is consumed ("restricted areas, supervised areas or other areas"),²⁷ whether or not an adult is present and

whether or not the alcohol accompanies a meal. If the right circumstances are met, then the drinking age is 18.

After considering almost 233 submissions to the committee (112 submissions for age 20, 106 submissions for age 18 and 15 submissions recommending a variety of different ages) on whether changes should be made to the minimum drinking age law, the New Zealand advisory Committee Report recommended lowering the drinking age to 18 with one exception, "...A person under the age of 18 years may have access to any licensed premises, other than restricted areas, and may be sold or supplied liquor provided he or she is accompanied by a parent or legal guardian."²⁸

In arriving at their decision the Committee had four objectives for the law. First, it should be clear that abuse of alcohol was the target of the law and not the age of the person; second, the law should be clear so that it could be easily understood and enforced; third, it must have a high degree of public acceptance; and, fourth, it must be fair in regard to other restrictions or rights.²⁹

It recognized that most of those advocating maintaining a 20 year age limit justified this recommendation on the theory of availability – when overall consumption is lowered there is a consequent reduction in alcohol problems. The Committee rejected this reasoning on the grounds that liberalization in alcohol availability in safe drinking areas brought about by the current Act showed a reduction in consumption rather than an increase. They also felt that if the theory of availability were taken to its logical conclusion the law would cure alcohol abuse at all ages by a general prohibition on sale and supply of alcohol. "Most people know from historical experience that this is an impossible dream."³⁰

They considered research conducted by other countries but felt that New Zealand was different. For instance, the committee did not see sufficient evidence that there would be a marked increase in abuse by lowering the drinking age to 18 because it felt that young people below the legal minimum age were already gaining access to alcohol through adults, parents or the exceptions provided in the present law. They also noted that most countries already had a drinking age of 18.

The Advisory Committee's recommendations are currently being considered by the Cabinet in New Zealand and the legislation is expected to go to Parliament sometime in 1998.

ENFORCEMENT

The issue of enforcing drinking age laws is a major one for most governments as is illustrated by the examples cited above. Informal surveys of enforcement effectiveness by such organizations as Alcohol Concern in the United Kingdom have provided mixed reports.³¹ Europe, Iceland, Finland, Ireland and Norway were ranked quite high while other countries for which assessments were made fell somewhat below this mark.

The United States, which uses drivers licenses as a means of identification, experiences difficulty in enforcing drinking age laws on college campuses. This has led some to argue that a minimum drinking age of 21 is impractical. Hanson, a sociologist who has studied drinking issues on college campuses extensively, argues that the emphasis should be less on stigmatizing alcohol and more on promoting responsible consumption of alcohol in an effort to minimize harm.³²

SUMMARY

This report focuses on the different alcohol consumption and purchasing ages around the world, noting that both consumption and purchasing laws in most countries are set at 18. The report also looks at drinking age legislation in three countries: the Netherlands where a higher drinking age limit is being proposed; New Zealand, where a lowering of the drinking age limit is being considered; and the United States, where there is no major legislative movement in either direction.

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