

## **Submission to Issues Papers on behalf of the Lithuanian Ministry of Culture and Radio and Television Commission of Lithuania**

Lithuanian Ministry of Culture and Radio and Television Commission of Lithuania (RTCL) having in mind the interests of the viewers and the society in general highly value the ideas represented in the consultation process preceding the revision of the Directive.

We feel the necessity to participate in the discussion process by providing our opinion on Part IV of the issue Paper – **Commercial communications**:

### **Part IV – Commercial communications**

#### **I – RULES COMMON TO ALL AUDIOVISUAL COMMERCIAL COMMUNICATIONS**

##### **ISSUE 4: IDENTIFICATION OF COMMERCIAL COMMUNICATIONS IN GENERAL, INCLUDING SPONSORED SPOTS**

We are especially worried about the possibility of lifting the ban on product placement as an instance of surreptitious advertising without its specific regulation. Though we agree that the possibility of authorising product placement is an option, which would cover the development of the advertising market, as it presently exists, we feel that it is insufficient for product placement practice to comply with the principles set out in Articles 12 to 16 of the present Directive. Some specific requirements related with time limits, clarity of distinction between editorial content and commercial communication, identification and separation from editorial content should be introduced.

If product placement is allowed (provided clear identification at the beginning of the programme concerned is made), there could still be curious cases (experienced in Lithuania) where a talk-show host is wearing a T-shirt bearing the sponsors' name during the whole programme. The Consumers' defence council of Lithuania banned this kind of product placement. Will this kind of product placement be allowed by a new Directive?

##### **ISSUE 5: IDENTIFICATION OF SPONSORED CONTENT IN PARTICULAR**

For the purposes of identifying the sponsor, the 2004 Interpretative Communication on television advertising allows reference to be made not only to the name or logo of the sponsor, but also to its products or services, provided that the latter are not given undue prominence. However, we think that the criterion of "undue prominence" could be more specified, e.g. introducing a time limit.

Generally, we support the consumer organisations that the public should be warned by a possible verbal or visual reference to products or services of the sponsor. This is also valid for product placement instances.

## II – QUANTITATIVE RULES ON TELEVISION ADVERTISING

### ISSUE 1: HOURLY AND DAILY ADVERTISING LIMITS

We support the representatives, consumers', television viewers' and print media advertisers' organizations, advertising agencies and public service broadcasters that there is no need to question the hourly restrictions of advertisement, which are still proportionate.

On the other hand, there is no feeling or pressure from the side of the audiovisual market players in Lithuanian to abolish or reduce the daily limit on advertising and teleshopping. On the contrary, the existing limit would help to avoid instances (as we had recently) when some televisions could try to broadcast a mixture of advertising, teleshopping and other cheap commercial messages over the daily advertising limit, thus dumping the prices in the advertising market.

In general, the relaxation of quantitative rules of television advertising should by no means produce a situation where the integrity of cinematographic works could be at stake.

The society in Lithuania is bothered not only by the abundance of advertising spots even in the present limits, permitted by the Directive, but also by announcements made by the broadcaster in connection with its own programmes and ancillary products directly derived from those programmes more and more become similar to commercial advertising, as broadcasters find ways of placing themselves as participants (information partners) of commercial events.

It would be highly unwelcome if the relaxation of advertising rules (with no regulation of self-promotion announcements) could make the situation for the consumers even worse.