

DG Information Society and Media
European Commission

AVMSD and Advertising of Alcohol

European Alcohol and Health Forum, 4th of March 2008



Audiovisual Media Services Directive

New **AVMS Directive 2007/65/EC** adopted on **11 December 2007** :

- Legal framework covering **all audiovisual media services**, both traditional broadcast and on-demand
 - Rules on **audiovisual commercial communications**
 - **Modernised rules on TV advertising**
- It aims at safeguarding essential public interests such, *inter alia*, the **protection of minors and consumer protection**



Regulation of audiovisual media services

- All audiovisual media services - basic tier of coordinated rules, e.g.:
 - Identification (transparency) rules
 - qualitative rules on commercial communications
- On – demand services - light touch regime
 - limited to safeguarding essential public interests such as **protecting minors/ consumers** or preventing incitement to hatred



Audiovisual Commercial Communications

- Commercial Communications
 - Both linear and non-linear environment
 - Wider concept than television advertising (*images accompanying or included in a programme*)
 - Covering: television advertising, sponsorship, teleshopping and **product placement**)
 - In return for payment or for similar consideration, or for self-promotional purposes



Product placement

Programmes containing PP shall conform to the following rules:

- editorial independence of media service provider
- no direct encouragement to purchase or rental of goods or services
- no undue prominence
- **clear information** at the beginning and at the end of the programme



Rules on advertising of alcohol

- Rules applicable to all audiovisual commercial communications (television broadcasts and on-demand services)
- Rules applicable only to television advertising and teleshopping



Audiovisual commercial communications for alcoholic beverages

- Audiovisual commercial communications for alcoholic beverages cannot be:
 - aimed specifically at minors
 - encourage immoderate consumption of such beverages



Television advertising for alcoholic beverages

Television advertising and teleshopping for alcohol beverages have to comply with the following criteria :

- may not be aimed specifically at minors, or in particular, depict minors consuming this beverages
- shall not link the consumption of alcohol to enhanced physical performance or to driving
- shall not create the impression that the consumption of alcohol contributes towards social or sexual success



Television advertising for alcoholic beverages

Television advertising and teleshopping for alcohol beverages have to comply with the following criteria (cont.):

- shall not claim that alcohol has therapeutic qualities or that it is stimulant, a sedative or a means of resolving personal conflicts
- shall not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light
- shall not place emphasis on high alcoholic content as being a positive quality of the beverages



Television advertising

- Suppression of the daily limit of advertising
- More flexibility in inserting of advertising during programmes
 - 12 min/h limit remains
 - films for TV, cinematographic works, news programmes, **children's programmes: 30 min rule.**



Thank you for your attention!



This paper was produced for a meeting organized by Health & Consumer Protection DG and represents the views of its author on the subject. These views have not been adopted or in any way approved by the Commission and should not be relied upon as a statement of the Commission's or Health & Consumer Protection DG's views. The European Commission does not guarantee the accuracy of the data included in this paper, nor does it accept responsibility for any use made thereof.