

Comments on the Commission Green Paper « Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases »

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Bertelsmann has, with great interest taken note of the Green paper „Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases“ and welcomes the possibility to contribute.

Bertelsmann wishes to respond to the following question in particular.

Section V.1 Consumer information, advertising and marketing

“Are voluntary codes (“self-regulation”) an adequate tool for limiting the advertising and marketing of energy-dense and micronutrient-poor foods? What would be the alternatives to be considered if self-regulation fails?”

Bertelsmann shares the Commission’s concern regarding the growing levels of obesity and the risk this poses to the health of people within the European Union. The direct relation between advertising of certain energy-dense and micronutrient-poor food products and obesity has however never been scientifically proven and there is no evidence that stricter advertising rules or even advertising bans will contribute to a decline of the obesity level within the European Union.

Advertising is a major source of revenue for magazines, newspapers and television. An increase of statutory rules will have a negative impact on this vital income source and jeopardize the variety of magazines, TV programmes and newspapers available, leaving the consumer with less choice and less information to base their choices.

Food advertising in commercial communications is already effectively regulated at EU level by different instruments including the Directive relating to Labelling, Presentation and Advertising of Foodstuffs (2001/13/EC); the Television without Frontiers Directive (1997/EC) and the Unfair Commercial Practices Directive (2005/29/EC). In addition to this legislation, a well-developed system of self-regulatory codes has proven to be an adequate tool to govern advertising standards benefiting not only governments and businesses but also consumers. Self-regulatory codes offer the flexibility to be adapted to new technologies and continuous changing social and economical demands.

Self-regulation within the publishing and advertising field is supported, not only by various different players within the media sector (i.e. editors, publishers, communication agencies, broadcasters etc) but also by governments and national organizations across the globe.

For example: magazines published by Gruner + Jahr have committed themselves not to publish certain kind of advertising. Besides applying restrictions on certain kinds of advertising they inform the consumer on food related issues as these magazines deal with health and health related issues on a regular basis. Specific Gruner + Jahr magazines such as Healthy Living or Stern Gesund Leben publish information for a healthier lifestyle in particular.

Both the European Advertising Standards Alliance and the International Chamber of Commerce continuously promote responsible advertising through self-regulation, efforts which are fully supported by Bertelsmann

The different self-regulation alliances on national level are very well accepted and have been successful in establishing effective rules concerning advertising for children and young people, advertising for food and beverage products etc, they have also proved to be successful in solving disputes.

Bertelsmann firmly believes that further development of self-regulatory codes are the way forward, and asks the Commission to continue to support the industry's self-regulatory initiatives.

For any further questions or comments, please contact:

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