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EACA Monthly Newsletter - June 2009

EU & National News

▶ Politics & government



Sweden takes over European Union Presidency

On July 1st, the European Union's Presidency shifted from the Czech Republic to Sweden. Fredrik Reinfeldt, the Swedish Prime Minister will be leading the European Union for six months under the motto "taking on the challenge."

The main priorities of the Presidency are to manage the financial crisis and unemployment, enforce the Lisbon Treaty, enhance the cooperation with Baltic States and address climate change.

As far as the advertising industry is concerned:

The European Commission's proposal for a Directive on information on prescription medicines to patients will be discussed in the European Parliament during the Swedish Presidency although it is facing strong resistance in the Council.

The Presidency hopes to further progress discussions on the proposed Regulation on Food information to consumers. The European Parliament will also discuss a draft Regulation setting out specific "nutrient profiles" that food and categories of food must comply with, in order to bear nutrition or health claims.

The Presidency will support the implementation of the horizontal EU alcohol strategy from 2006 to reduce alcohol-related harm in the European Union in the long-term. Particular focus will be given to commercial communication and how alcohol advertisements affect alcohol consumption patterns among young people.

EACA was invited to present an overview of advertising trends and expenditure on alcohol advertising at an informal Ministerial meeting chaired by the Swedish Presidency on July 7th.

For more information on the Swedish Presidency of the European Union, click [here](#)

Source: EACA

▶ Advertising

▶ EU



IAB publishes online advertising figures for 2008

The Interactive Advertising Bureau has released the results of its annual survey on online advertising expenditure which covers 19 markets. IAB Europe compiled data provided by the regional IAB offices around Europe which was then processed and analyzed by PricewaterhouseCoopers.

2008 was one of the hardest years for advertising in any medium. But, despite the crisis, the survey found that the European online advertising market grew by 20% compared to 2007.

The top 10 markets in Europe account for 93 percent of the total value of the market: the Netherlands: 9%; France: 18.5%; UK, Germany, Sweden: 19%; Italy: 20%; Belgium: 21%; Denmark, Norway: 22% and Spain: 26%

Search and classified remain the leading format in Europe with the strongest year-on-year growth rate of 26% accounting for 43% of online ad expenditure in the 19 countries measured whereas email and display are growing at a lower place.

The markets outside of the top 10 are enjoying the strongest growth. For instance, in 2008, Poland has experienced a 60% growth rate and Slovenia 77%.

Eva Berg-Winters, Senior Manager at PwC who is specialised in the new media said "2009 is set to be a difficult year for online advertising. Decline is likely in a number of mature markets and, where there is still growth, we expect it to be much lower than previously. However, online continues to outperform other media and to increase its ad market share. The post-downturn era should therefore see another growth spurt for online."

Source: Interactive Advertising Bureau

European Commission opens tender to measure impact of advertising & labelling policies on media

Over the last years the European Commission's proposals regarding advertising & labelling restrictions in the automotive & energy fields in particular have raised concerns on the harm it could cause to media.

Confronted by a lack of data on the potential consequences of stricter labelling & advertising rules, the European Commission has commissioned a study on "media policy aspects of advertising, labelling and public

information”.

The call for tenders states that the European Commission needs state-of-the-art analysis and recommendations on the media and communication aspects on public policies currently being implemented and that the study should complement the existing knowledge in two ways:

- by looking at effects on different stakeholder groups
- by exploring different public policy sectors such as CO2 emissions and energy related products

The study will therefore focus on the financial effects of the application of public policy measures: advertising restrictions on advertising revenues of media and also on the effectiveness of different messaging techniques and different media in delivering the public policy messages.

The aim of the study is therefore to provide the necessary expertise on media-related issues to support the policy making in other field such as public health, environment and energy.

The study is divided into three separate sections:

Section 1(a): What are the effects of the requirements for the application of public policy messaging measures/ techniques such as labelling and ban of advertising for specific media or target groups?

Section 1(b): What are the effects of advertising restrictions on media revenues from advertising?

Section 1(c): What are the effects of advertising restrictions on companies' advertising and marketing expenditure?

Section 2: How effective are public policy messaging techniques when accompanying adverts in delivering the public policy messages?

Section 3: What is the most efficient policy option for communication car CO2 emissions and fuel consumption information to consumers?

The deadline to submit the tender is September 1st, 2009

To see the call for tenders, click [here](#)

Source: *European Commission*

Alcohol

France



Senate approves new law allowing alcohol advertising on the internet

The 1991 Loi Evin - regulating alcohol and tobacco advertising - bans the advertising of all alcoholic beverages over 1.2% alcohol by volume on TV and in cinemas and prohibits the sponsorship of sporting or cultural events by alcohol companies. However it did not cover advertising on the internet.

Following heated debates on whether alcohol advertising should be restricted on the internet the Parliament decided not to support restrictions on the internet except on websites dedicated to sport or targeting young people.

This new law has now been adopted by the Senate.

Source: *EACA*

Data protection

EU



European digital media and advertising industries welcome U.S. self-regulatory initiative for online behavioural advertising

EACA together with its sister associations representing the digital media and advertising industries in Europe, welcomes the self-regulatory initiative for online behavioural advertising announced at the beginning of July by a coalition of U.S. industry organisations comprising the American Association of Advertising Agencies (4As), the Association of National Advertisers (ANA),

the Council of Better Business Bureaus (CBBB), the Direct Marketing Association (DMA), and the Interactive Advertising Bureau (IAB).

Together with ongoing efforts of leading advertising companies and sectors in several markets, the U.S. self-regulatory initiative will help inform discussions and complement initiatives on online behavioural advertising currently taking place in Europe. The European representatives of the advertising industry are working closely with their sister trade associations in the U.S., as well as those in other markets, to ensure a coherent industry approach to an issue that is by its very nature global.

The European coalition takes seriously its shared responsibility with regard to online data protection and consumer privacy and is committed to explore sustainable solutions to facilitate the development of the online advertising market, to the mutual benefit of both the consumer and business.

The fair information principles, particularly transparency and control, which are at the heart of this initiative and bedrocks of the European privacy framework, will be key to ensuring that consumers are aware of and have meaningful choices regarding online behavioural advertising practices. The coalition recognises that any

European initiative will necessarily need to reflect the specific European legal context, which differs from that in the U.S.

The European coalition includes:

EACA – European Association of Communication Agencies: Dominic Lyle, dominic.lyle@eaca.be

EADP – European Association of Directory and Database Publishers: Stéphanie Verilhac, stephanieverilhac@eadp.org

EPC – European Publishers' Council: Angela Mills, angela.mills@wade.uk.net

FEDMA – Federation of European Direct and Interactive Marketing: Alastair Tempest, atempest@fedma.org

IAB Europe – Interactive Advertising Bureau: Kimon Zorbas, vp@iabeuropa.eu

WFA – World Federation of Advertisers: Malte Lohan, m.lohan@wfanet.org

Social networking site providers responsible for compliance with EU law

The Article 29 Data protection working party released an Opinion on online social networking on 12 June 2009.

The opinion focuses on how the operation of social networking sites can meet the requirements of EU data protection legislation. It is intended to provide guidance to social networking site providers on the measures that need to be in place to ensure compliance with EU law.

The key recommendations of the Opinion focus on the obligations of social networking site providers to conform to the Data protection Directive and to uphold and strengthen the rights of users.

Social networking site providers:

- should inform users of their identity from the outset and outline all the different purposes for which they process personal data,
- should provide adequate warnings to users about the privacy risks to themselves and to others when they upload information on the Social networking sites.

Social networking site users:

- should be reminded that uploading information about other individuals may impinge upon their privacy and data protection rights,
- should also be reminded that they should upload information about others only with their consent.

The Opinion also states that social networking sites providers should make sure that third party access comply with the Data Protection and ePrivacy Directives when for instance, a third party is using users' personal data for marketing purpose.

To see full document, click [here](#)

Source: Article 29 Data protection working party

► Financial Advertising

► EU



European Commission launches consultations on responsible lending & borrowing

On 15 June, the European Commission launched a consultation on responsible lending and borrowing. Practices prior to the lending transaction are tackled such as advertising and marketing; pre-contractual information and elaboration of risk guidelines which could be given to the consumer.

The Internal Market and Services Commissioner Charlie McCreevy said: "The financial crisis has shown the damage that irresponsible lending and borrowing practices can have on consumers, lenders, the financial system and the economy at large. We are therefore determined to learn from possible mistakes to ensure that lending and borrowing takes place in a responsible manner. This public consultation will allow the Commission to gather views and ideas on the extent of irresponsible behaviour and to assess which measures may be most appropriate."

EACA has recently been invited to speak at a conference addressing consumer credit professional to share best practices and show how financial advertising can be both creative & effective while respecting the rules and offering clear and simple information to consumers.

Both consultations are opened until the 31 of August 2009.

To view the Public consultation on responsible lending and borrowing in the EU, click [here](#)

Source: European Commission

► Gambling

► France

Online gambling industry adopts 2 codes of conduct



Within the Association of online service editors GESTE (Groupement des Editeurs de Services en Ligne), French and European online gambling companies adopted 2 codes of conduct to define good practices for the coming opening of the online gambling market in France in January 2010.

The recommendations cover the identification of players, protection of minors and fight against addiction and advertising on online gambling.

The 2 codes are complementary to the existing ethical codes approved by the ARPP (French Advertising Self-Regulatory Organisation).

As far as advertising is concerned, the editors ensure that they won't offer unfair loyalty rewards, enhance winning possibilities for excessive expenses or encourage players to play again when they are losing.

For more information, click [here](#)

Source: *GESTE*

Internet

EU



European Commission outlines its vision for the area of freedom, security and justice in the next five years

The European Commission adopted two communications analysing the EU's work on justice and internal affairs in recent years and setting out its priorities for the future. The future Stockholm Programme will be debated by the European Parliament and adopted by the European Council before the end of the year. It will provide a framework for EU action on the questions of

citizenship, justice, security, asylum and immigration for the next five years.

The Commission listed the key priorities among which Data Protection. Mr Barrot - the Commissioner for Freedom, Security and Justice - stated that he wanted to introduce a comprehensive data protection scheme and information campaigns, in order to promote privacy and human dignity, particularly for vulnerable persons and signalled that due to the speed of technological change, further legislative or non-legislative initiatives may be needed.

He also believes the EU must be a driving force behind the development and promotion of international standards for personal data protection and in the conclusion of appropriate bilateral or multilateral instruments.

Source: *European Commission*

Obesity

Netherlands



Calls for ban on HFSS food advertising to children as obesity strategy is due to be discussed in Parliament

On 23 June, Dutch consumer agency Consumentenbond issued two letters to Dutch Health Minister Ab Klink and Minister of Children and Youth Andre Rouvoet, expressing their concern that a planned plenary discussion in the Dutch Parliament on the forthcoming obesity strategy has been postponed, and calling for legislation banning the advertising of HFSS food to children

under the age of twelve. The current government draft of the obesity strategy calls for advertisers to adhere to a voluntary code stipulating a marketing ban to children under the age of twelve.

On 11 June Consumentenbond published its own advertising code. With regard to advertising to children, the code among others contains the following provisions:

- "Food advertising to children under the age of twelve shall be prohibited. Exceptions from this rule are:
 - Advertising for food developed in collaboration with a health authority directed at children under the age of twelve.
 - Advertising for food falling under 'subcategory A' as classified by the Nutrition Authority."
- "Food advertising on TV shall be banned between 6am and 9pm unless the food falls under 'subcategory A' as classified by the Nutrition Authority."
- "Toy advertising in conjunction with food advertising shall be prohibited"

In addition to support from civil society groups, the code has also received support from Dutch scientists and members of the Dutch Parliament, Henk van Gerven (SP) and Jolande (Greens), the former of which has introduced an early day motion (EDM) to the Dutch Parliament, calling for an advertising ban on HFSS food to children under the age of twelve.

We understand that the obesity strategy will be debated in full plenary in September following the summer break.

Source: *AEF*