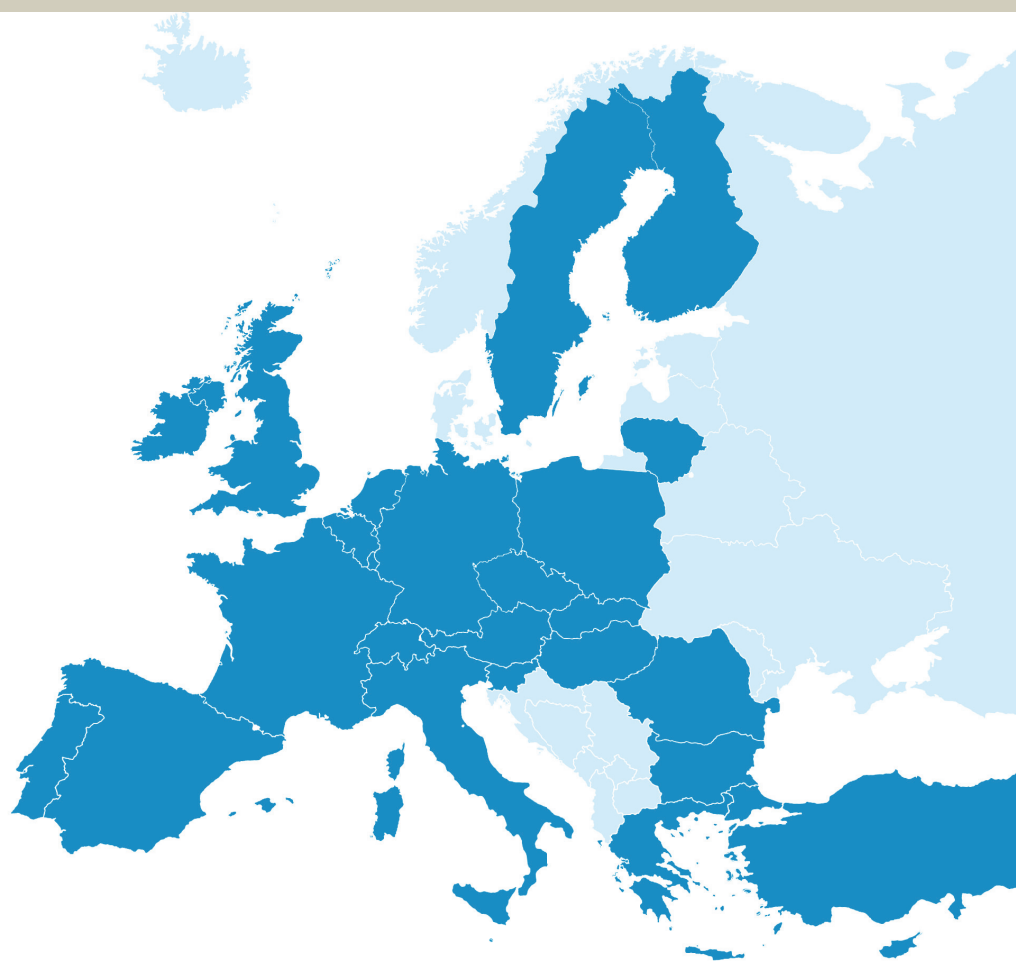


2013

# European Trends in Advertising Complaints, Copy Advice and Pre-clearance



## **EASA**

EASA - the European Advertising Standards Alliance is the single authoritative voice on advertising self-regulation. EASA promotes high ethical standards in commercial communications by means of effective self-regulation, for the benefit of consumers and business in Europe and beyond.

Effective advertising self-regulation helps ensure responsible advertising, meeting consumers' demand for honesty and transparency, regulators' demand for responsibility and engagement and businesses' demand for freedom to operate responsibly. EASA and its members have developed a robust and coherent system of advertising self-regulation that can respond effectively to new challenges.

EASA is not a Self-Regulatory Organisation (SRO) in itself, but acts as a co-ordination point for best practice in the implementation of self-regulation, as well as operational standards for its national SRO members. Part of EASA's role involves coordinating the cross-border complaint mechanism, EASA also collects and analyses top line statistical data on received and resolved complaints, as well as on copy advice requests and pre-clearance from its SRO members each year.

EASA was set up in 1992 to represent national self-regulatory organisations in Europe, in 2004 it developed into a partnership between national advertising SROs and organisations representing the advertising industry. Today, EASA is a network of 54 organisations committed to making sure advertising is legal, decent, honest and truthful. EASA's membership is made up of 38 SROs from Europe and beyond, and 16 advertising industry associations, including advertisers, agencies and the media. EASA is a not-for-profit organisation with a Brussels-based Secretariat. For further information please visit [www.easa-alliance.org](http://www.easa-alliance.org).

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## **Key Findings**

This report shows the main trends in advertising complaints and requests for copy advice and pre-clearance made throughout 2013<sup>1</sup>.

- **65,160 complaints regarding the content of advertisements were received in 2013 by EASA's 27 European SROs**
- **117 complaints were cross-border in nature**
- **The UK and Germany accounted for 68% (44,346) of all complaints received in Europe**
- **37% of complaints resolved were upheld**
- **35% of complaints resolved were not upheld**
- **Misleading advertising was the most complained about issue**
- **Telecommunications, food products and leisure services were the three most complained about sectors**
- **Audiovisual Media Services was the most complained about medium**
- **80,067 requests for copy advice were submitted**
- **86,175 ads were pre-cleared by SROs before going live**

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<sup>1</sup> Data was collected by SROs from 01/01/2013 – 31/12/2013 and provided to EASA in 2014 – for a full explanation of EASA's methodology see page 6.

## Advertising Self-Regulation in Europe

In 2014, EASA collected 2013 statistical data from the **27 operational European advertising self-regulatory organisations (SROs)**<sup>2</sup> in its membership.

Generally, one SRO is responsible for advertising self-regulation per country. However, there are several cases where ad self-regulation is administered in a slightly different way.

In **Finland**, Mainonnan eettinen neuvosto (Council of Ethics Advertising) considers issues regarding the ethical dimension of advertisements, whereas Liiketapalautakunta (Board of Business Practice) deals with business-to-business disputes about unfair commercial practices.

In **Germany**, the Deutscher Werberat (German Advertising Standards Council) deals with issues of social responsibility as well as taste and decency, while the Zentrale zur Bekämpfung unlauteren Wettbewerbs (Centre for Combating Unfair Competition) is responsible for issues of misleading advertising and unfair competition. There is also a separate self-regulatory body which deals with complaints about Online Behavioural Advertising, Deutscher Datenschutzrat Online-Werbung (German Data Protection Council for Online Advertising).

In **Ireland**, the Central Copy Clearance Ireland (CCCI) provides a pre-clearance service for all advertising of alcohol.

In **Sweden**, several advertising self-regulatory bodies operate alongside the Reklamombudsmannen (Ro.). While Ro. focuses on different aspects of ethical advertising, such as misleading advertising, advertising to children, sexism and gender issues, the other self-regulatory bodies deal with specific issues such as Alcohol (Alkoholgranskningsmannen/Alcohol Suppliers' Scrutineer), Direct Marketing (DM Nämnden – Etiska nämnden för direktmarknadsföring/Ethics Committee for Direct Marketing), Pharmaceuticals (Informationsgranskningsmannen/Pharmaceutical Industry Information Examiner) and Telecommunications (Etiska Rådet för Betalletejänster/The Ethical Council for Premium Rate Call Services). The total number of complaints featured in this report incorporates all complaints received by these different bodies in Sweden. The more detailed breakdown of complaint numbers is based only on the figures published by Ro.

In the **UK**, the Advertising Standards Authority offers a copy advice service and resolves complaints on advertising content from consumers, competitors or other interested parties. Clearcast, examines pre-production scripts, provides copy advice and pre-clears finished television advertisements prior to transmission while RACC is the commercial radio's advertising clearance body.



<sup>2</sup> An overview of how an advertising self-regulatory systems works can be found in Annex A.

## Source of Statistical Data: Advertising Self-Regulatory Organisations

Country	SRO	Abbreviation
Austria	Österreichischer Werberat	ÖWR
Belgium	Jury d'Ethique Publicitaire/Jury voor Ethische Praktijken inzake Reclame	JEP
Bulgaria	Националният съвет за саморегулация/National Council for Self-regulation	NCSR
Czech Republic	Rada pro reklamu	CRPR
Cyprus	Φορέας Ελέγχου Διαφήμισης/Cyprus Advertising Regulation Organisation	CARO
Finland	Mainonnan eettinen neuvosto	MEN
France	Autorité de régulation professionnelle de la publicité	ARPP
Germany	Deutscher Werberat	DW
	Zentrale zur Bekämpfung unlauteren Wettbewerbs e.V.	WBZ
Greece	Συμβούλιο Ελέγχου Επικοινωνίας/Advertising Self-Regulation Council	SEE
Hungary	Önszabályozó Reklám Testület	ÖRT
Ireland	Advertising Standards Authority for Ireland	ASAI
Italy	Istituto dell'Autodisciplina Pubblicitaria	IAP
Lithuania	Lietuvos Reklamos Biuras	LRB
Luxembourg	Commission Luxembourgeoise pour l'Ethique en Publicité	CLEP
Netherlands	Stichting Reclame Code	SRC
Poland	Związek Stowarzyszeń Rada Reklamy	RR
Portugal	Instituto Civil da Autodisciplina da Publicidade	ICAP
Romania	Consiliul Roman Pentru Publicitate	RAC
Slovak Republic	Rada Pre Reklamu	SRPR
Slovenia	Slovenska Oglaševalska Zbornica	SOZ
Spain	Asociación para la Autorregulación de la Comunicación Comercial	AUTOCONTROL
Sweden	Reklamombudsmannen	Ro.
Switzerland	Schweizerische Lauterkeitskommission/Commission Suisse pour la Loyauté	SLK/ CSL
Turkey	Reklam Özdenetim Kurulu	RÖK
UK	Advertising Standards Authority	ASA
	Clearcast	Clearcast

## Overview of Statistical Data Collection

Every year, EASA collects statistical data from its advertising self-regulatory organisation (SRO) members. The data collected by EASA allows for the identification of: the main issues prompting complaints; the product/services sector that generated most complaints and the medium that carried most advertisements complained about.

In 2014, EASA collected data from SROs on:

- Complaints received in 2013
- Complaints resolved in 2013
- Cases received in 2013
- Cases resolved in 2013
- Copy Advice requests in 2013
- Pre-clearance requests in 2013

The results of this annual analysis are a useful and important instrument in determining and anticipating trends in complaints about ads, as well as in identifying any problematic sectors or issues to work on.

In the recent years, EASA has refined the central data questionnaire sent to its members to ensure greater consistency, uniform definitions and improved usability of the data reported back. In this year's report, EASA further disaggregated complaints related to gender to provide a more in depth analysis of complaints related to this issue. Moreover, more detailed data for outdoor advertising was collected.

## Difference between received and resolved complaints

There is a small discrepancy between the number of complaints received and the number of complaints resolved in 2013. EASA collects data from the previous calendar year which in this report is 1 January 2013 to 31 December 2013. This timeframe means that there were complaints received in 2012 that were resolved in 2013; such complaints appear as resolved complaints but not in received complaints in the 2013 report. Likewise, a number of complaints lodged at the end of 2013 will be resolved in 2014, as a result they will only appear in the received complaints category for 2013.

## Difference between complaints and cases

A *complaint*<sup>3</sup> is defined as an expression of concern about an advertisement by a member of the public, a competitor or an interest group amongst others, which requires a response from an SRO. A complainant can raise one or more concerns about the ad within the same complaint. A *case* on the other hand, is defined as an advertisement subject to assessment/investigation by the SRO's jury. Cases are composed of one or several complaints about an advertisement from different complainants.

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<sup>3</sup> The Belgian SRO, JEP, the Dutch SRO, SRC, the Hungarian SRO, ÖRT, the Swedish SRO, Ro, and the Turkish SRO, RÖK do not register details of complaints that were not submitted to the Jury i.e. complaints that were out of remit, did not meet the requirements of complaint's submission or that were duplicates of complaints already decided by the Jury. The Romanian SRO, RAC, defines a complaint as one concern about one advertisement.



## **Methods Used to Interpret Statistical Data**

The number of complaints received by individual SROs can vary greatly. To ensure that this does not have implications for the analysis of the data, two different methods of data analysis are featured: firstly, **the calculation of percentages based on aggregate complaints data** and secondly, **the calculation of the European mean average**.

The first method is based on the calculation of the sum of the total number of complaints resolved by each SRO per issue, product or medium, etc. Subsequently, the percentage has been computed in relation to the total number of complaints. The second method calculates the European mean of the complaints resolved across Europe with regard to a specific issue, product, medium, etc.

The following example illustrates the different outcomes resulting from the use of the two methods: in 2013, a total of 6,557 complaints across Europe concerned retail, which related to 12.31% of the total amount of complaints. However, using the European mean average only 7.16% of the complaints resolved by European SROs concerned this sector.

While the result of the first method can be skewed by countries receiving a large number of complaints (as in the example mentioned above) the result of the second method can be skewed by countries receiving a very small number of complaints.

Using the different methods, different conclusions can be obtained. For example, if an SRO resolved 10,000 complaints about television advertising and only 900 about print ads, while a second SRO resolved only five complaints about television ads and 25 about advertising in the press, then the numbers of the latter do not carry any weight when the sum is made. As a result, SROs resolving large numbers of complaints might dominate the findings.

However, SROs resolving a small number of complaints could influence the European mean average if, for example, 15 out of 30 complaints resolved concerned the portrayal of women, due to one controversial campaign. In this case, the portrayal of women would account for 50% of all complaints resolved. This number would augment the European mean average, even though the portrayal of women in advertising may not necessarily give rise to many complaints in other countries. Where appropriate, the results of both methods have been used.

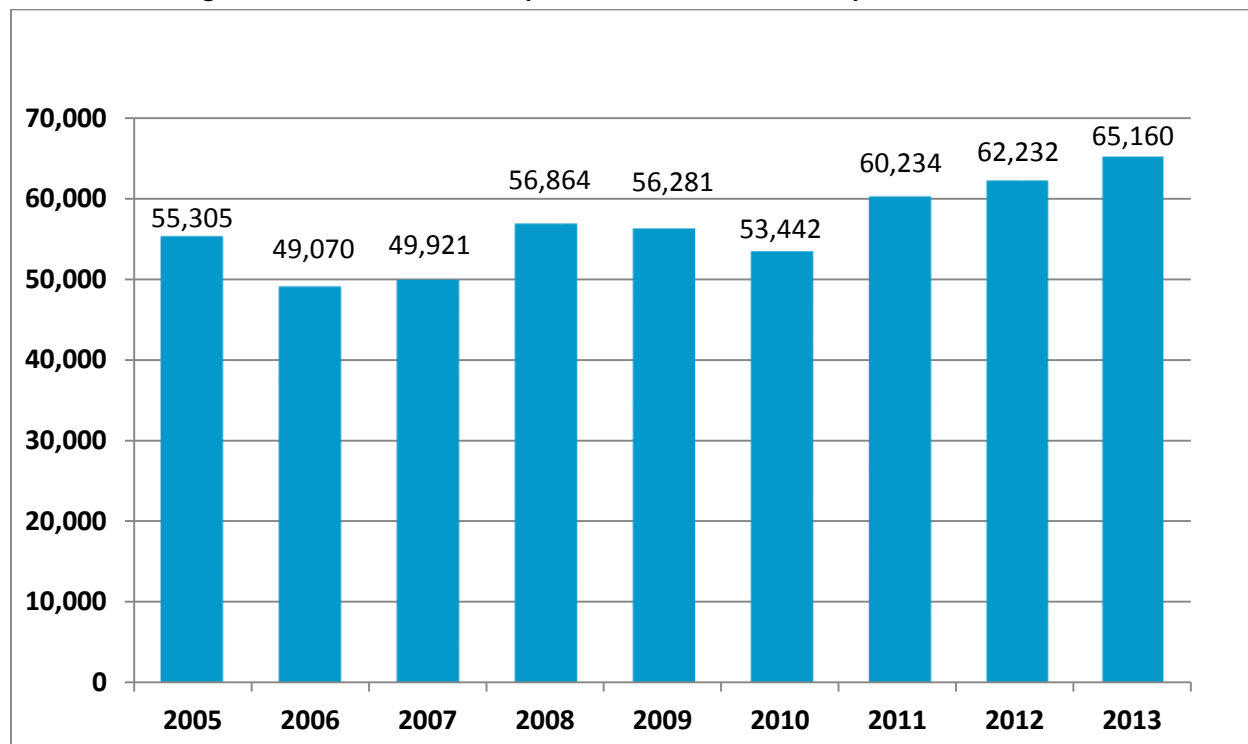
As previously mentioned, a small percentage of complaints do not necessarily accurately reflect the issues and problems related to advertising in those countries.

## 1 Complaints in Europe in 2013

### *65,160 complaints about 36,168 advertisements*

In 2013, EASA's network of European self-regulatory organisations (SROs) received and dealt with a total of 65,160 complaints related to 36,168 advertisements. In addition, 55 own-initiative investigations<sup>4</sup> were conducted.

**Figure 1: Total number of complaints received across Europe from 2005 to 2013**



Source: EASA European SRO member statistics 2013

Since 2010, the number of complaints made to European SROs has slowly increased, with 2013 seeing the greatest number of complaints to date. This suggests that European consumers are increasingly aware that they can complain about advertising that they find illegal, misleading, harmful or offensive, and trust in the system to resolve their complaints.

<sup>4</sup> Until 2007 own-initiative investigations were counted as complaints, by this logic the total amount of complaints (and investigations) in 2013 would have been 65,215.

## 1.1 Complaints by Country

*The UK and Germany accounted for 68% (44,346) of all complaints received in Europe*

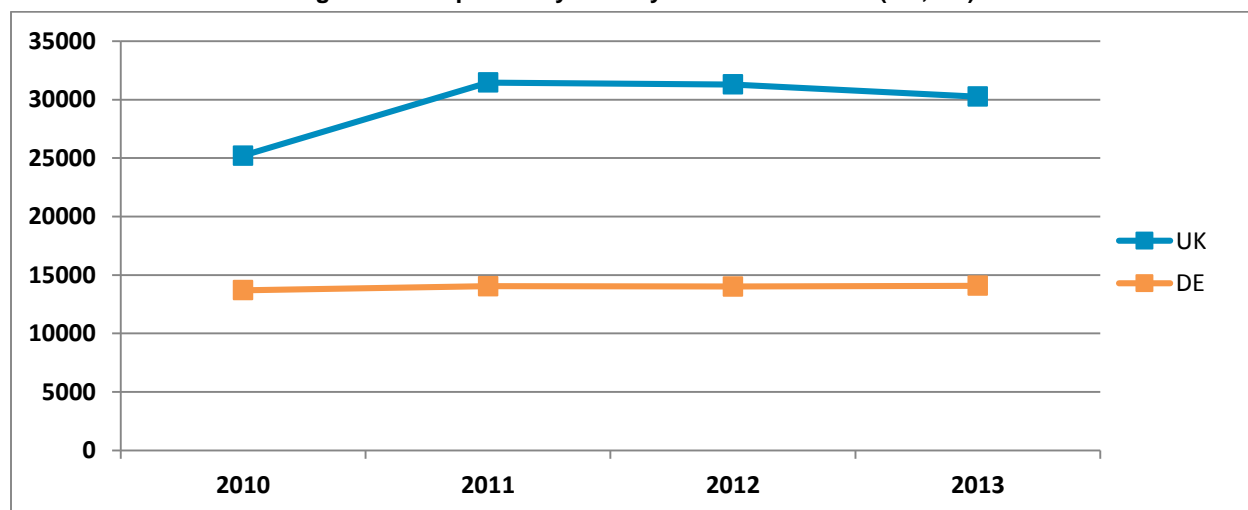
The countries with the highest ad spend in Europe, the UK and Germany, continue to account for the majority of complaints received and resolved. In total, 44,346 complaints (68% of all European complaints) were dealt with by the UK Advertising Standards Authority (ASA), the German Deutscher Werberat (DW) and the Wettbewerbszentrale (WBZ). The UK received with 30,266 complaints, the largest share of complaints in Europe in 2013, followed by Germany with 14,080 complaints<sup>5</sup>.

With 4,841 complaints, Italy ranked third in number of complaints received in 2013. The Italian SRO, IAP, received 21 times more complaints than it did in 2012. Over 4000 complaints were the result of a single controversial TV ad. IAP also saw an increase in the number of complaints related to gender stereotyping and the way women are presented in ads.

Poland ranked fourth, at 4,379 complaints, an increase of 23% on 2012. Like Italy, a great number of the complaints were linked to controversial ads.

Sweden received the fifth highest number of complaints with 3,789<sup>6</sup>, a 12% increase compared to the previous year. The majority of complaints were related to gender issues and there was a 31% increase in complaints on gender issues compared to 2012.

**Figure 2: Complaints by country from 2010 to 2013 (UK, DE)**

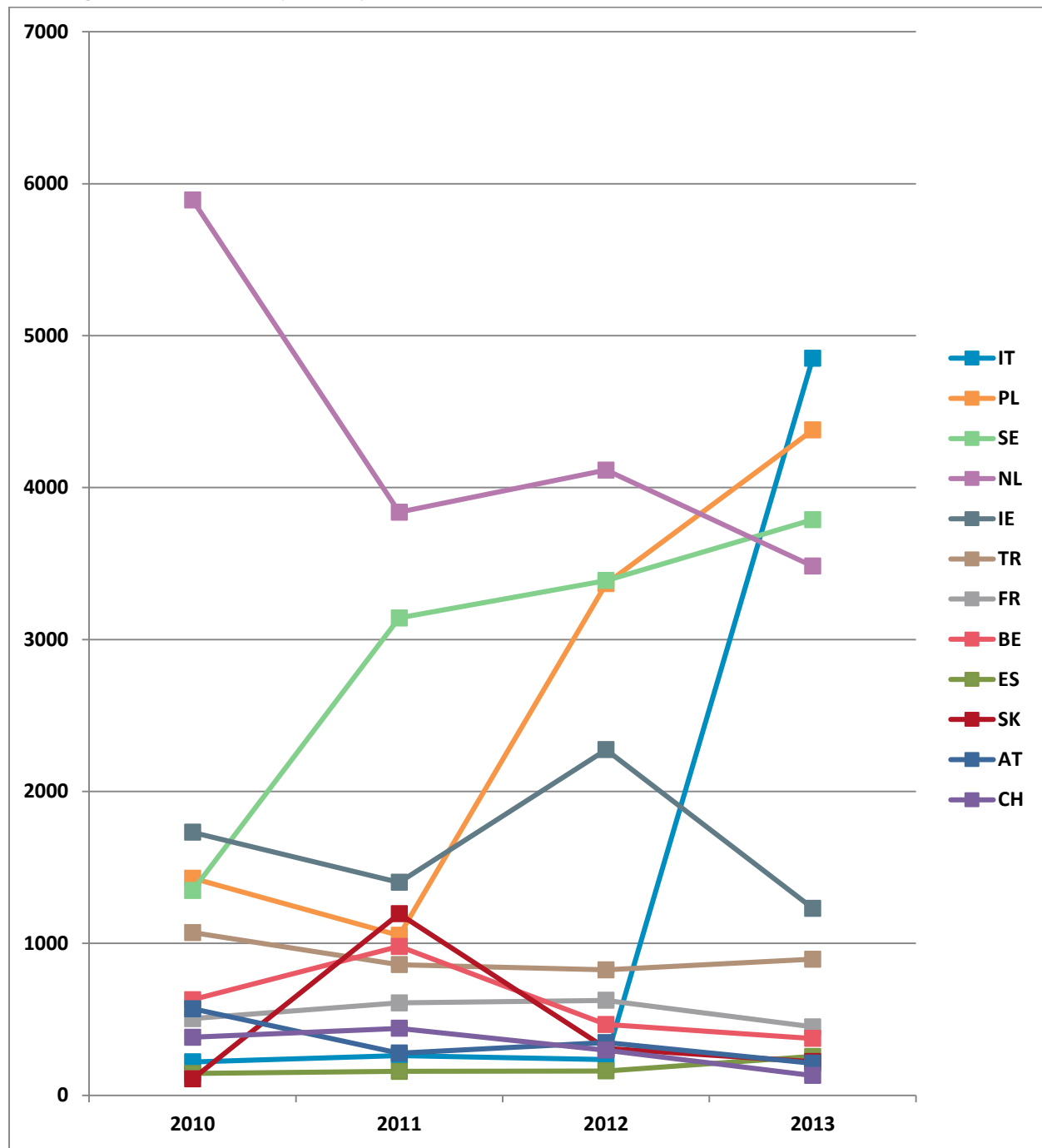


Source: EASA European SRO member statistics 2013

<sup>5</sup> The high number of complaints recorded in Germany can also be explained by the fact that the Wettbewerbszentrale has a more extended remit than most SROs. The Wettbewerbszentrale has the judicially authorised right to initiate legal action against those who infringe laws concerning unfair competition, and is dealing therefore also with complaints about, for example, prize competitions or shop opening hours, among many other issues.

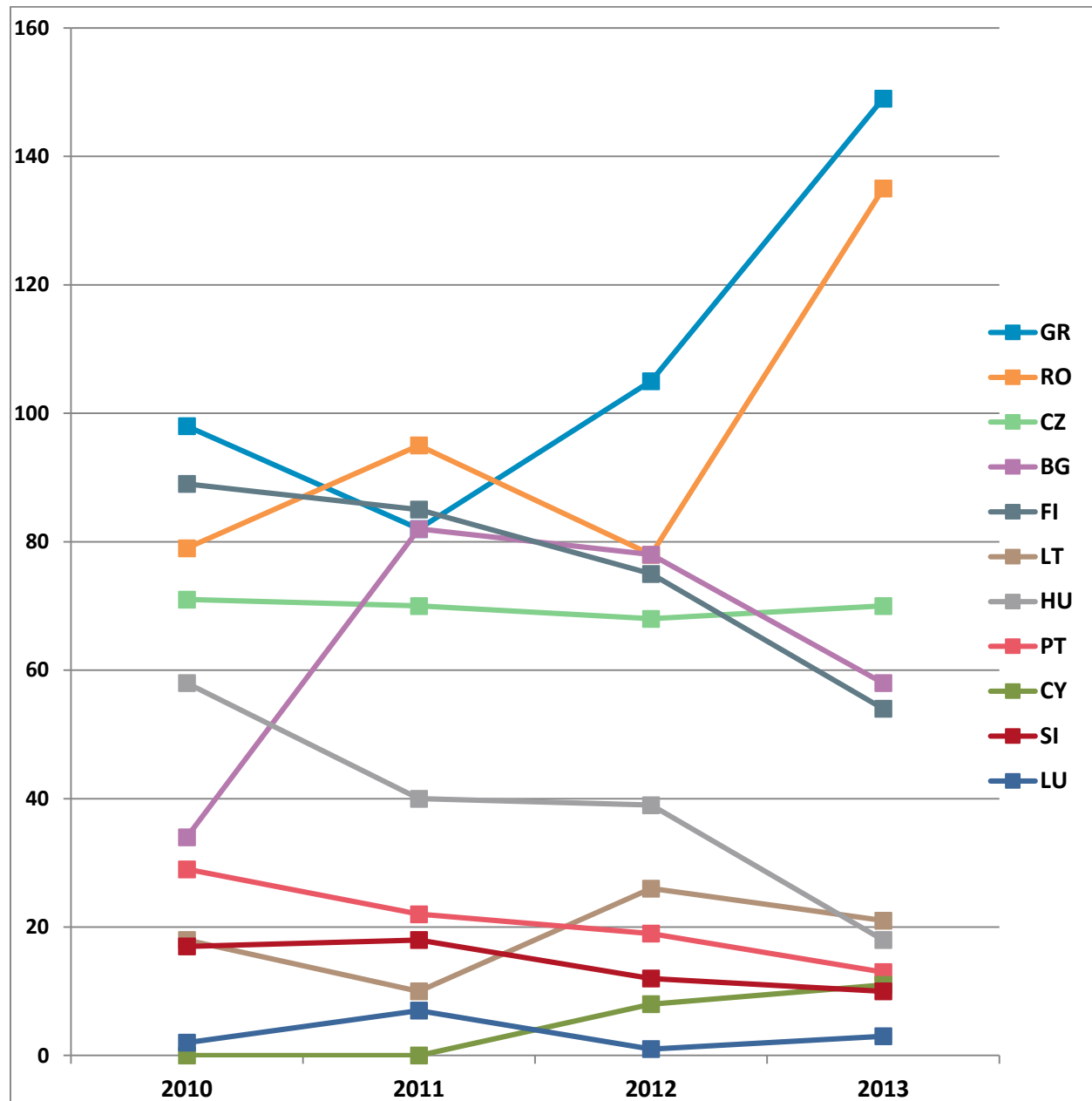
<sup>6</sup> As explained on page 6, the total number of complaints featured in Figure 2 incorporates complaints that were received also by other ethical bodies that operate alongside the Swedish SRO, Ro.

Figure 3: Complaints by country from 2010 to 2013 (IT, PL, SE, NL, IE, TR, FR, BE, ES, SK, AT, CH)



Source: EASA European SRO member statistics 2013

Figure 4: Complaints by country from 2010 to 2013 (GR, RO, CZ, BG, FI, LT, HU, PT, CY, SI, LU)



Source: EASA European SRO member statistics 2013

Table 1: Ranking based on total number of complaints across Europe from 2010 to 2013

Country/SRO	2010		2011		2012		2013	
	Rank	Complaints	Rank	Complaints	Rank	Complaints	Rank	Complaints
UK								
ASA	1	25,214	1	31,458	1	31,298	1	30,266
Germany								
WBZ	2	12,797	2	13,148	2	13,100	2	12,730
DW		907		900		915		1,350
Total		13,704		14,048		14,015		14,080
Italy								
IAP	12	220	13	262	13	236	3	4,851
Poland								
RR	7	1,429	7	1,053	5	3,367	4	4,379
Sweden								
Ro. <sup>7</sup>	6	1,347	4	3,142	4	3,388	5	3,789
The Netherlands								
SRC	3	5,893	3	3,838	3	4,115	6	3,483
Ireland								
ASAI	4	1,731	5	1,402	6	2,275	7	1,231
Turkey								
RÖK	7	1,071	9	860	7	826	8	896
France								
ARPP	10	505	10	608	8	625	9	450
Belgium								
JEP	8	629	8	980	9	466	10	374
Spain								
AUTOCONTROL	13	144	14	158	14	160	11	256
Slovak Republic								
SRPR	14	108	6	1,195	11	308	12	222
Austria								
ÖWR	9	570	12	278	10	347	13	211
Greece								
SEE	15	98	17	82	15	105	14	149
Romania								

<sup>7</sup> Including other Swedish SR bodies.

Country/SRO	2010		2011		2012		2013	
	Rank	Complaints	Rank	Complaints	Rank	Complaints	Rank	Complaints
<b>RAC</b>	17	79	15	95	16	78	15	135
<b>Switzerland</b>								
<b>CSL</b>	11	382	11	441	12	297	16	130
<b>Czech Republic</b>								
<b>CRPR</b>	18	71	18	70	18	68	17	70
<b>Bulgaria</b>								
<b>NCSR</b>	20	34	17	82	16	78	18	58
<b>Finland</b>								
<b>MEN</b>	16	89	16	85	17	75	19	54
<b>Lithuania</b>								
<b>LRB</b>	22	18	22	10	20	26	20	21
<b>Hungary</b>								
<b>ÖRT</b>	19	58	19	40	19	39	21	18
<b>Portugal</b>								
<b>ICAP</b>	21	29	20	22	21	19	22	13
<b>Cyprus</b>								
<b>CARO<sup>8</sup></b>	N/A	N/A	N/A	N/A	23	8	23	11
<b>Slovenia</b>								
<b>SOZ</b>	23	17	21	18	22	12	24	10
<b>Luxembourg</b>								
<b>CLEP</b>	24	2	23	7	24	1	25	3

Source: EASA European SRO member statistics 2013

<sup>8</sup> Established in 2012.

## 1.2 The Most Complained About Ads

### *The three most complained about ads originated in Italy and Poland*

#### **The most complained about ad**

In 2013, the most complained about advertisement in Europe originated in Italy<sup>9</sup>. The TV advertisement was funded by a pet food company and promoted a European Citizen's Initiative called STOP VIVISECTION. The SRO received in total 4,001 complaints as the advertiser claimed that vivisection is cruel and a criminal offence.

- TV ad
- 4,001 complaints
- Resolved informally

The advertisement was found in breach with Article 46 of the Italian Code, which states that any message aimed at raising the awareness of the public as to issues of social relevance should clearly identify both the author and the beneficiary of the appeal, and specify the social objective being sought. Furthermore, there must be a clear indication that the opinions being expressed are those of the promoters, and are not based on facts.

The advertiser stopped the campaign even before the adjudication became effective. The company was asked not to advertise in the same form again.

#### **The second most complained about ad**

The second most complained about advertisement concerned a TV advertising campaign in Poland for a chocolate wafer.

The advertisement showed a family at home, showing the father cuddling his daughters on the sofa whilst the mother eats a chocolate wafer. The mother suddenly announces to her daughters 'He is not your father'. The statement was accompanied by the marketing slogan 'Zero Bujdy' which, loosely translated, means 'No lies'.

- TV ad
- 1,273 complaints
- Upheld

The campaign generated 1,273 complaints. The complainants found the campaign to be socially irresponsible and felt that it exploited children's inexperience due to the fact that they may not understand the humour of the advertisement. Moreover, the complainants pointed out that the advertisement could harm the image of intimate relations between parents and children.

The complaints were upheld on the basis that the advertisement trivialised family ties.

<sup>9</sup> The IAP's policy is not to share decisions and/or advertisements that have not been subject to an official adjudication.





### The third most complained about ad

A TV campaign for a pay-as-you-go mobile phone network was the third most complained about advertisement in Europe in 2013.

The advertisement showed an actor as Vladimir Lenin declaring the revolution of the mobile market in Poland.

- TV ad
- 1,116 complaints
- Upheld

Complainants found the advertisement to be socially irresponsible. One of the issues raised by complainants was that the advertisements promoted communism's ideology, which is explicitly prohibited by the Polish Constitution. Overall, the campaign generated 1,116 complaints.

The advertisement was found to be, in breach of the principles of social responsibility, due to lack of respect for Poland's history and national values.

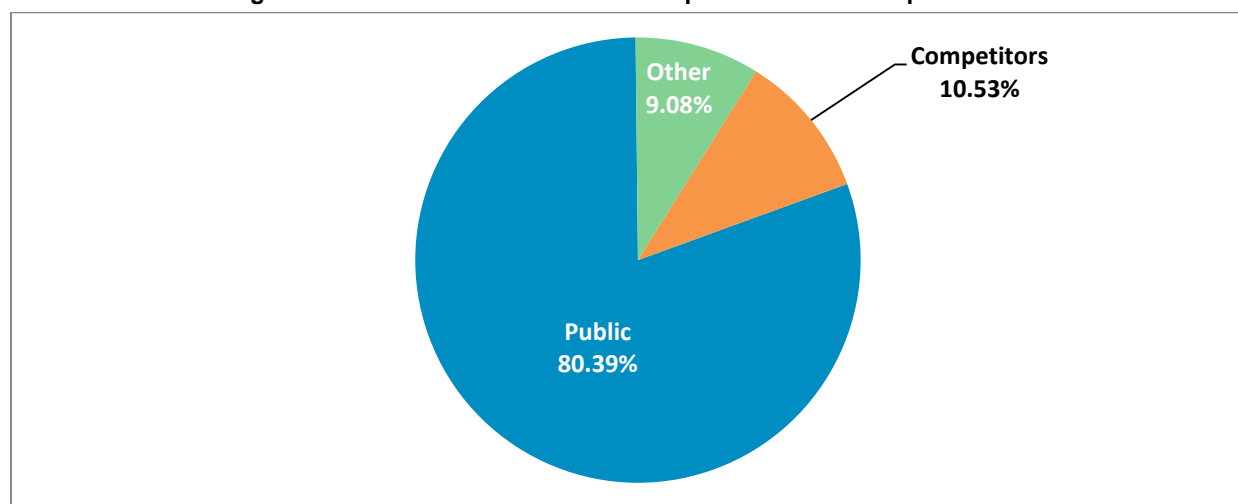


### 1.3 Source of Complaints

#### *The majority of complaints were lodged by consumers*

In 2013, SROs registered 48,220 complaints from members of the public, which amounts to 80.39% of total complaints received. SROs do not only handle consumer complaints, but also complaints from competitors or other complainants, such as trade associations, interest groups and public entities. In 2013, 6,319 or 10.53% of complaints were made by competitors and 9.08% by other organisations.

**Figure 5: Source of total number of complaints across Europe in 2013<sup>10</sup>**

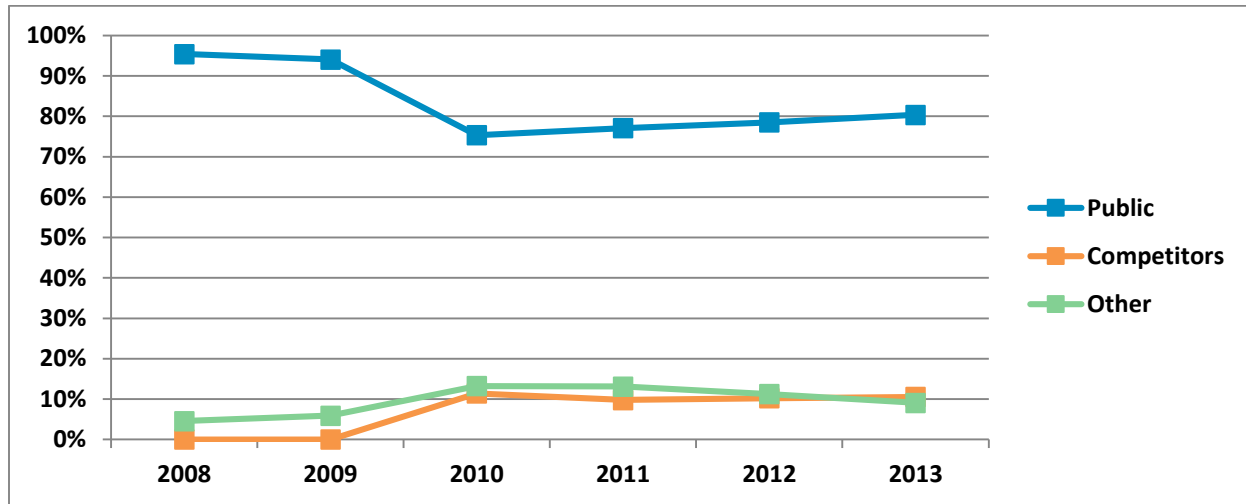


Source: EASA European SRO member statistics 2013

While the exact share of complaints lodged by members of the public versus complaints made by competitors or other entities varies from year to year, Figure 6 shows that on the whole the majority of complaints in Europe are made by consumers, with the exception of Germany, Greece, Portugal and Spain, where SROs generally received a large number of competitor complaints or complaints by other entities.

<sup>10</sup> The Belgian (JEP) and Dutch (SRC) SROs could provide only the breakdown of the complaints that were examined by the Jury and not of all the complaints received. Moreover, the Swedish SRO (Ro.) did not provide details on complaints received by the other Swedish organisations.

Figure 6: Source of total number of complaints received across Europe from 2008 to 2013



Source: EASA European SRO member statistics 2013

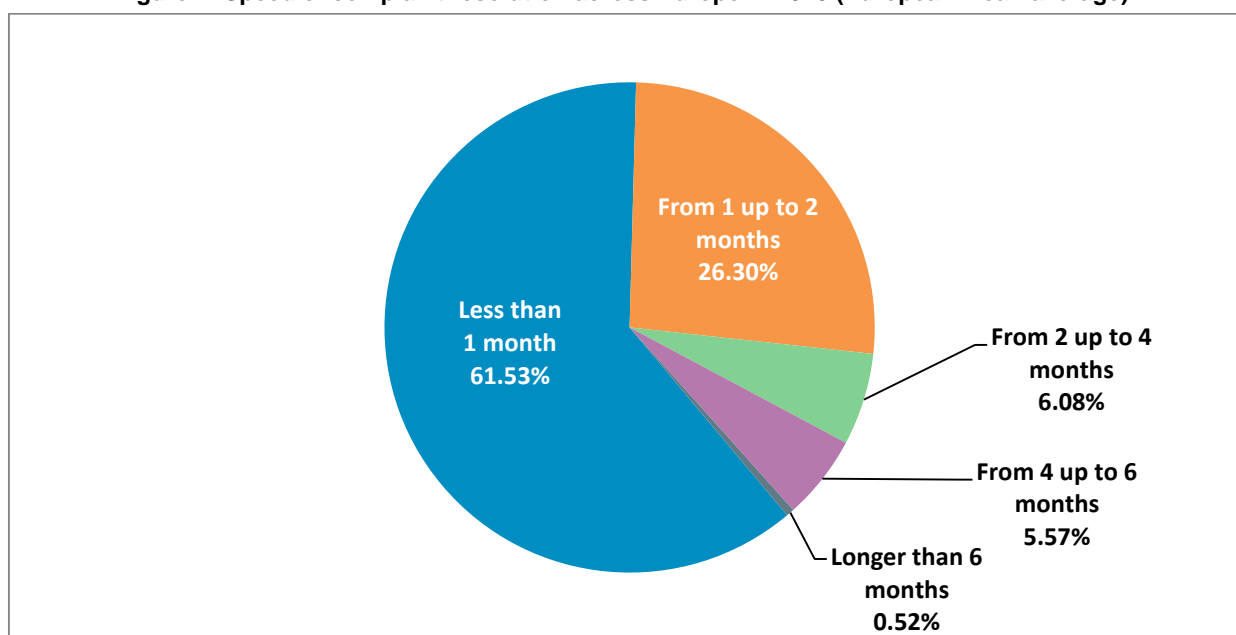
## 1.4 Speed of the Resolution of Complaints

### *The majority of complaints were handled in less than one month*

The speed of complaint resolution varies depending on the complexity of a case. Simple cases can be resolved in as little as three days, whereas more complex cases may take longer. If scientific substantiation of advertising claims is required, complaints may lead to a prolonged investigation.

In 2013, SROs resolved 61.53% of complaints received in less than one month on average. More than a quarter of complaints, 26.30%, were resolved within 1–2 months. Less than one percent of complaints (0.52%) required an investigation period longer than 6 months.

**Figure 7: Speed of complaint resolution across Europe in 2013 (European mean average)<sup>11</sup>**

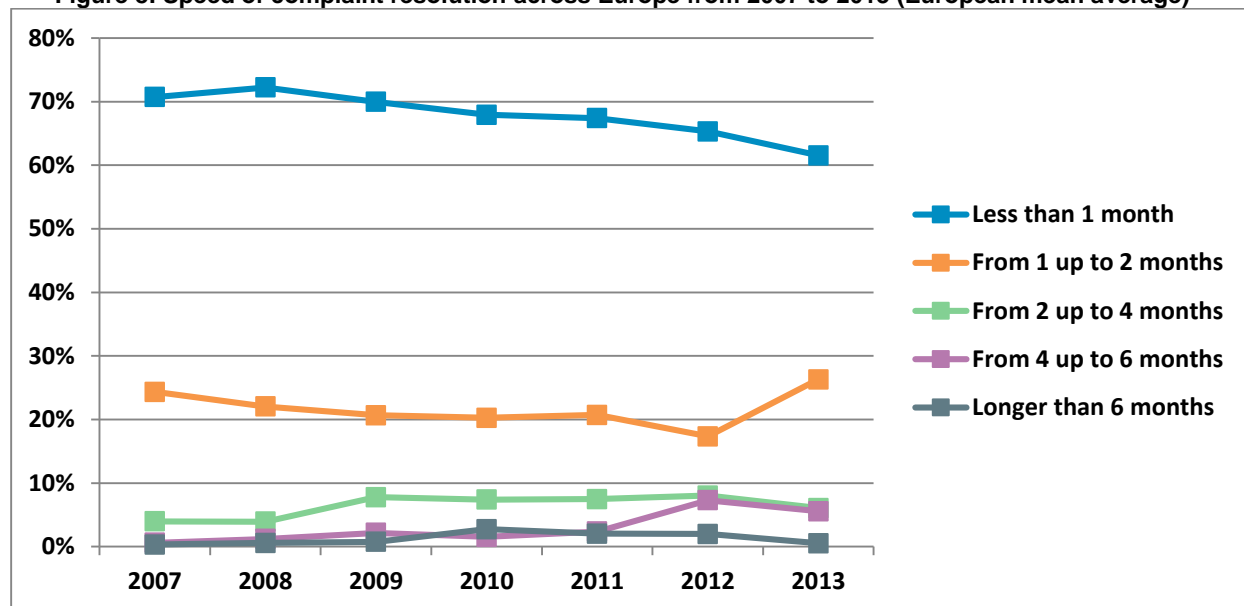


Source: EASA European SRO member statistics 2013

Figure 8 illustrates the speed of resolution of complaints between 2007 and 2013. On average, complaints resolved within a month have decreased slightly, while complaints resolved within two months have increased.

<sup>11</sup> Except France (ARPP); estimates for Germany (WBZ); and for the Netherlands (SRC) based on the number of cases.

Figure 8: Speed of complaint resolution across Europe from 2007 to 2013 (European mean average)<sup>12</sup>



Source: EASA European SRO member statistics 2013

<sup>12</sup> Except France (ARPP), estimates for Germany (WBZ) and for the Netherlands (SRC) based on the number of cases.

## 1.5 Outcome of Resolved Complaints

*37% of the resolved complaints were upheld on average, while 35% were not upheld*

Table 2: Outcome of complaints across Europe in 2013<sup>13</sup>

Outcome	Number of complaints	% of total amount of complaints	European mean average
Upheld	16,469	28.45%	37.28%
Not upheld	10,773	18.61%	34.87%
Not pursued/not investigated	16,248	28.06%	13.32%
No additional investigation after preliminary work <sup>14</sup> (Only for UK)	5,576	9.63%	N/A
Resolved informally	4,495	7.76%	4.96%
Out of remit	3,384	5.84%	7.57%
Transferred to appropriate authority	279	0.48%	0.57%
Other	673	1.16%	1.44% <sup>15</sup>
<b>Total</b>	<b>57,897</b>	<b>100%</b>	<b>100%</b>

Source: EASA European SRO member statistics 2013

EASA categorises the data it collects on the outcome of complaints into “upheld”, “not upheld”, “not pursued/not investigated”, “resolved informally”, “out of remit” and “transferred to an appropriate authority”.

In 2013, nearly a third of resolved complaints (28.45%) were upheld. In these cases the responsible SRO jury considered the ad complained about in breach of the advertising code. 18.61% of complaints were not found to be in breach of the relevant advertising code and were therefore not upheld. The European average shows a higher percentage with 37.28% of complaints being upheld and 34.84% not upheld (see figure 9)

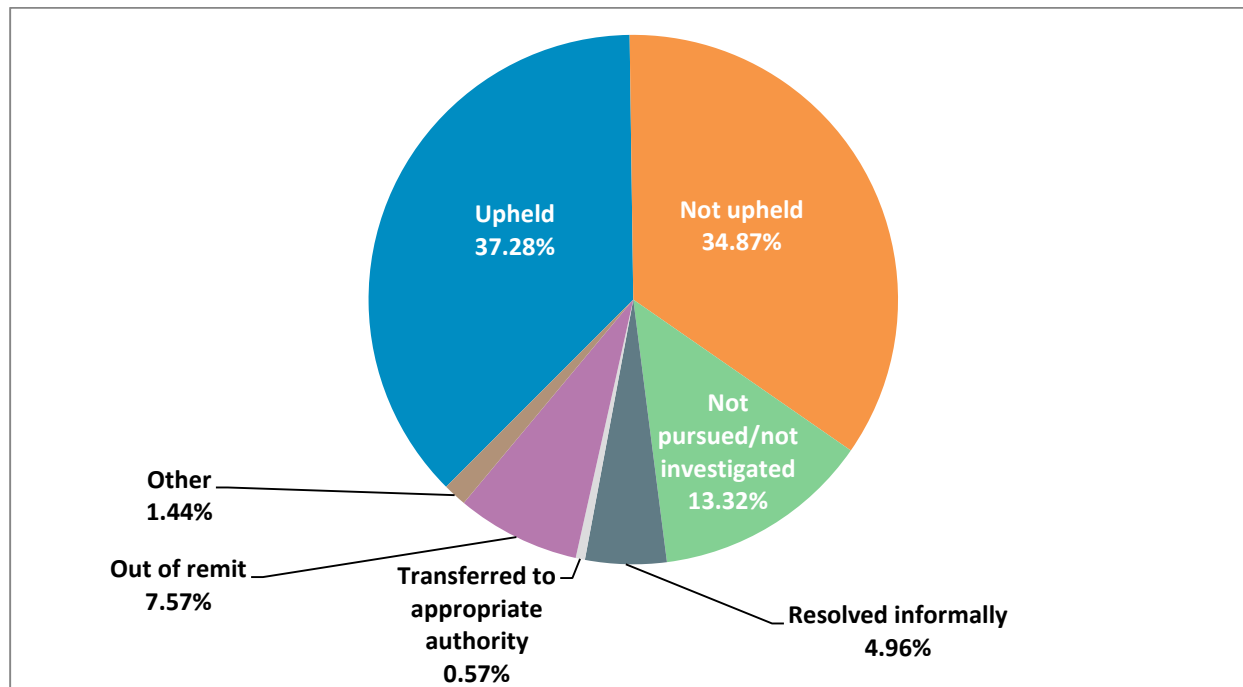
In addition, 28.06% or 13.32% on average of complaints fell into the “not pursued/not investigated” category. This means that complaints are within remit but could not be pursued further, mainly because complainants did not provide enough information. Finally, 0.57% complaints on average were referred to the appropriate regulatory body.

<sup>13</sup> For France (ARPP) only number of cases were available.

<sup>14</sup> This category is only used in the UK and means that the advertisers change the ad before a decision is taken whether or not it breaches the code.

<sup>15</sup> Including UK’s ‘number of complaints with no additional investigations after preliminary work’ and ‘Other’.

**Figure 9: Outcome of complaints across Europe in 2013 (European mean average)<sup>16</sup>**

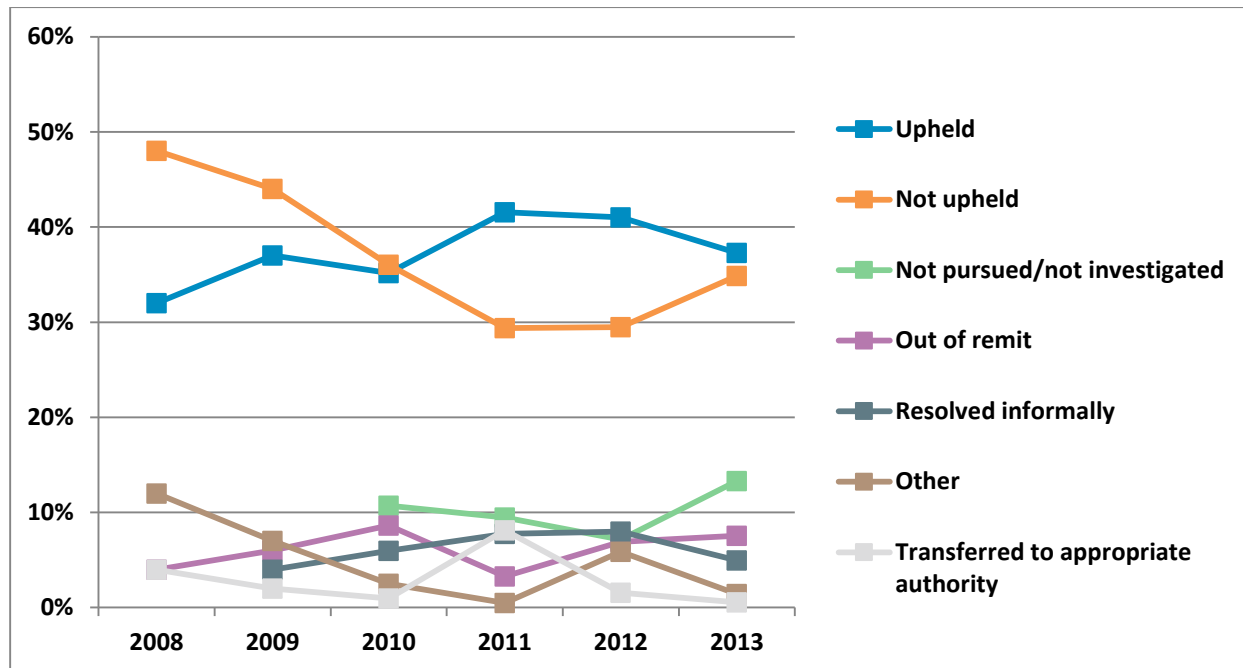


Source: EASA European SRO member statistics 2013

<sup>16</sup> For France (ARPP), only number of cases were available.

Figure 10 shows the outcome of complaints between 2008 and 2013. From 2011 onwards, upheld complaints rose, while complaints that were not upheld, and thus dismissed.

**Figure 10: Outcome of complaints across Europe from 2008 to 2013 (European mean average)<sup>17</sup>**



Source: EASA European SRO member statistics 2013

<sup>17</sup> For France (ARPP), in 2013 only number of cases were available.



## 1.6 Issues Complained About

### *Misleading advertising continues to be the main issue complained about*

**Table 3: Overall complaints by general issue as a share of total amount of complaints received in 2013 across Europe as well as the European mean average<sup>18</sup>**

Issue	Number of complaints per issue	% of total amount of complaints per issue	European mean average
<b>Misleading</b>	24,737	43.40%	38.82%
<b>Taste and decency</b>	13,493	23.67%	23.68%
<b>Social responsibility</b>	8,514	14.94%	17.24%
<b>Health and safety</b>	4,643	8.15%	3.72%
<b>Privacy and data protection</b>	64	0.11%	2.44%
<b>Denigration of competitors</b>	156	0.27%	5.05%
<b>Other</b>	5,394	9.46%	9.06%
<b>Total</b>	<b>57,001</b>	<b>100%</b>	<b>100%</b>

Source: EASA European SRO member statistics 2013

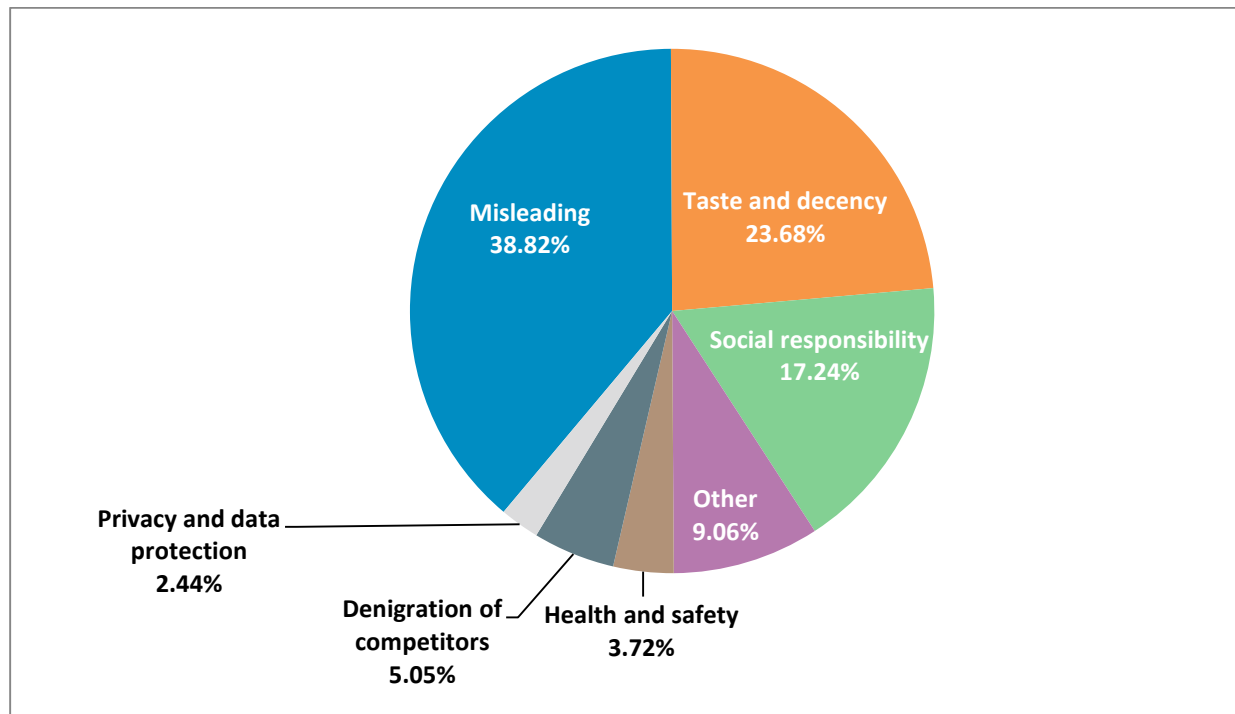
Table 3 (above) illustrates the number of complaints resolved in Europe in 2013 by issue. The largest share of complaints, 24,737 (43.40%) concerned misleading advertising, out of which 16.32% related to price claims, 5.93% to health claims and 0.83% to environmental claims.

13,493 complaints (23.67%) related to taste and decency issues. Social responsibility issues provoked 8,514 complaints in total (14.94%) and health and safety 4,643 complaints (8.15%).

5,394 complaints (9.46%) were classified as “other” which included, amongst other things, complaints about labelling and packaging as well as breaches of sectoral advertising codes, comparative advertising and imitation of creative ideas.

<sup>18</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC) only number of cases were available. For Switzerland (CSL), reported figures include both complaints and cases.

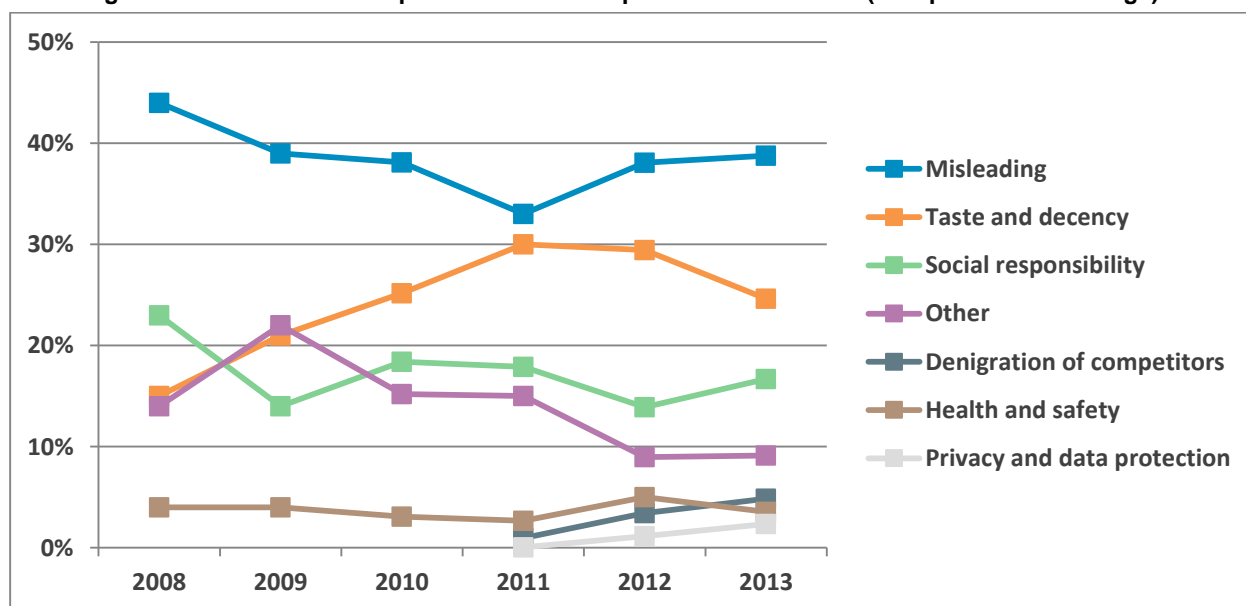
**Figure 11: Reasons for complaints across Europe in 2013 (European mean average)<sup>19</sup>**



Source: EASA European SRO member statistics 2013

Looking at the European mean average, the top three reasons for complaints resolved in 2013 were misleading advertising, 38.82%, taste and decency, 23.68%, and breaches of social responsibility rules, 17.24%, combined these three reasons amount to almost 80%.

**Figure 12: Reasons for complaints across Europe from 2008 to 2013 (European mean average)<sup>20</sup>**



Source: EASA European SRO member statistics 2013

<sup>19</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC) only number of cases were available. For Switzerland (CSL), reported figures include both complaints and cases.

<sup>20</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases.

Over the last six years the share of complaints related to misleading advertising have remained relatively stable, with the exception of 2011 when a visible dip of 13.38% occurred. Misleading advertising has consistently been the issue most complained about across Europe.

Between 2008 and 2011, SROs across Europe noted an increase in the share of complaints related to taste and decency. Advertisements that are considered offensive or inappropriate<sup>21</sup> often trigger a large amount of complaints within a short period of time. Despite a decrease in the level of complaints related to taste and decency over the last two years, the number of complaints on this issue continues to be relatively high.

Since 2010 the issue of social responsibility has consistently ranked third as a reason behind complaints. Like complaints related to taste and decency, ads that are considered irresponsible can also lead to a large number of complaints about one single ad campaign.

An interesting development is the rise of complaints about alleged breaches of privacy and data protection; more SROs have extended their remit to deal with issues beyond the pure content of advertisements. Complaints about denigration of competitors have also risen since 2011.

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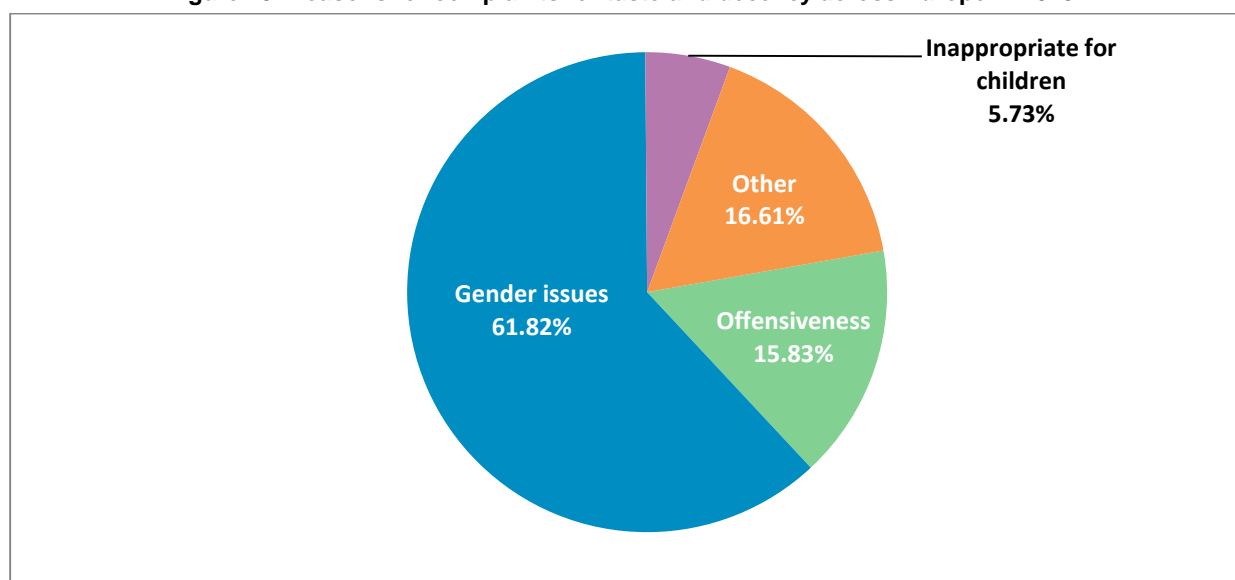
<sup>21</sup> See most complained about advertisements in 2011 EASA Statistics report, pp. 22-23.

## 1.6.1 Breakdown of Issues

### 1.6.1.1 Taste and Decency

A large majority, 61.82%, of taste and decency complaints concerned gender issues<sup>22</sup>, with complainants finding advertisements to be either sexually offensive or degrading to either women or men. Around one sixth, 15.83%, of complaints concerned offensive advertising and 5.73% of complaints were related to ads that complainants considered to be inappropriate to be seen by children.

**Figure 13: Reasons for complaints for taste and decency across Europe in 2013<sup>23</sup>**



Source: EASA European SRO member statistics 2013

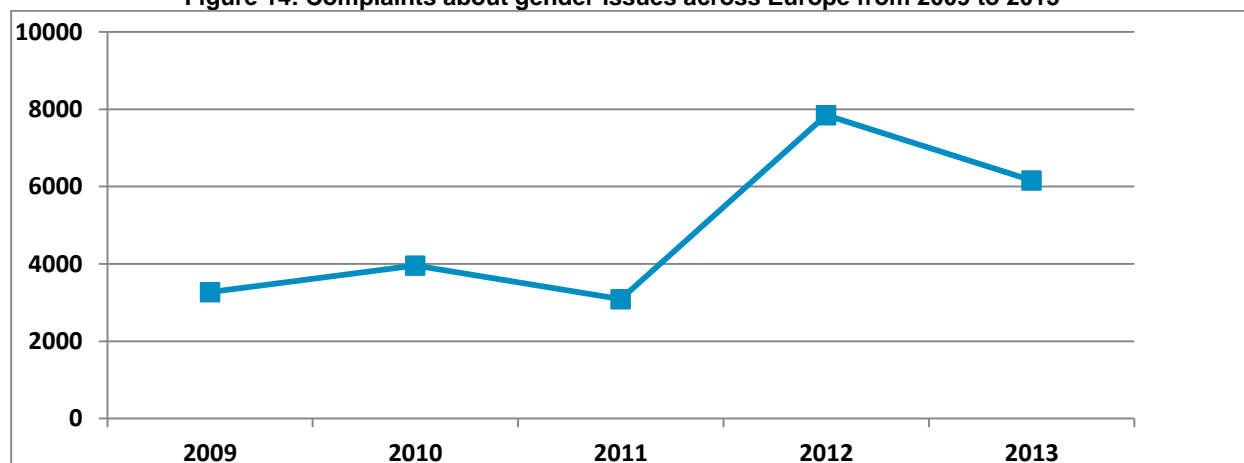
Between 2009 and 2011 complaints about gender issues remained stable at 3,000-4,000 complaints per year. However, there was an increase of over 150% in 2012 to 7,850 in 2012<sup>24</sup>. This increase can be partially attributed to number of complaints dealt with by the Polish SRO in 2012, where three separate advertisements were criticised for their explicitly sexist content and generated a total of 2,297 complaints.

<sup>22</sup> Prior to 2013, the subcategory was called 'Portrayal of gender'.

<sup>23</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), only number of cases were available. For Switzerland (CSL), reported figures include both complaints and cases. No data were available for Ireland (ASAI) and the UK (ASA).

<sup>24</sup> The 2011 complaints figures did not include data on complaints about 'portrayal of gender' from the UK.

**Figure 14: Complaints about gender issues across Europe from 2009 to 2013<sup>25</sup>**

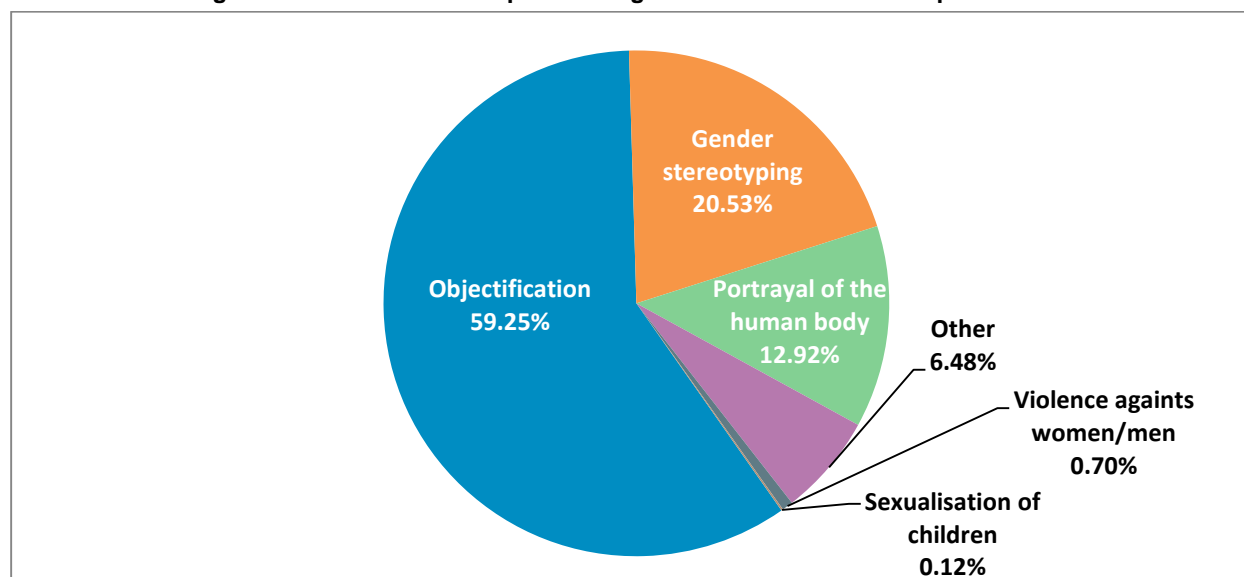


Source: EASA European SRO member statistics 2013

### 1.6.1.2 Gender

Over half of complaints related to gender issues (59.25%), concerned objectification of which 97.12% concerned the objectification of women and 2.88% concerned the objectification of men. Gender stereotyping ranked second at 20.53% of complaints, of which 97.92% regarded women and 2.08% concerned men. Portrayal of the human body prompted 12.92% of gender related complaints, of which again an overwhelming majority, 98.2%, regarded women while 1.8% concerned men. Sexualisation of children and violence against women or men accounted for a fraction of complaints, 0.7% and 0.12% respectively.

**Figure 15: Reasons for complaints for gender issues across Europe in 2013<sup>26</sup>**



Source: EASA European SRO member statistics 2013

<sup>25</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases.

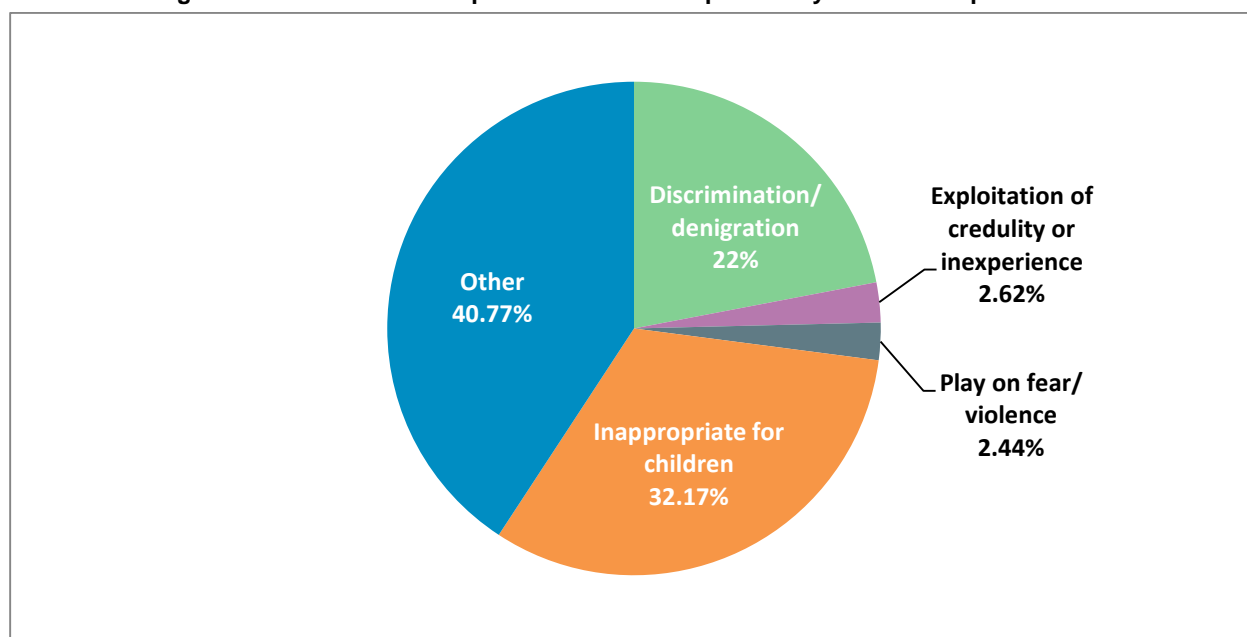
<sup>26</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases. No data were available for Ireland (ASAI) and the UK (ASA).

### 1.6.1.3 Social Responsibility

40.77% complaints related to social responsibility fell under the category “other”. This significant percentage can be largely attributed to two separate advertising campaigns from Poland, which were the second and the third most complained about advertisements in Europe in 2013 (see pp. 14-15).

Around a third (32.17%) of all complaints about advertising related to social responsibility were investigated for the appropriateness of social values they convey to children. One fifth (22%) of complaints about socially irresponsible advertisements were lodged due to issues of discrimination or denigration. Further grounds for complaint were advertisements that played on fear or condoned violent or anti-social behaviour (2.62%) as well as ones that exploited the credulity or inexperience of consumers (2.44%), such complaints accounted for a relatively small portion of all the complaints within this category.

**Figure 16: Reasons for complaints for social responsibility across Europe in 2013<sup>27</sup>**



Source: EASA European SRO member statistics 2013

<sup>27</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases. No data were available for Ireland (ASAI) and the UK (ASA).

### 1.6.2 Issues per Country

As the issues and reasons for complaints vary from country to country an overview of the national situation is provided in Figure 17 (below).

In 2013, Romania resolved the highest share of complaints related to misleading advertising with 72.29% (111 complaints). Turkey, with 74.78% (430 complaints) and Cyprus with 71.43% (10 complaints) also saw a high percentage of complaints against allegedly misleading commercial communications.

The highest national shares of complaints related to taste and decency issues in advertising were reported in Austria with 63.03% (133 complaints) and Sweden with 58.05% (292 complaints).

In ten countries majority of complaints about taste and decency concerned gender issues. In Poland 91.42% of complaints (1087) related to taste and decency concerned gender, compared to 83.90% (245 complaints) in Sweden and 75.19% (100 complaints) in Austria.

Social responsibility was the reason behind the majority of complaints (74.07%) received by the Polish SRO (3100 complaints). These complaints can be attributed to two individual ads that together accounted for 54.55% of all complaints in Poland. Both ads were deemed to be socially irresponsible and were also the second and third most complained about ads in Europe (see pp. 14-15).

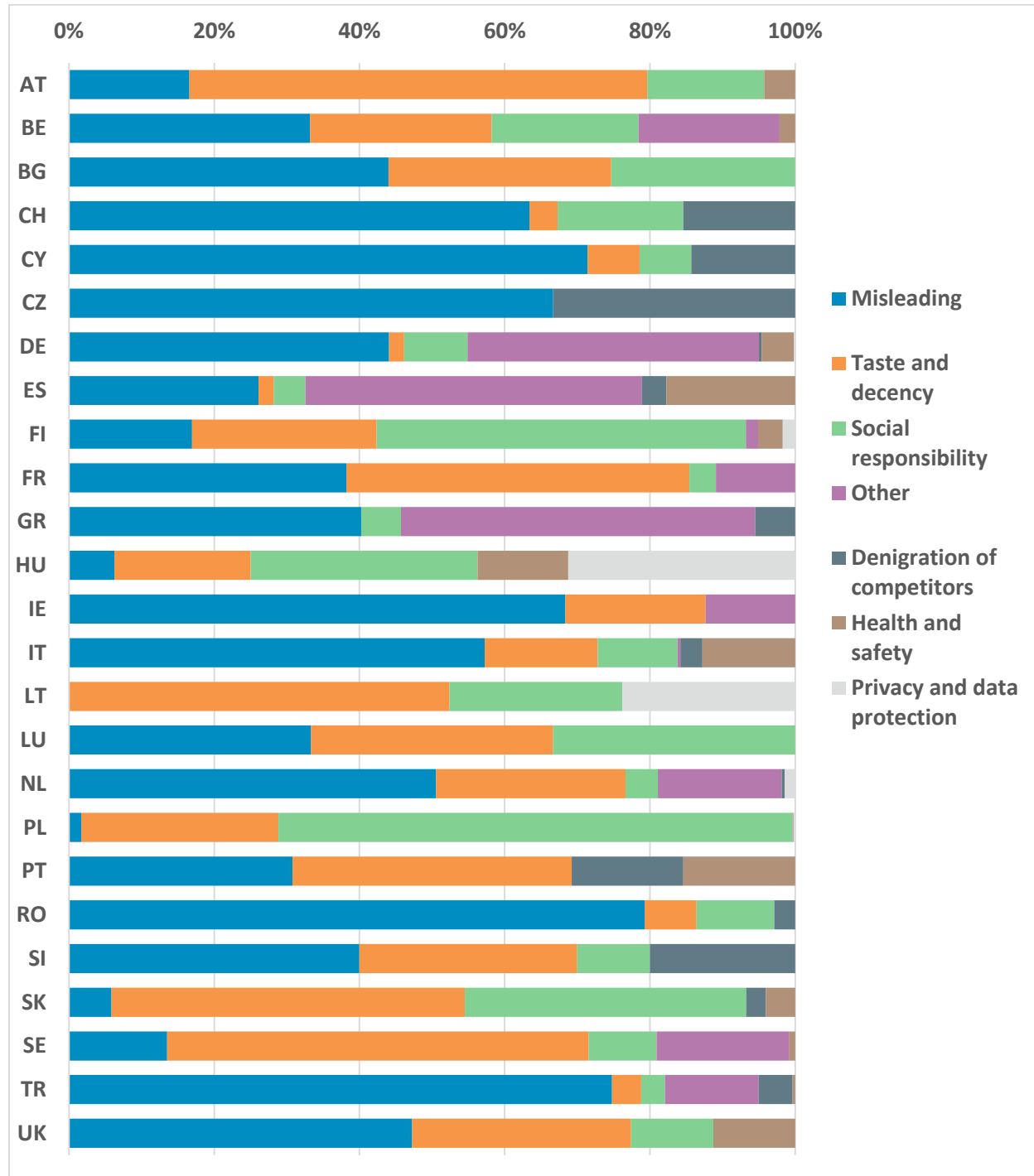
In Germany, 93.75% of the complaints (900) handled by the German SRO, DW, were deemed to be socially irresponsible on the basis of discrimination. More than half of these complaints, 53.11% concerned three separate ad campaigns on the Internet and TV.

The German SRO, WBZ, dealt with a large number of complaints concerning breaches of marketing rules (79% of complaints – 3380 complaints) and unsolicited mail (21% of complaints – 920 complaints) which are categorised in this report under “other”. Issues of legality or breaches of sectoral codes, which are also categorised under “other”, were mostly complained about in Spain, and breaches regarding product-/sector-specific advertising codes received a large number of complaints in the Netherlands<sup>28</sup>.

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<sup>28</sup> Except Code for Environmental Advertising.

Figure 17: Complaints per general issue across Europe in 2013



Source: EASA European SRO member statistics 2013



## 1.7 Media

*In absolute numbers, Audiovisual Media Services and Digital Marketing Communications were the most complained about media in 2013*

**Table 4: Overall complaints per media platform as a share of total amount of complaints across Europe in 2013<sup>29</sup>**

Media	Number of complaints	% of total number of complaints	European mean average
<b>Audiovisual Media Services</b>	17,141	31.61%	32.20%
<b>Digital Marketing Communications</b>	16,807	30.99%	18.29%
<b>Outdoor</b>	3,989	7.36%	15.55%
<b>Press/magazines</b>	7,278	13.42%	11.69%
<b>Direct marketing</b>	2,771	5.11%	7.50%
<b>Radio</b>	1,296	2.39%	6.22%
<b>Brochures/leaflets</b>	2,128	3.92%	4.33%
<b>Other</b>	1,966	3.63%	2.29%
<b>Packaging</b>	700	1.29%	1.09%
<b>Teleshopping</b>	21	0.04%	0.48%
<b>Cinema</b>	128	0.24%	0.37%
<b>Total</b>	<b>51,847</b>	<b>100%</b>	<b>100%</b>

Source: EASA European SRO member statistics 2013

Advertisements appearing on Audiovisual Media Services (AVMS) and Digital Marketing Communications (DMC) both accounted for more than a third of all complaints resolved in Europe in 2013; 17,141, an average of 32.20%, for ads on AVMS and 16,807, or an average of 18.29%, for DMC.

Out of the 17,141 complaints concerning TV ads, 16,716 complaints (97.52%) were about linear services (linear television) and only 196 complaints (2.48%) about non-linear services (e.g. video on demand).

Complaints regarding DMC continued to increase and reached its highest number in 2013. Out of the complaints that were further subcategorised, the majority concerned marketer-owned websites (21.31%)<sup>30</sup>.

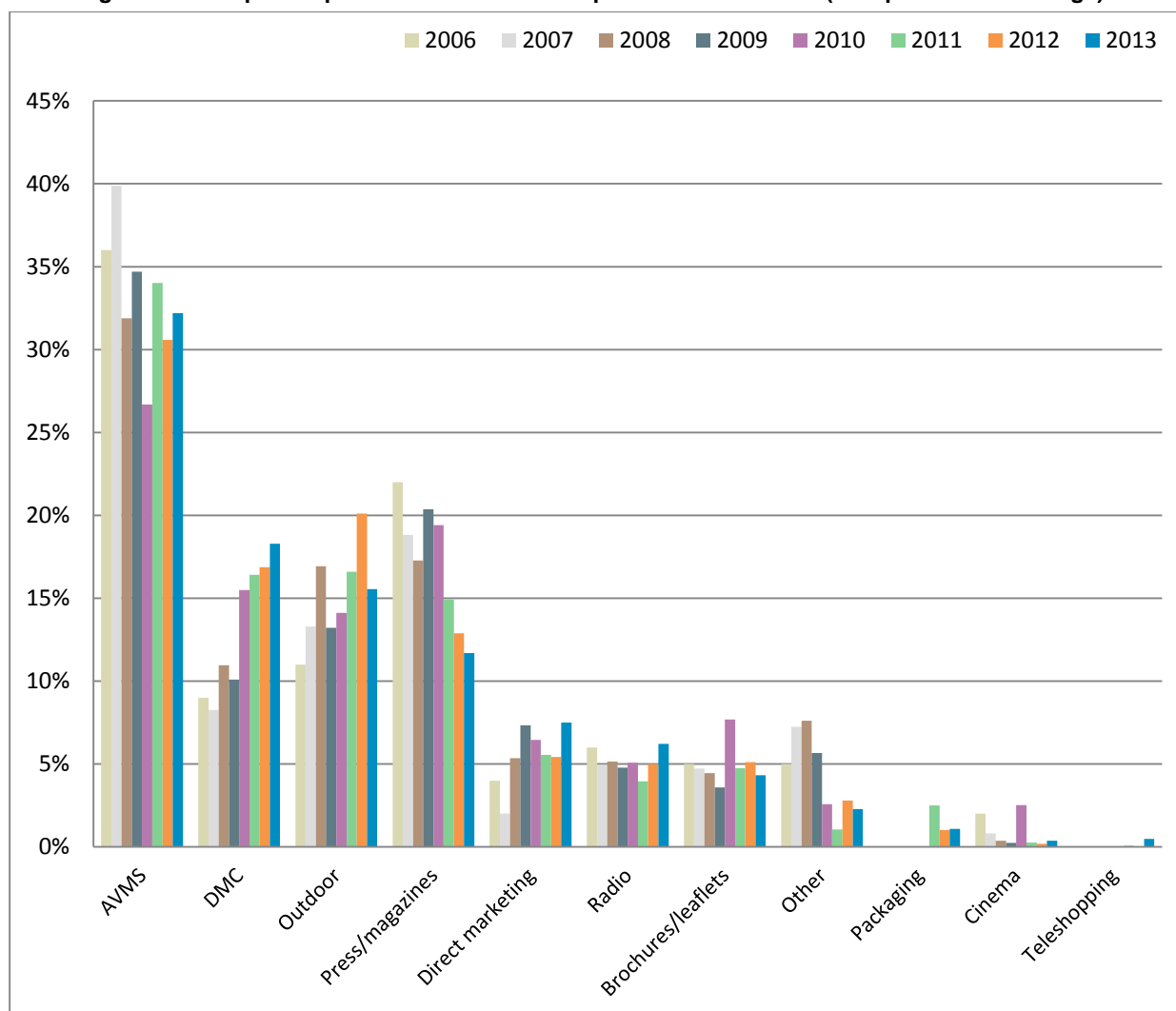
Outdoor advertising ranked third with a European mean average of 15.55%, followed by print ads in the press or in magazines, on average 11.69%.

<sup>29</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), only number of cases were available. For Switzerland (CSL), reported figures include both complaints and cases. Estimates for Germany (WBZ).

<sup>30</sup> Except Ireland (ASAI), Poland (RR) and the UK (ASA).

Advertisements received as direct marketing triggered 2,771 complaints, on average 7.50%. Out of these, 64.99% were sent by e-mail, SMS or MMS and 25.01% were sent by post.

**Figure 18: Complaints per medium across Europe from 2006 to 2013 (European mean average)<sup>31</sup>**



Source: EASA European SRO member statistics 2013

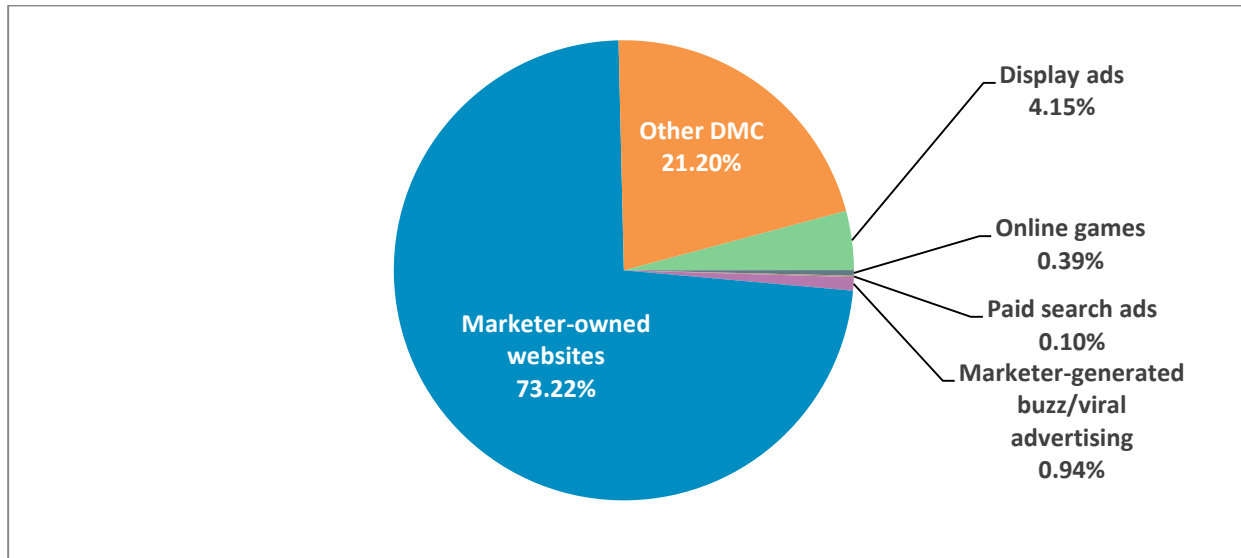
When comparing the results with previous years, it becomes apparent that since 2006 the four main media to generate complaints about advertisements are AVMS, DMC, outdoor advertising and press/magazines. Although AVMS remains the most complained about medium over this period, the share of complaints it receives have generally fallen, whilst DMC have been steadily on the rise.

Complaints about packaging and teleshopping have been collected by EASA since 2011. However, complaints are relatively low with just 700 complaints related to packaging and 21 complaints for teleshopping.

<sup>31</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases. Packaging and teleshopping are not featured in 2008-2010 as data on them were first collected in 2011.

### 1.7.1 Digital Marketing Communications

**Figure 19: Breakdown of complaint numbers for Digital Marketing Communications across Europe in 2013<sup>32</sup>**



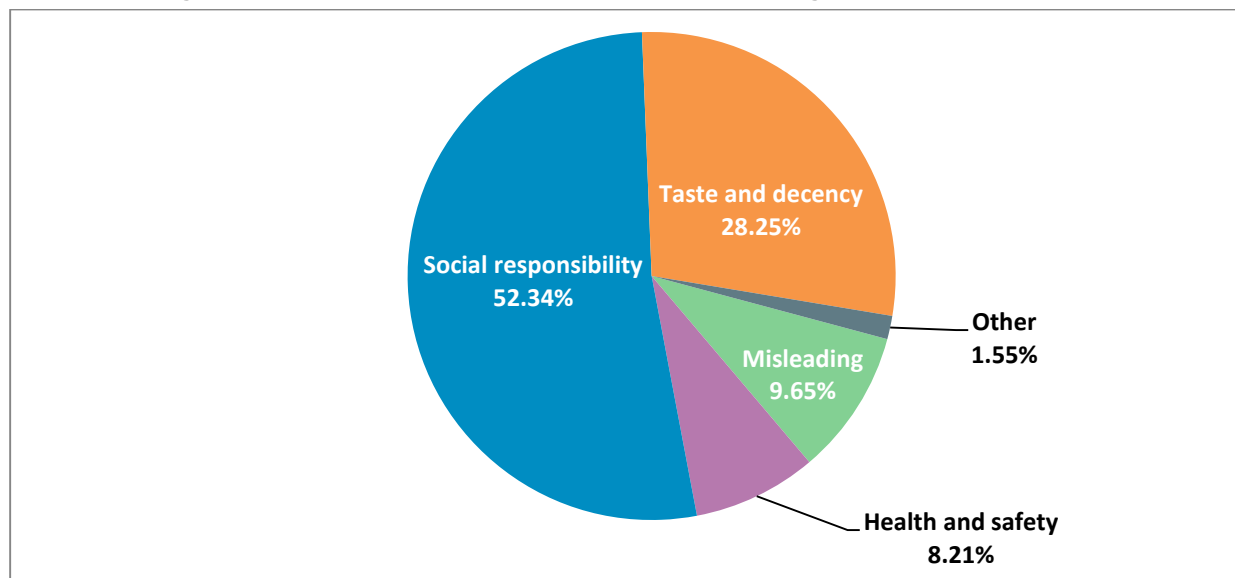
Source: EASA European SRO member statistics 2013

In 2013, as in previous years, the majority of complaints, 73.22% about Digital Marketing Communications (DMC) lodged with SROs concerned ads on marketer-owned websites. Display ads ranked second with 4.15%. Marketer-generated buzz/viral advertising, online games and paid search ads provoked a fraction of complaints, all below one per cent.

<sup>32</sup> Except Ireland (ASAI), Poland (RR) and the UK (ASA). For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases.

## 1.7.2 Outdoor Advertising

Figure 20: Reasons for complaints for outdoor advertising across Europe in 2013<sup>33</sup>



Source: EASA European SRO member statistics 2013

In 2013, SROs received 3,989 complaints regarding outdoor advertising which equated to 15.55% on average, representing 7.36% of the total complaints.

The majority of these complaints, 52.34%, were lodged due to violation of social responsibility principles. More than a quarter of the complaints, 28.25%, related to taste and decency issues. Nearly a tenth, 9.65%, were triggered by misleading claims or information and 8.21% concerned breaches of health and safety rules.

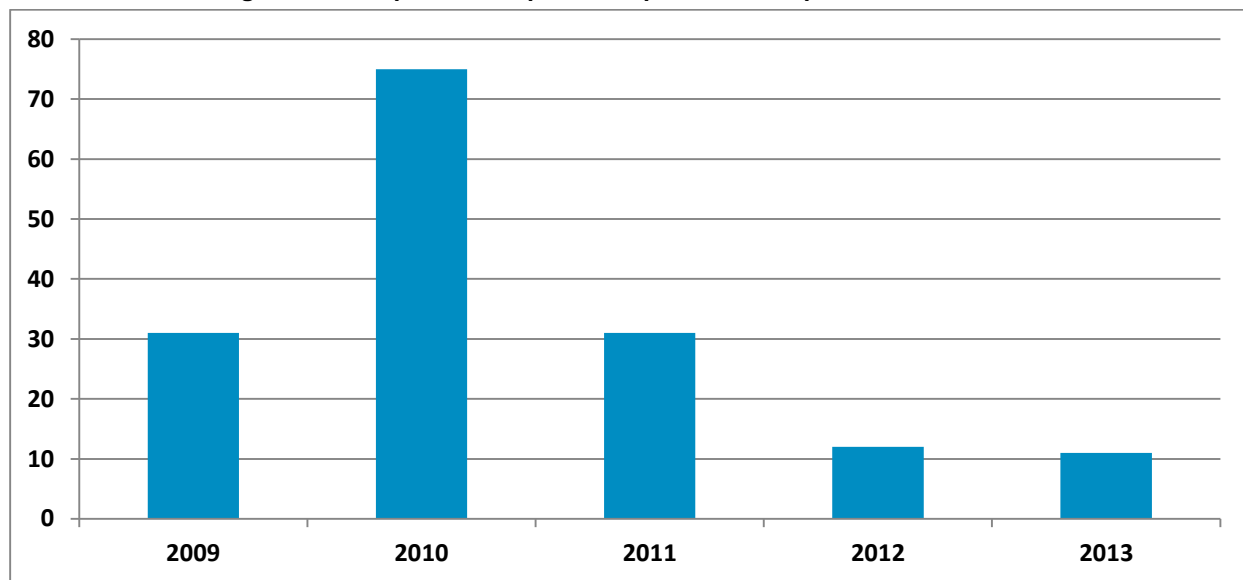
<sup>33</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases. No data were available for Ireland (ASAI).

### 1.7.3 Complaints on Sponsorship

In 2013, a total of 11 complaints on sponsorship were received by just four European SROs: DW, WBZ (Germany), SRC (Netherlands) and CSL (Switzerland). Since a peak of 75 complaints in 2010 numbers have decreased.

14 European SROs currently have sponsorship within their remit. The rest of the SROs, which do not formally deal with sponsorship issues, can forward the complaint to an arbitration panel set up by EASA and the European Sponsorship Association (ESA) in May 2008. So far, no complaints have been submitted via this route.

**Figure 21: Complaints on sponsorship across Europe from 2009 to 2013**



Source: EASA European SRO member statistics 2013

## 1.8 Complaints about Advertising for Products and Services

*On average, the telecommunications services sector, the food products sector and the leisure services sector were the most complained about sectors*

**Table 5: Top three most complained about sectors in absolute number and in European mean average**

Number of complaints		European mean average	
<b>Leisure services</b>	7,837	<b>Telecommunications</b>	10.90%
<b>Retail</b>	6,557	<b>Food</b>	10.72%
<b>Food</b>	6,102	<b>Leisure services</b>	10.42%

Source: EASA European SRO member statistics 2013

EASA categorises the data it collects on sectors complained about into a number of products and service categories.

In absolute numbers, advertisements for leisure services (7,837 complaints) were the most complained about in 2013. More than half of these complaints originated in the UK, where leisure services continues to be the most complained about sector, despite a 6.5% decrease in the number of complaints from the previous year. The highest national share, 35.13%, of complaints regarding leisure services was reported in Lithuania, where 66.67% complaints were received concerning advertising for entertainment and leisure activities such as films, theatre plays and festivals.

Advertisements for retailers prompted 6,557 complaints despite the relatively low mean average of 7.16%. The UK accounted for the majority of these complaints and complaints regarding retail ads grew by 24% on the previous year. However, the countries that registered the highest national shares of complaints with regards to retail were Turkey – 35.13%, Italy – 19.05% and Germany – 15.15%. Using the European average, the countries that registered the highest national shares of complaints with regards to retail were Spain – 39.31%, Poland – 29.69% and Slovenia – 27.27%.

In absolute numbers, most of the complaints regarding advertising for food and non-alcohol beverages were lodged in the UK and in Poland, with 3,946 and 1,300 complaints respectively. In the two countries a large portion of complaints were related to harm and offence (UK) and social responsibility (Poland). Food advertising was also the second most complained about sector according to the European Average, with 10.72% of complaints, while advertising for leisure services ranked third with 10.42%.

The most complained about sector in Europe in 2013 was the telecommunications sector with, on average, 10.90% of complaints. With 38.01% Poland accounted for the greatest share of complaints related to telecommunications services. However, 99.71% of these complaints concerned one single controversial ad for a pay-as-you-go mobile service (see p. 15). At 39.60% and 17.91% of total complaints respectively, Greece and Turkey were the second and third SROs with the greatest share of complaints related to telecommunications services.

Table 6: Overall complaints per product/service across Europe in 2013<sup>34</sup>

Products and services	Number of complaints	% of total amount of complaints	European mean average
Telecommunications	4,659	8.74%	10.90%
Food	6,102	11.45%	10.72%
Leisure services	7,837	14.71%	10.42%
Health and beauty products	4,264	8.00%	10.34%
Retail	6,557	12.31%	7.16%
Furniture and household goods	1,543	2.90%	6.80%
Financial services	2,843	5.34%	6.09%
Electronic goods	732	1.37%	4.50%
Cars and motorised vehicles	1,862	3.49%	3.98%
Clothing, footwear and accessories	591	1.11%	3.78%
Other products	6,032	11.32%	3.43%
Non-commercial	2,488	4.67%	2.85%
House maintenance services	895	1.68%	2.71%
Transport services	1,724	3.24%	2.44%
Other services	1233	2.31%	2.18%
Non-alcohol beverages	167	0.31%	1.96%
Alcohol beverages	809	1.52%	1.69%
Health and beauty services	459	0.86%	1.50%
Books, magazines, newspapers, stationery	562	1.05%	1.49%
Gambling and lotteries	551	1.03%	1.37%
Energy, water and combustibles	247	0.46%	0.73%
Education services	232	0.44%	0.71%
Toys	50	0.09%	0.63%
Business directories	159	0.30%	0.62%
Employment services	45	0.08%	0.53%
Real estate services	626	1.17%	0.36%
E-cigarettes	15	0.03%	0.10%
<b>Total</b>	<b>53,284</b>	<b>100%</b>	<b>100%</b>

Source: EASA European SRO member statistics 2013

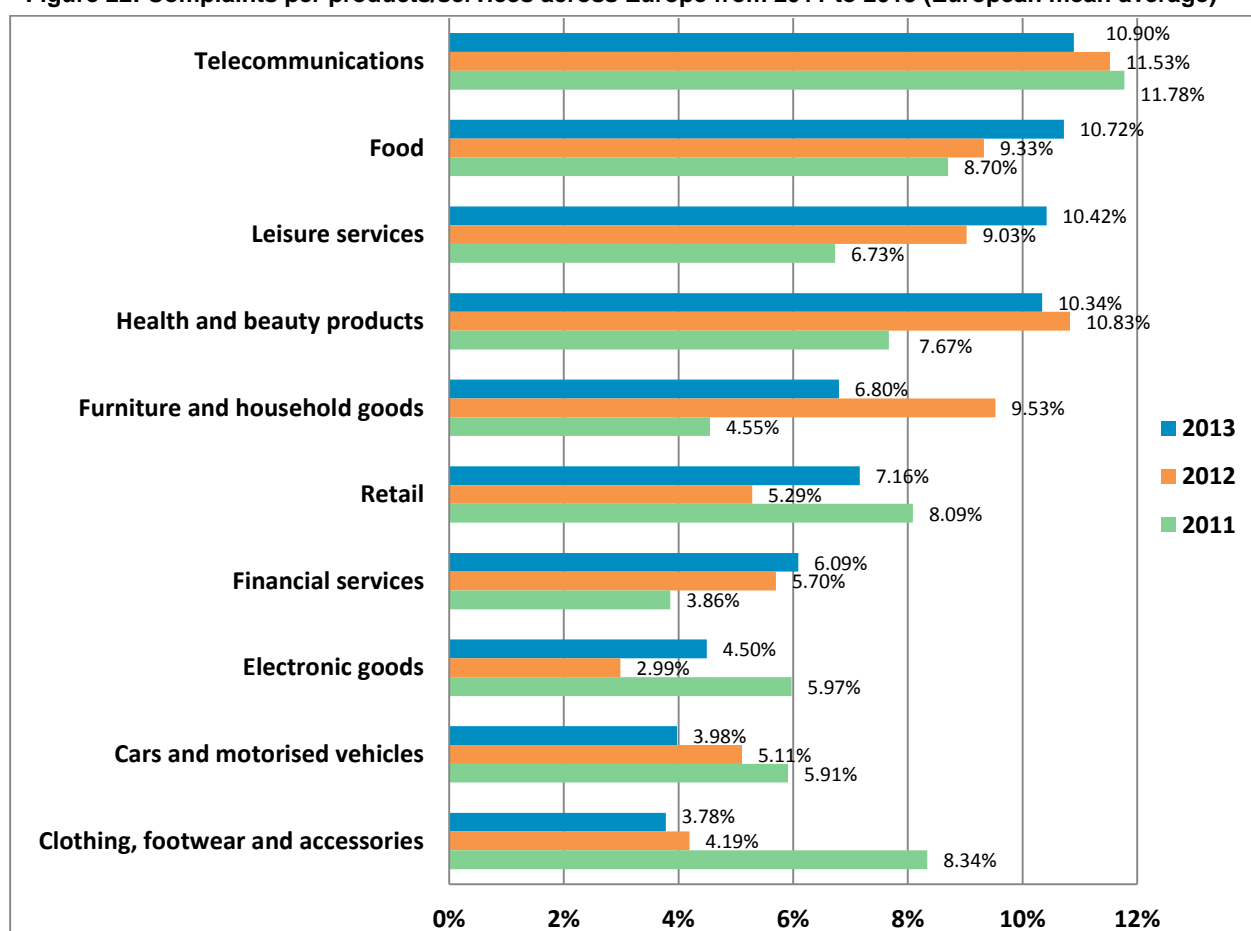
<sup>34</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), only number of cases were available. For Switzerland (CSL), reported figures include both complaints and cases.

A comparison of the European mean average of products and services whose ads generated a significant number of complaints between 2011 and 2013 shows that although the number of complaints against advertisements for telecommunications has decreased, the sector remains one of the most complained about.

With a considerable increase of 14.90% compared to 2012, complaints about food advertising can be seen to have increased over the last three years. Complaints about leisure services also rose with an increase of 54.83% between 2011 and 2013.

Despite a 4.52% decrease in complaints regarding health and beauty products between 2012 and 2013, the sector still remains in the top five most complained about.

**Figure 22: Complaints per products/services across Europe from 2011 to 2013 (European mean average)<sup>35</sup>**



Source: EASA European SRO member statistics 2013

<sup>35</sup> For France (ARPP), Italy (IAP) and the Netherlands (SRC), in 2013 only number of cases were available. For Switzerland (CSL), in 2013 reported figures include both complaints and cases.

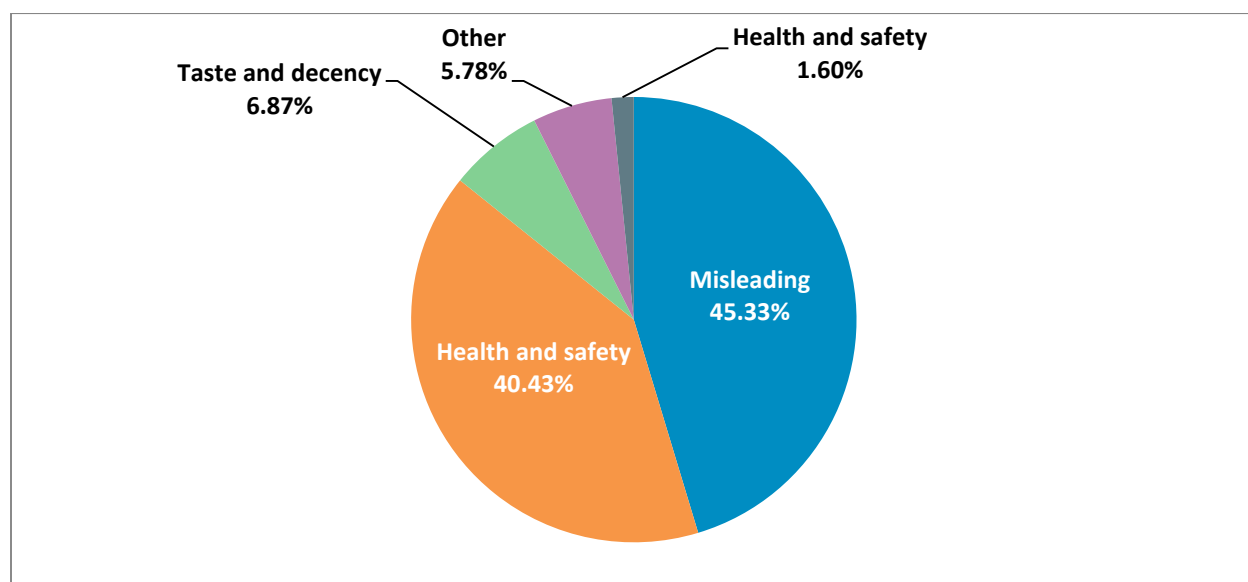


## 1.9 Sensitive Products and Services

This section provides detailed analyses of the grounds for complaint for seven specific products and services. These categories were chosen on the basis of being defined as problematic by the European Commission, or identified through trends seen in the general public's complaints. The products and services included are: advertising for telecommunications, food, financial services, cars and motorised vehicles, transport services, alcohol beverages and gambling and lotteries.

SROs received 4,659 complaints about ads promoting telecommunications services which, equated to 10.90% on average, or 8.74% of total complaints. The highest share, 45.33%, of complaints were related to misleading claims.

**Figure 23: Percentage of the reasons for complaints for telecommunications advertising across Europe in 2013<sup>36</sup>**

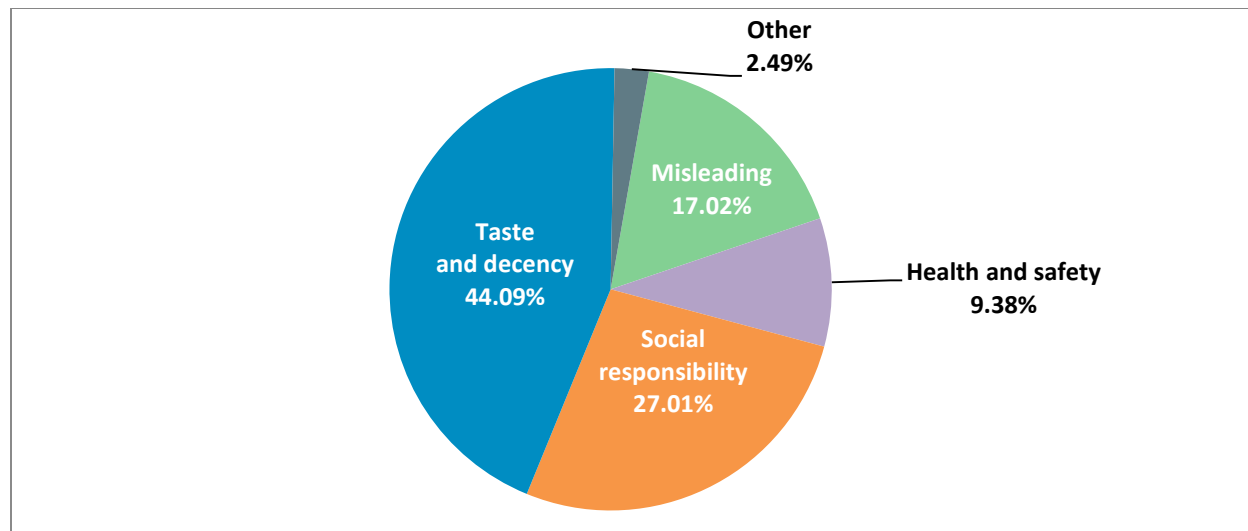


Source: EASA European SRO member statistics 2013

<sup>36</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

SROs received 6,102 complaints about food advertising which equated to 10.72% on average or 11.45% of total complaints. The highest share, 44.09%, of complaints were related to taste and decency.

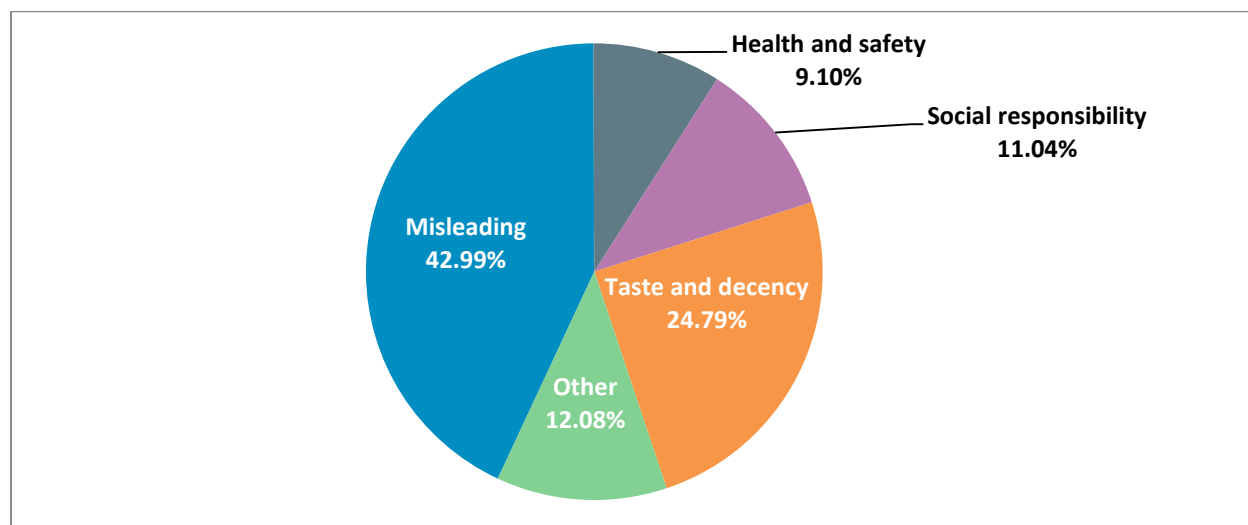
**Figure 24: Percentage of the reasons for complaints for food advertising across Europe in 2013<sup>37</sup>**



Source: EASA European SRO member statistics 2013

SROs dealt with 2,843 complaints about ads from the financial and banking sector which on average equated to 6.09% or 5.34% of total complaints. The highest share, 42.99%, of these complaints concerned misleading claims.

**Figure 25: Percentage of the reasons for complaints for financial services advertising across Europe in 2013<sup>38</sup>**



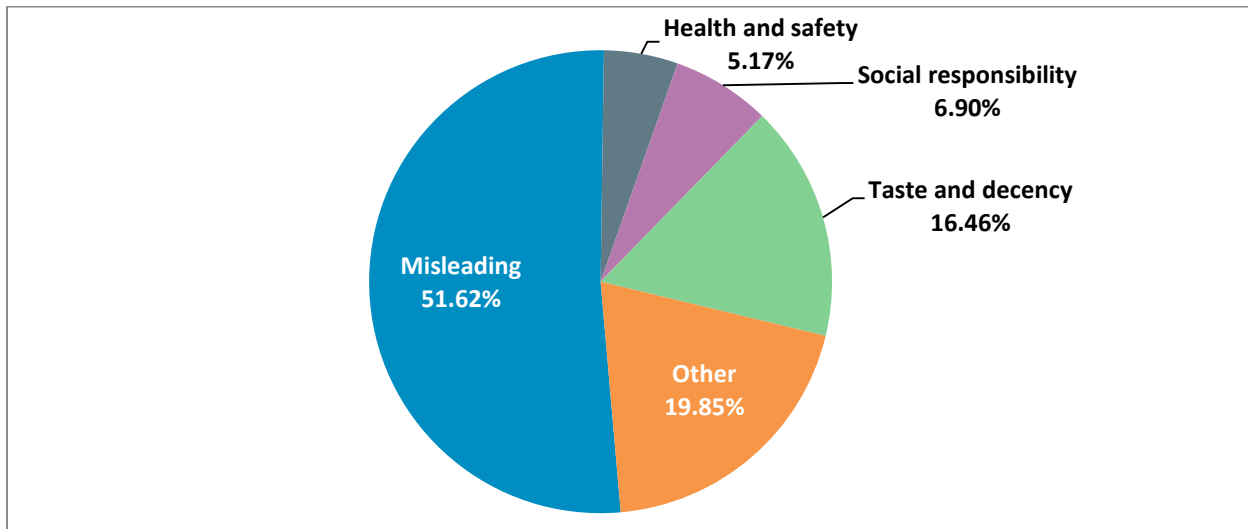
Source: EASA European SRO member statistics 2013

<sup>37</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

<sup>38</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

Ads for cars and motorised vehicles were complained about in 1,862 instances which equated to 3.98% on average, or 3.49% of total complaints. The majority, 51.62%, of these complaints concerned misleading claims.

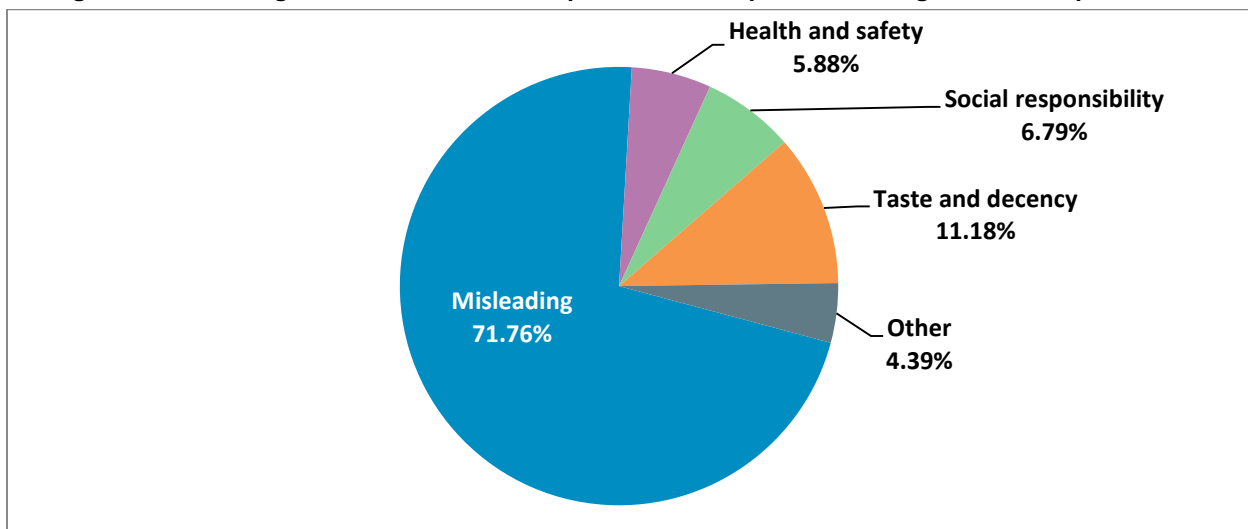
**Figure 26: Percentage of the reasons for complaints for cars and motorised vehicles advertising across Europe in 2013<sup>39</sup>**



Source: EASA European SRO member statistics 2013

SROs received 1,715 complaints about marketing communications promoting transport services which equated to 2.44% on average or 3.24% of total complaints. The majority, 71.76%, of these complaints concerned misleading claims.

**Figure 27: Percentage of the reasons for complaints for transport advertising across Europe in 2013<sup>40</sup>**



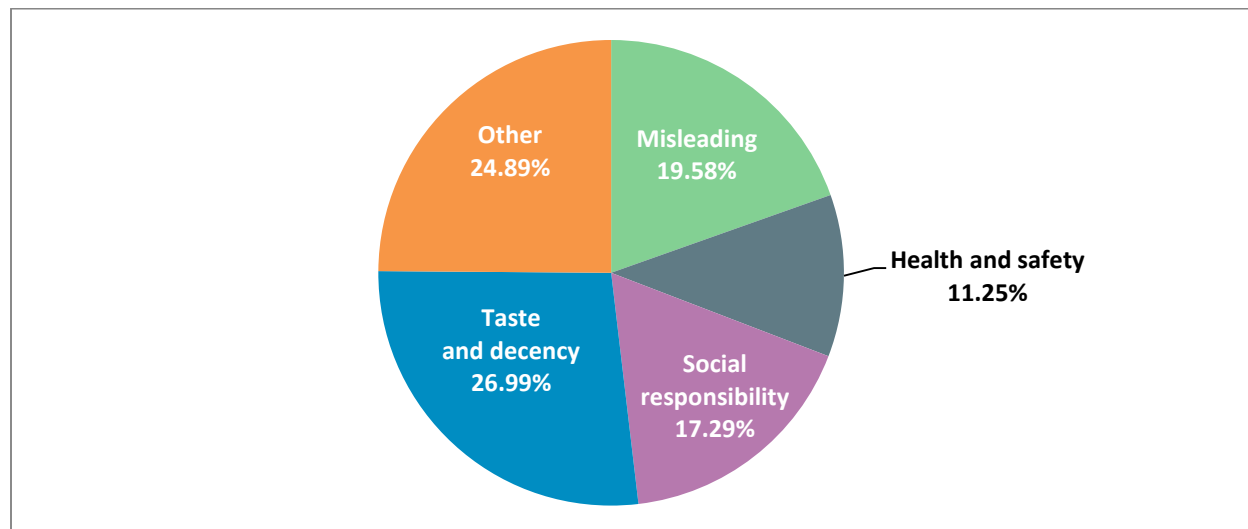
Source: EASA European SRO member statistics 2013

<sup>39</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

<sup>40</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

In 2013, SROs dealt with 809 complaints about alcohol beverage ads which equated to 1.69% on average or 1.52% of total of complaints. The highest share, 26.99%, of these complaints concerned taste and decency.

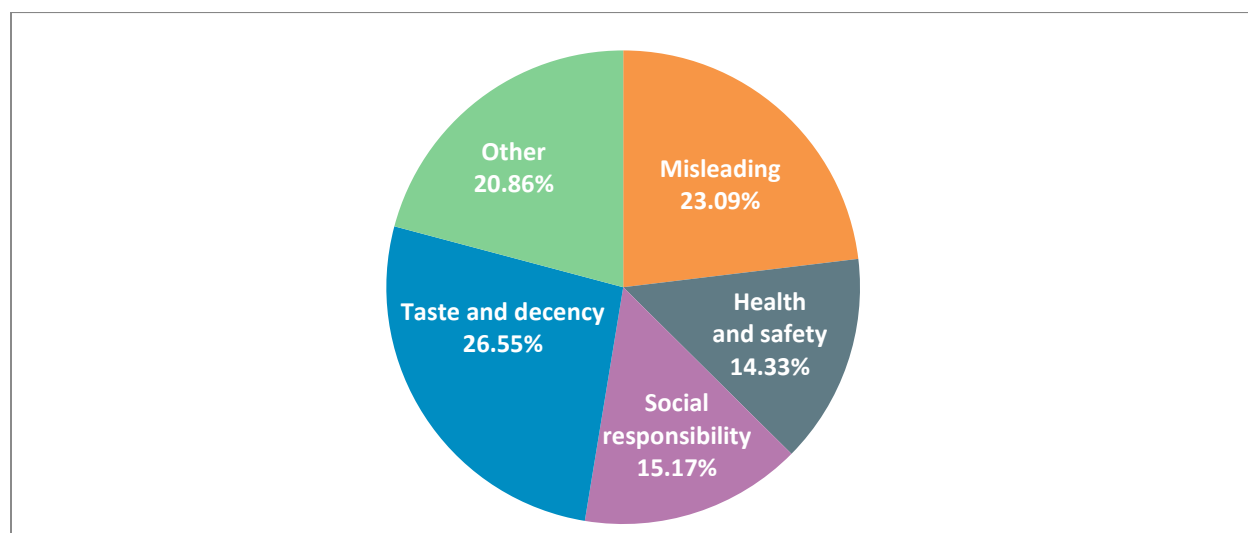
**Figure 28: Percentage of the reasons for complaints for alcohol beverage advertising across Europe in 2013<sup>41</sup>**



Source: EASA European SRO member statistics 2013

SROs received 551 complaints about ads from the gambling and lotteries sector which equated to 1.37% on average or 1.03% of total complaints. The highest share, 26.55% of these complaints concerned taste and decency.

**Figure 29: Percentage of the reasons for complaints for gambling and lotteries advertising across Europe in 2013<sup>42</sup>**



Source: EASA European SRO member statistics 2013

<sup>41</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

<sup>42</sup> Except France (ARPP), Italy (IAP) and the Netherlands (SRC) and Switzerland (CSL).

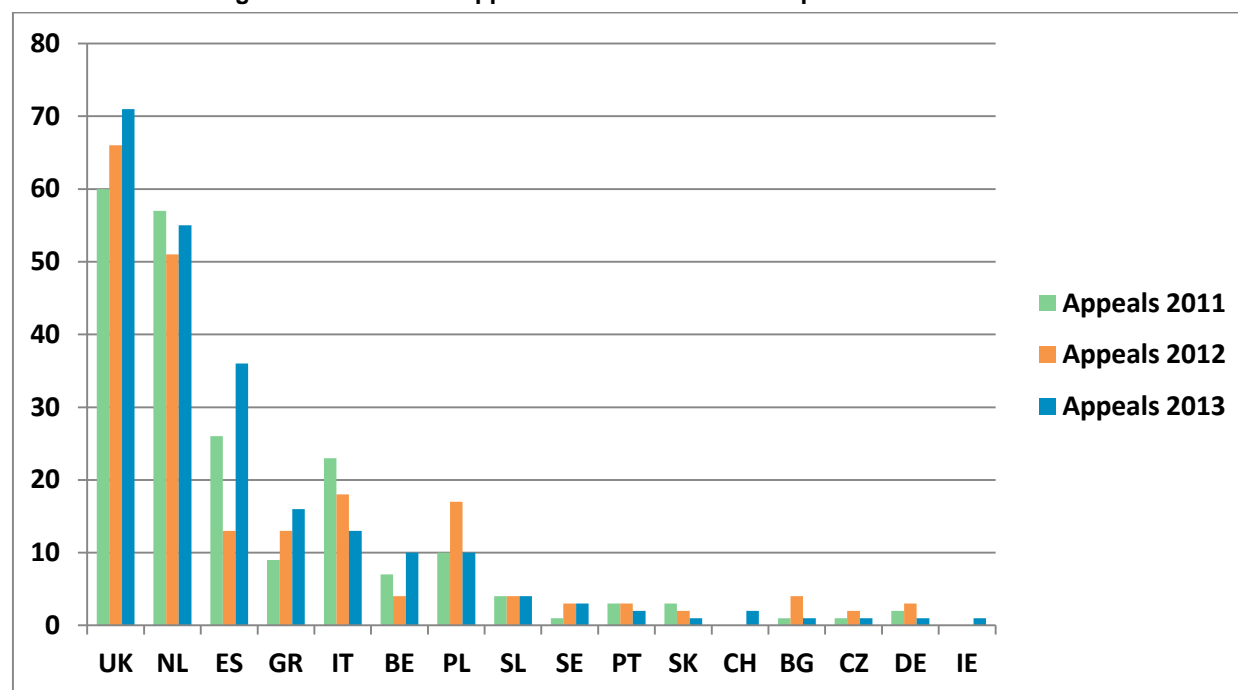
## 1.10 Appeals

### *2013 showed an 11% increase in appeals*

Both complainants and advertisers have the right to request a review of decisions taken by the jury or complaints committee, for example, when new evidence is available. Appeals are normally dealt with by a different body from the jury responsible for the original decision.

European SROs received a total of 227 appeal requests in 2013. The graph below illustrates the number of appeals per country from 2011 to 2013. Appeals decreased across Europe in 2012 by 1.93%, but rose again in 2013 by 11.82%. As in the previous two years, most appeals, 55.07%, were the result of competitor complaints and were filed by advertisers whose advertisement was found to be in breach of the advertising code. Members of the public lodged 42.73% of appeals.

**Figure 30: Number of appeals received across Europe from 2011 to 2013<sup>43</sup>**



Source: EASA European SRO member statistics 2013

<sup>43</sup> Except Germany (WBZ) and Turkey (RÖK).

## 2 Cross-Border Complaints

*In 2013, complainants filed 72% less cross-border complaints than in 2012*

Out of all the complaints received by European SROs, 117 were cross-border complaints (CBC). Cross-border complaints are complaints about advertisements originating in media or from advertisers based in another country to that of the complainant. The EASA Secretariat coordinates this type of complaints through the EASA CBC system established in 1992<sup>44</sup>.

In 2013, EASA registered a total of 117 cross-border complaints, 71.74% less than in 2012<sup>45</sup>. Of all the cross-border complaints received, 95 were resolved over the course of 2013, and 22 were left for investigation in 2014 (see Figure 32).

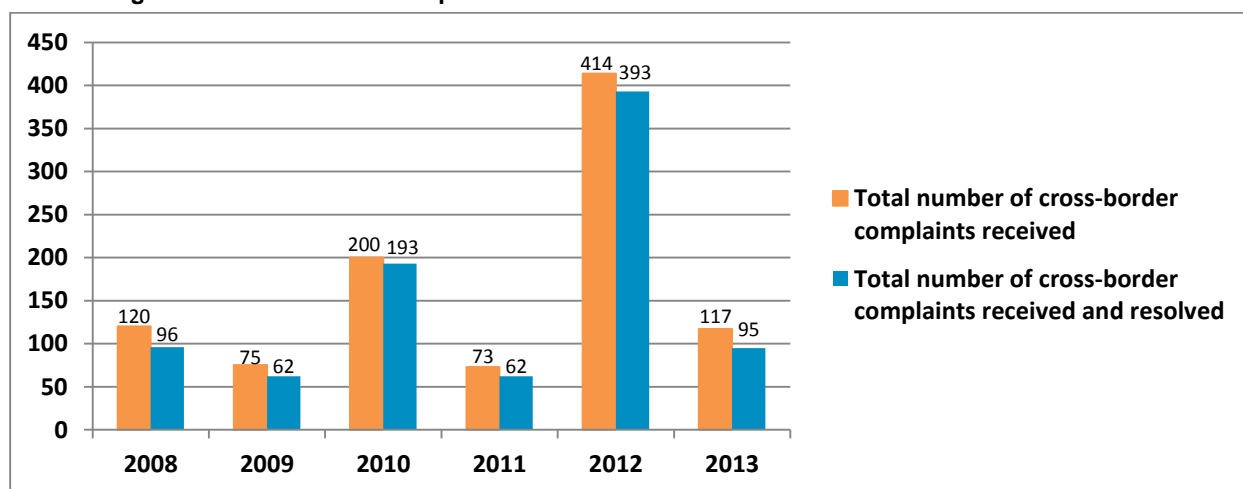
The Netherlands was the country of origin of advertisers/media that generated the highest number of cross-border complaints at 15.79%; whilst the majority, 69.47%, of cross-border complaints were lodged by UK consumers.

The most complained about issue was allegedly misleading advertising which was the reason for 82.11% of complaints; the remaining 21 complaints were related to taste and decency, privacy and data protection and social responsibility.

In terms of media, over two thirds (67.37%) of cross-border complaints concerned Digital Marketing Communications.

Advertisements for transport services, including airlines, automotive companies, car rental and rail services, prompted the highest number of cross-border complaints by sector in 2013 at 14.74%, followed by tourism with 12.63% of complaints. The complaints about ads for tourism sector mainly concerned websites offering hotel booking services.

**Figure 31: Cross-border complaints received/received and resolved between 2008 and 2013**



Source: EASA Annual Cross-Border Complaints Report 2013

<sup>44</sup> See Annex B for explanation on how the EASA CBC system works.

<sup>45</sup> EASA Annual Cross-Border Complaints Report 2013 is available on [www.easa-alliance.org](http://www.easa-alliance.org).

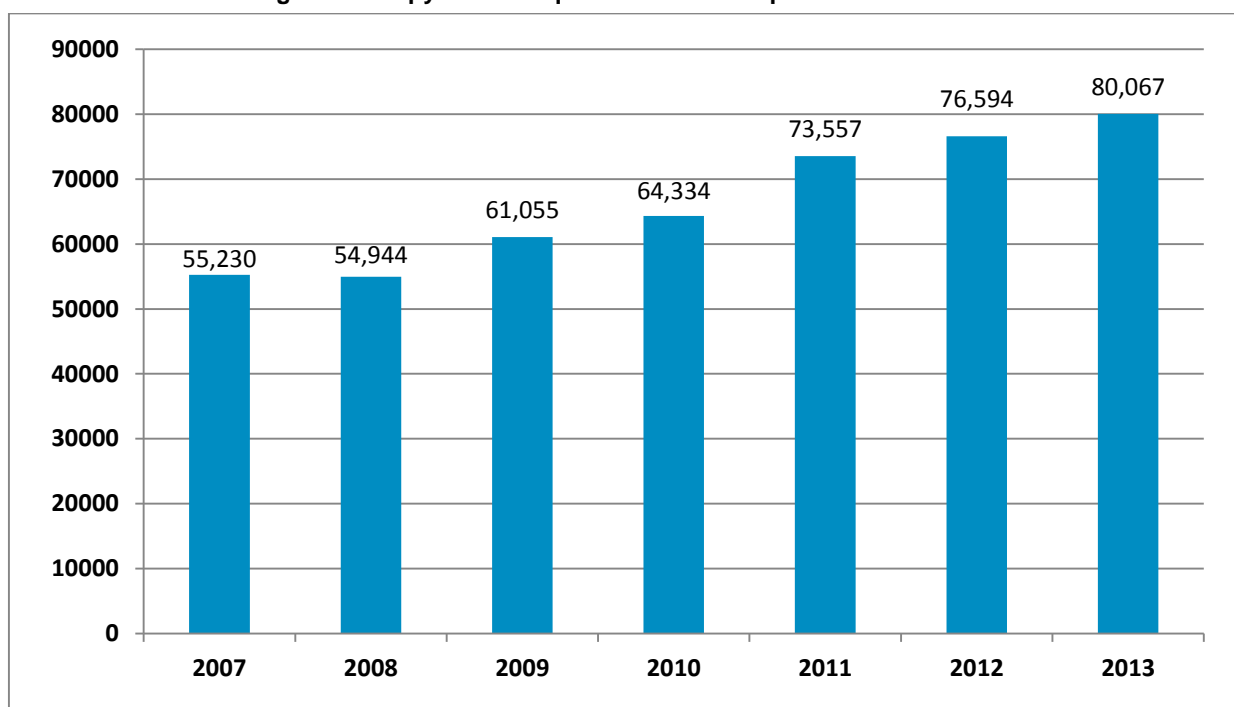
### 3 Copy Advice Requests

*Copy advice requests continue to increase;  
Most are handled in less than three days*

When copy advice is provided by an SRO, it enables companies to request non-binding feedback on a confidential basis as to whether their ad meets required advertising standards before it goes live. Companies can ask for advice at any stage of the campaign development process.

Since 2009 the number of SROs offering copy advice has grown from 19 to 25. Across Europe, the majority of EASA's SROs offer copy advice, with the exception of Finland and Switzerland.

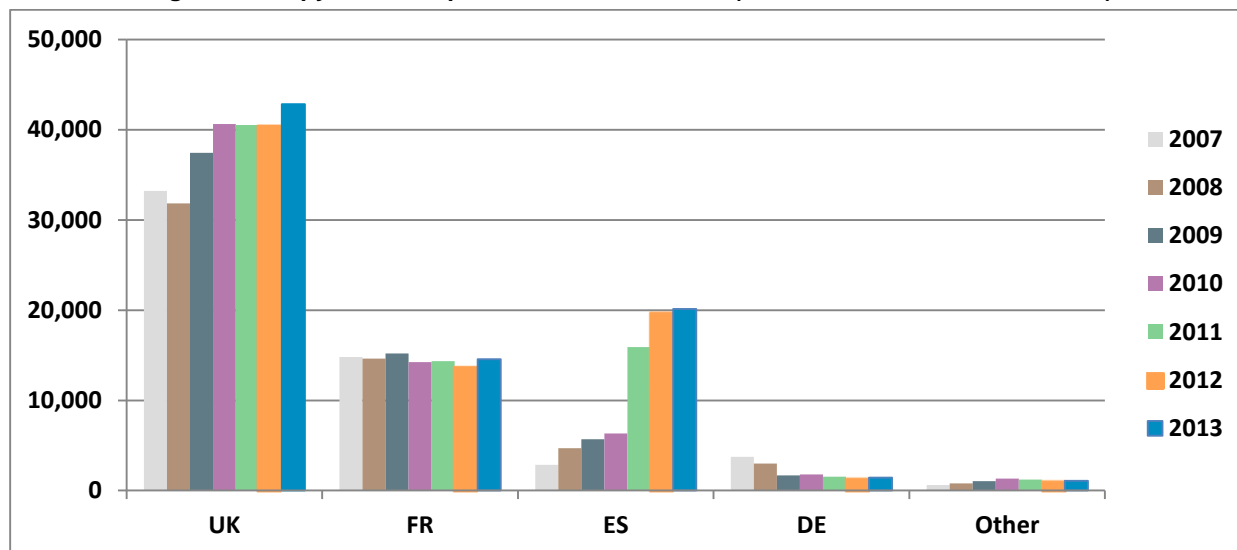
**Figure 32: Copy advice requests across Europe from 2007 to 2013**



Source: EASA European SRO member statistics 2013

Across Europe, EASA's SRO members dealt with a total of 80,067 copy advice requests in 2013 – an increase of 4.53% compared to the previous year.

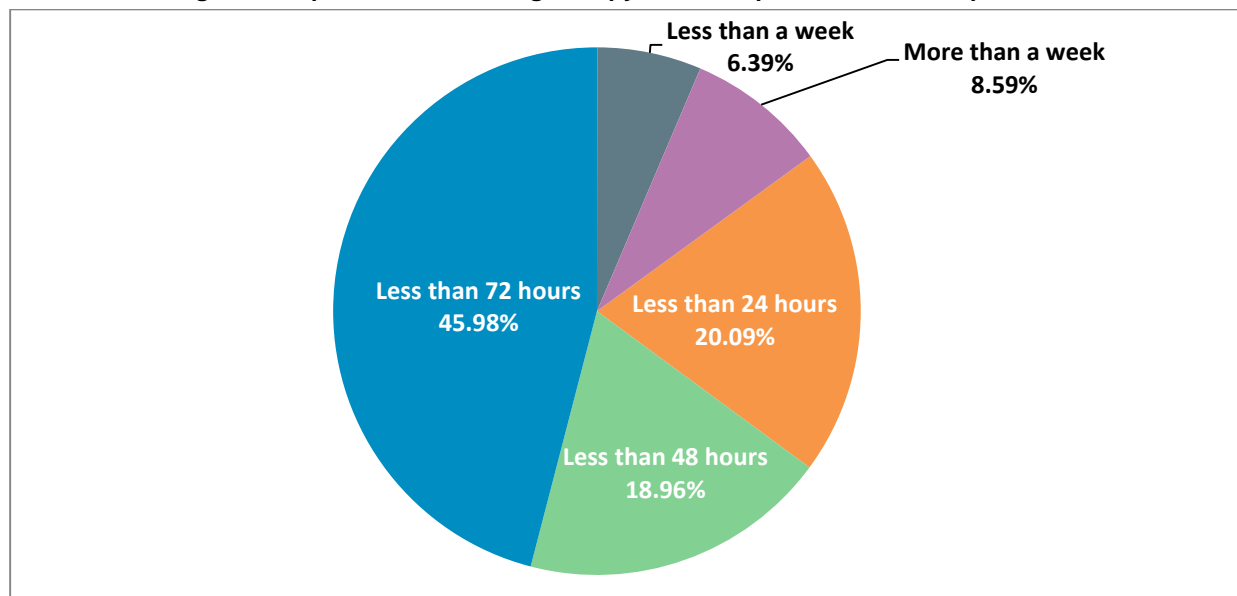
**Figure 33: Copy advice requests from 2007 to 2013 (UK, FR, ES, DE, Other countries)**



Source: EASA European SRO member statistics 2013

91.41% of copy advice requests dealt with by SROs<sup>46</sup> in 2013 were handled within a week or less. Of those, 20.09% were dealt with in less than 24 hours, 18.96% in less than 48 hours, 45.98% within 72 hours, and 6.39% in less than a week. In only 8.59% of cases, copy advice requests took more than one week.

**Figure 34: Speed in the handling of copy advice requests across Europe in 2013**



Source: EASA European SRO member statistics 2013

<sup>46</sup> Except France (ARPP) and the UK (ASA).



Table 7: Copy advice requests per country across Europe from 2010 to 2013

Country/SRO	2010		2011		2012		2013	
	Rank	Copy advice requests	Rank	Copy advice requests	Rank	Copy advice requests	Rank	Copy advice requests
UK								
ASA	1	7,445	1	8,600	1	6,979	1	7,288
Clearcast		33,172		31,944		33,460		35,546
Total		40,617		40,544		40,439		42,834
Spain								
AUTOCONTROL	3	6,336	2	15,915	2	19,789	2	20,147
France								
ARPP	2	14,258	3	14,335	3	13,798	3	14,574
Germany								
DW	4	41	4	21	4	23	4	34
WBZ		1,736		1,522		1,397		1,400
Total		1,777		1,543		1,420		1,434
Hungary								
ÖRT	5	799	5	782	5	707	5	625
Italy								
IAP	6	183	6	127	6	111	6	136
Ireland								
ASAI	8	81	8	83	8	45	7	66
Turkey								
RÖK	7	86	7	86	7	98	8	64
Portugal								
ICAP	9	73	10	32	9	36	9	44
Belgium								
JEP	10	39	9	36	10	23	10	32
Romania								
RAC	12	18	12	13	11	20	11	30
Bulgaria								
NCSR		N/A	16	3	10	23	12	20
Cyprus								
CARO	N/A	No SRO	N/A	No SRO	12	19	13	16
Slovenia								
SOZ	13	15	13	12	14	15	14	13

Country/SRO	2010		2011		2012		2013	
	Rank	Copy advice requests	Rank	Copy advice requests	Rank	Copy advice requests	Rank	Copy advice requests
<b>Austria</b>								
ÖWR	15	7	17	2	17	4	15	8
<b>Greece</b>								
SEE	16	3	14	8	15	11	16	7
<b>Czech Republic</b>								
CRPR	14	9	15	6	15	6	16	7
<b>Netherlands</b>								
SRC	N/A	N/A	16	3	16	5	17	5
<b>Sweden</b>								
Ro.	18	0	19	0	20	0	18	3
<b>Slovak Republic</b>								
SRPR	16	3	18	1	18	2	19	2
<b>Poland</b>								
RR	11	28	11	21	13	18	20	0
<b>Lithuania</b>								
LRB	18	0	16	3	17	4	20	0
<b>Luxembourg</b>								
CLEP	18	0	18	1	19	1	20	0
<b>Finland</b>								
MEN	17	2	18	1	20	0	20	0

Source: EASA European SRO member statistics 2013

### 3.1 Copy Advice for International Campaigns

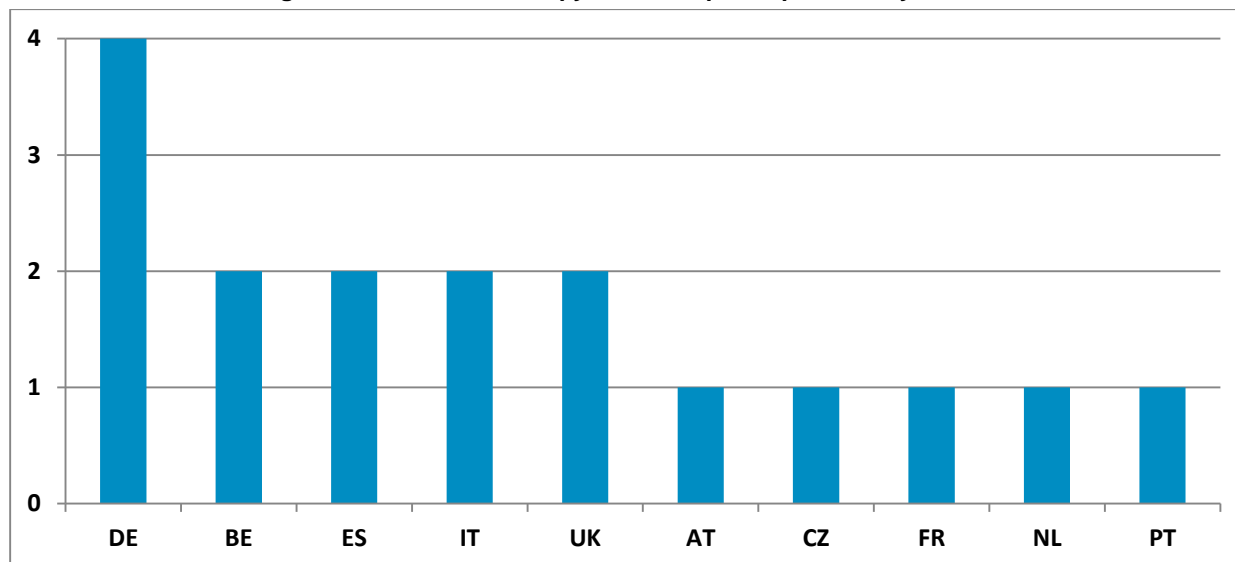
The European Copy Advice Facility was launched in November 2009 by EASA and Clearcast to facilitate the communication between advertisers, agencies and the media with self-regulatory organisations throughout Europe. Since then, the facility has been expanded to include also non-European advertising self-regulatory organisations.

The facility allows advertisers, agencies and the media to seek copy advice in a different country from their own as well as in multiple countries at the same time. 21 countries were linked to this facility in 2012. The type of advice that can be sought from this online one-stop shop includes advice on whether an ad is compliant with the local advertising code in the country they asked the advice from. Users can also use the facility to ask for pre-clearance in those countries that provide it. For more information, please visit: [www.ad-advice.org](http://www.ad-advice.org)

The graph illustrates the number of copy advice requests received by self-regulatory organisations through the copy advice facility in 2013. 17 advice requests were received in total. The German self-regulatory bodies, DW and WBZ, received the highest number of requests (four copy advice requests), followed by the SROs from Belgium, Italy, Spain and the UK which were asked for copy advice in two instances each.

The total number of copy advice requests in 2013 decreased by 73.85% compared to 2012. Most requests were submitted by the UK and Belgium, where eight and five companies respectively used the online facility in order to seek copy advice, followed by two French companies. Advertising professionals from Argentina and Czech Republic consulted European SROs on one occasion each. Unlike in 2012 when 8% of the requests were submitted to more than one country/SRO, no such instances were identified in 2013.

Figure 35: International copy advice requests per country in 2013



Source: Clearcast

## 4 Pre-Clearance Requests

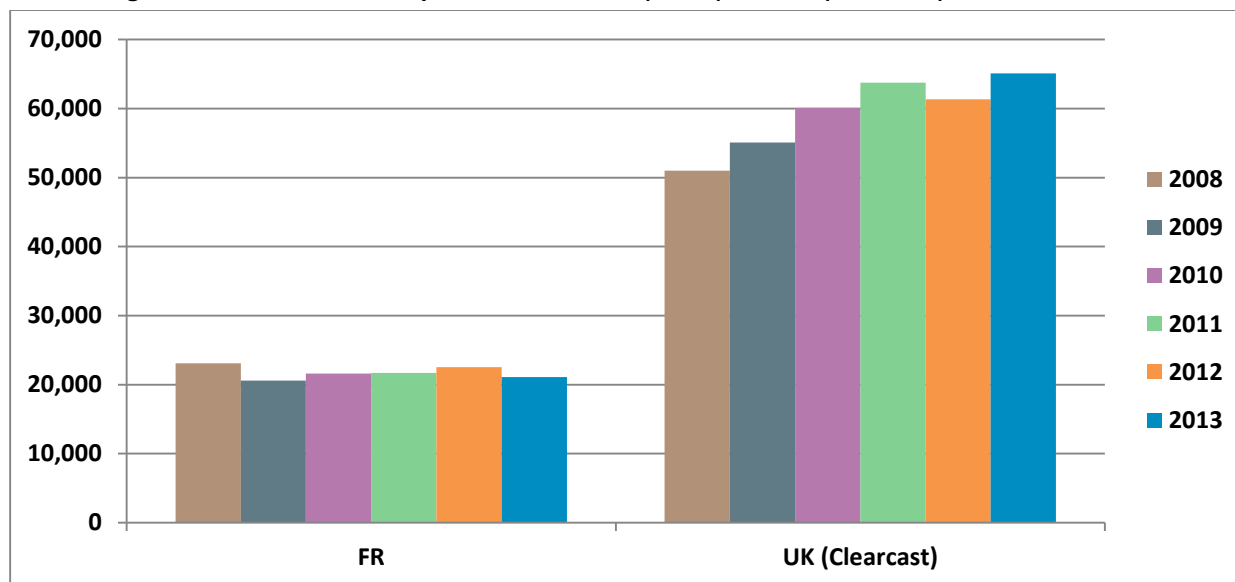
*86,175 ads were pre-cleared in 2013*

In some countries, certain categories of advertising, e.g. TV and radio advertising or advertisements for alcohol, are subject to compulsory pre-clearance. This means that advertisements in those categories must be assessed by the advertising self-regulatory organisation (SRO) for compliance with the relevant statutory or self-regulatory code before they can be broadcast or published.

In 2013, a total of 21,084 TV ads were reviewed by ARPP in France and 65,091 by Clearcast in the UK, amounting to 86,175 ads reviewed in total.

Over the past couple of years the number of pre-clearance requests in France has remained relatively stable at around 21,000 per year. Whereas in the UK the number has grown from slightly more than 50,000 requests in 2008 to over 65,000 requests in 2013.

**Figure 36: Pre-clearance requests from France (ARPP) and UK (Clearcast) from 2008 to 2013**

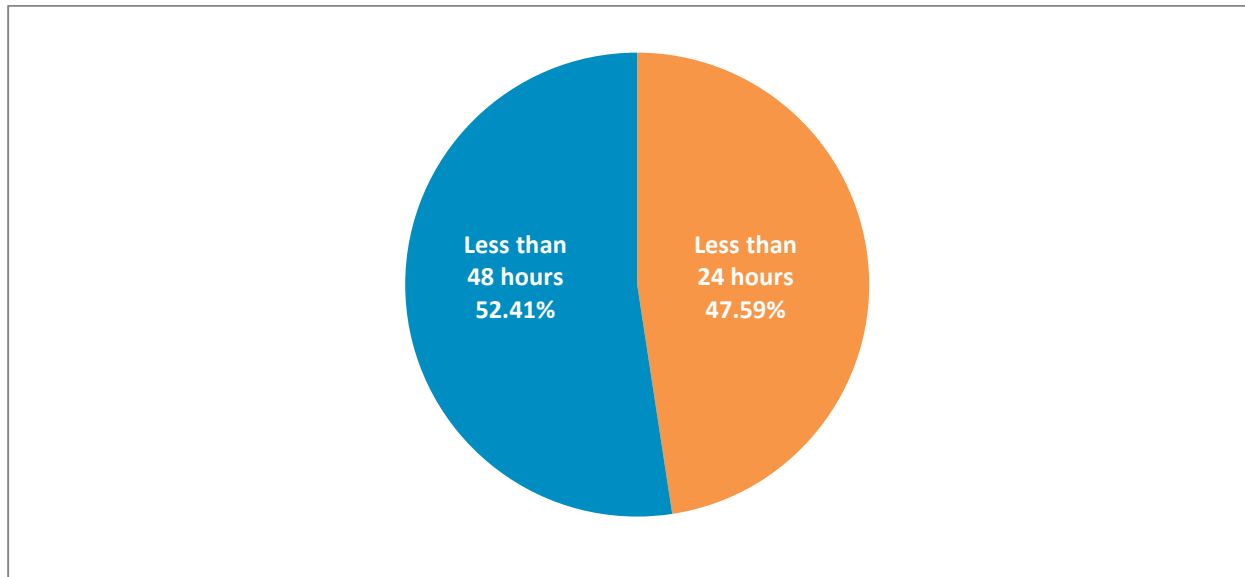


Source: EASA European SRO member statistics 2013

EASA categorises the data it collects on pre-clearance requests handling times into “less than 24 hours” and “less than 48 hours”.

The average length of time taken by ARPP and Clearcast in providing pre-clearance in 2013 was 47.59% of cases in less than 24 hours with the remaining 52.41% within 48 hours.

**Figure 37: Speed in the handling of pre-clearance requests in 2013 from France (ARPP) and UK (Clearcast)**



Source: EASA European SRO member statistics 2013

## **Annex A: How an Advertising Self-Regulatory System Works**

Because advertising self-regulatory organisations around the world operate within different regulatory, cultural and societal contexts, it is only possible to provide in this publication only a rough overview on how an SR system works in general. Readers seeking more specific information of the different national systems should consult EASA's Blue Book: Advertising self-regulation in Europe and beyond, 6th edition, April 2010.

### **Basic Elements of a Self-Regulatory System**

A self-regulatory system consists of two basic elements:

- A code of standards or set of guiding principles governing the content of advertisements;
- A system for the adoption, review and application of the code or principles.

### **The Self-Regulatory Code or Principles**

The self-regulatory code or principles govern the content of advertisements. While individual national self-regulatory codes differ to meet identified needs, most are based on the Consolidated Code of Advertising and Marketing Communications Practice of the International Chamber of Commerce (the Consolidated ICC Code) and incorporate its basic principles. These require all advertising to be legal, decent, honest and truthful, prepared with a due sense of social responsibility and conforming to the principles of fair competition.

The national code or principles apply to all forms of advertising. Additionally many SROs also ensure that advertising for products in a particular sector complies with a code which relates specifically to that sector. For example, specific codes may apply to alcohol beverages, to food, to cars etc. These codes are drawn up by the sectors concerned and their implementation is negotiated with the SRO.

### **Applying and Interpreting the Code**

Practical application of the code to individual advertisements may occur either before or after publication. Where it occurs before publication, either in the form of copy advice or, more rarely, pre-clearance, this is often the responsibility of the permanent secretariat of the SRO; alternatively, it may be carried out by a specially constituted committee or by the complaints committee.

### **The Complaints Committee/Jury**

Application of the code after publication usually results from a complaint, either from a competitor or from the general public. The SRO may also initiate a case against an advertisement as a result of an apparent breach identified during monitoring activities.

Complaints are usually adjudicated by the complaints committee, typically after initial assessment by the secretariat to ensure that they fall within the scope of the code.

The complaints committee or, as it is sometimes called, the jury, is responsible for authoritative interpretations of the code. It considers cases referred to it by the secretariat where a breach of the code is alleged. In some systems all complaints are referred to the complaints committee, while in others straightforward or non-contentious cases are dealt with by the secretariat and only disputed or uncertain cases are referred to the committee.

A complaints committee usually includes in its membership senior representatives of the three different parts of the advertising industry. In Europe, the majority of the complaints committee's

members tend to be academics, consumer representatives and professionals from outside the advertising industry rather than advertising practitioners. The complaints committee's chairman is in most cases independent and might, for example, be a retired judge, an eminent lawyer or a retired public servant.

If the complaints committee concludes that a complaint is justified, it must then decide upon appropriate action, i.e. the immediate withdrawal or amendment of the advertisement.

## **Sanctions**

Because self-regulation means more than just self-restraint on the part of individual companies, it must have sanctions at its disposal, i.e. ways and means of enforcing compliance on those who breach the industry's rules. A complaints committee will normally require an advertisement found to be in breach of the code to be immediately amended or withdrawn. Moreover, the decisions of the complaint committee are usually published. This adverse publicity, as well as being an embarrassment for the advertiser concerned, can also be instructive for other advertisers.

Self-regulation has the support of the advertising industry, so advertisers will usually comply with the decision of the complaints committee even if they do not agree with it. If an advertiser does not voluntarily withdraw the offending advertisement, the SRO will ask the media to stop or refuse it.

In the unusual case of an advertiser who repeatedly refuses to amend or withdraw advertisements found to breach the code, other sanctions may be employed. They range from the imposition of compulsory pre-clearance of future advertisements to encouraging the withdrawal of trading privileges or expulsion from membership of the SRO itself or other trade associations.

On those rare occasions where all other measures fail, advertisers who have repeatedly and knowingly breached the code may be referred to the statutory authorities, who may bring legal proceedings against them.

## **The Appeals Jury**

To ensure fairness, most self-regulatory systems include an appeals procedure, in cases where either the complainant or the advertiser whose advertisement has been complained about wishes to challenge the complaint committee's decision, for example on the basis of new evidence. Appeals are normally considered by a different body from the jury which reached the original decision.

## **The Importance of Impartiality**

To be credible and retain public confidence, self-regulation must be impartial. The very fact that it is likely to be suspected of bias makes rigorous impartiality all the more essential. Certainly self-regulation helps to safeguard the long-term interests of the advertising industry, but it does so by ensuring high standards and protecting consumers. SROs are independent: their purpose is not to protect the interests of individual advertisers, agencies or media, but to uphold advertising standards, for the benefit of the whole industry. Although the codes are written by the industry, their stance is impartial and the procedures of the complaints committees which apply them are designed to be impartial and unbiased. Furthermore, many SROs consult external stakeholders as part of the process of drafting or revising their codes, as well as including non-industry representatives in their complaints committee.

## **Annex B: How the EASA Cross-Border Complaints (CBC) System Works**

### **EASA's Cross-Border Complaints System**

EASA's Cross-Border Complaints (CBC) system has been in operation since 1992. With the increase of media travelling across borders, the CBC system was established to provide people who wished to make complaints against advertising featured in media or by advertisers originating from outside their home territory with the same redress available to consumers within the country of origin of the media or advertiser. Since 1992, EASA has coordinated 2.785 cross-border complaints.

### **The Basic Principles of the EASA Cross-Border Complaints System**

The first principle is the 'country of origin', a concept enshrined in EU law to facilitate the growth of the Single Market. With regards to the Cross-Border Complaints system, an advertisement must abide by the rules of the country where the media is based that features the advertisement. In the case of direct marketing or online advertising, however, the advertisement will generally be expected to follow the rules of the country where the advertiser is based. The second principle is 'mutual recognition'. By this principle, EASA members agree to accept advertisements which comply with the self-regulatory rules in the country of origin of the media or advertiser, even if those rules are not identical to their own.

### **The Competent Body**

Once the advertisement's 'country of origin' has been established, the complaint will be assigned to the local self-regulatory organisation (SRO). It is not possible to assign a complaint to more than one SRO.

### **Dealing with a Cross-Border Complaint**

The complainant may not initially realise that his or her complaint lies outside the competence of his or her national SRO. Hence, the complainant's first point of contact may be the local SRO. Once the SRO ascertains that a complaint is in fact a cross-border issue, it will first inform the complainant of the Cross-Border Complaints system and the measures that will be taken to handle the complaint. The complaint, along with any other relevant details, is then passed on to the relevant self-regulatory organisation (SRO) present in the country of origin of the media or the advertiser under investigation. The EASA Secretariat is included in all correspondence related to the case and will closely monitor its progress. Further, EASA may become involved in the process by, for instance, recommending the SRO to take certain actions, involving industry bodies where appropriate, and reporting on the outcome of cases once they have been closed.

### **Ad-Alerts**

If an ad shows evidence of deliberate unethical, dishonest or criminal activity, the SRO will transfer the complaint to the relevant government authorities. In these circumstances, the EASA Secretariat may, after discussion with members involved, decide to issue an Ad-Alert, which notifies concerned parties of the advertisers' activities. Ad alerts are published on the EASA website: [www.easa-alliance.org](http://www.easa-alliance.org).

### **Publications**

Closed cross-border complaints are reported quarterly and annually in CBC Reports, published on the EASA website: [www.easa-alliance.org](http://www.easa-alliance.org).



## **Annex C: Definitions of Terms and Complaint Categories**

### **General Definitions**

#### **Complaint**

A complaint is defined as an expression of concern about an advertisement by a member of the general public, a competitor or an interest group etc. which requires a response. One complaint is defined as one or several different concerns about one advertisement by the same complainant.

#### **Case**

A case is defined as an advertisement subject to assessment/investigation by the SRO jury. Cases include assessments and decisions taken by all competent SRO bodies, such as the SRO council/jury, the SRO complaints committee or the SRO secretariat

#### **Copy advice**

Advice on (a) proposed advertisement(s) provided by a self-regulatory body, usually on a non-binding basis, as to whether or not it is compliant with the local advertising code.

#### **Pre-clearance**

Examination of an advertisement by a self-regulatory body or another body/institution as a compulsory precondition of publication or transmission.

#### **Ban**

A complete ban on advertising of the product/ issue concerned usually made by law.

#### **Restriction**

There are codes/ laws in place which significantly affect the advertising of the product/issue concerned.

#### **Case handling duration**

The time lapsed from receipt of the complaint, until the decision is made effective.

#### **SR Code**

The self-regulatory (SR) Code is a set of rules governing the content of advertising.

#### **Own-initiative investigation (SRO)**

Examination of advertisements by an SRO jury following the flagging of these ads by the SRO secretariat, e.g. through a monitoring exercise.

#### **Appeal**

Challenge to the complaints committee's decision either by the complainant or the advertiser, for example on the basis of new evidence. Appeals are normally considered by a different body from the jury which reached the original decision.

## **Complainants**

### **Member of the general public**

Person to whom an advertisement is addressed or who can reasonably be expected to be reached by it.

### **Consumer organisations**

Consumer organisations are supposed to represent the interest of consumers in general, or may work on specific interests, such as furs, alcohol, food etc.

### **Competitors**

Complaint from a professional or an industry source (usually but not necessarily a competitor of the advertiser).

## **Outcomes of Complaints**

### **Upheld**

Complaints that are investigated by the SRO and adjudicated by the SRO jury are upheld if the jury decides that the marketing communication does breach the advertising codes. Subsequently the advertiser is asked to withdraw or change the advertisement to ensure it complies with the rules.

### **Not upheld**

Complaints that are investigated by the SRO and adjudicated by the SRO jury are not upheld if the jury decides that the marketing communication does not breach the advertising codes. No further action is taken.

### **Not pursued/not investigated**

A complaint is not pursued if the SRO considers that there is no basis for investigation (e.g. the concern of the complainant would not be shared by most people) and subsequently dismisses the complaint; or where not enough information was provided by the complainant or the requirements of complaint submission were not met.

### **Resolved informally**

When a minor or clear-cut breach of the self-regulatory codes has been made, the SRO may decide to resolve the complaint informally, i.e. the marketer agrees to change or withdraw its marketing communication straight away.

### **Transferred to appropriate authority**

For example, complaints that have been transferred to the appropriate legal backstop.

### **Out of remit**

A complaint falls out of remit if either the complaint or the marketing communication falls outside the scope of the self-regulatory code (e.g. the complaint is about the product advertised and not the advertisement as such). However, the SRO might decide to forward the complaint to another complaint handling body for action.

## **Media**

### **Audiovisual media services**

An "audiovisual media service" is a service provided by a media service provider. This service can either be a linear programme with a programme schedule (on TV or over the internet as IPTV) or an on-demand service (video on demand or catch-up TV).

Such services must come under the editorial responsibility of a media service providing programmes for the general public. This definition covers TV programmes and on-demand catalogues of TV-like content, as well as commercial audiovisual communication (advertising, in other words) but does not apply to any non-economic activity like non-commercial blogs, any form of private correspondence nor radio. Platforms for the exchange of user generated content, such as YouTube, do not fall within the scope of the AVMS Directive provided that there is no editorial control over the selection of programmes for a broadcast schedule or an on demand catalogue.

### **Cinema**

Any advertising shown at movie theatres.

### **Digital marketing communications**

Digital marketing communications cover advertisements in non-broadcast electronic media, including online advertisements in paid-for space (e.g. banner and pop-up advertisements). The media concerned are all interactive media and electronic networks such as the World Wide Web and online services, SMS (Short Messaging Service between phones) and MMS (Multi Media Service between phones).

### **Display ads**

Display advertising appear on web pages in many forms, including web banners, pop-up ads, pop-under ads, skyscrapers etc. These ads can consist of static or animated images, as well as interactive media that may include audio and video elements.

### **(Online) in-game advertising (IGA)**

Refers to the use of computer and video games as a medium in which to deliver advertising.

### **Paid search advertising**

Online advertisements that show results from search engine queries. Search advertisements are targeted to match key search terms (keywords).

### **Marketer generated or endorsed virals**

Any advertisement that is propagated by members of the general public via e-mail, sms, mms or using social networking services etc. and that has been either generated or endorsed by the marketer. It does not include user-generated virals.

### **Marketer-owned websites**

Any marketing communication featured on the website owned by the marketer (i.e. a website of a brand, company, organisation etc).

## **Direct marketing**

Direct marketing comprises all communication activities with the intention of offering goods or services or transmitting commercial messages presented in any medium aimed at informing and/or soliciting a response from the addressee, as well as any service directly related thereto. Direct marketing does not include unaddressed mail (e.g. leaflets).

## **Outdoor**

(i.e. billboards/posters/ digital outdoor)

Posters and other promotional media in public places, including moving images.

## **Radio**

Covers radio broadcasts, both analogue, digital, as well as via the Internet.

## **Teleshopping**

Teleshopping includes direct response television, radio and internet commercials which generally feature a phone number or website. Teleshopping is also known as paid programming or infomercials.

## **Sponsorship**

Any commercial agreement by which a sponsor, for the mutual benefit of the sponsor and sponsored party, contractually provides financing or other support in order to establish an association between the sponsor's image, brands or products and a sponsorship property in return for rights to promote this association and/or for the granting of certain agreed direct or indirect benefits.

## **Nature of the Complaints**

### **Misleading advertising**

Misleading advertising refers to any claim, whether made expressly, by implication or omission, likely to lead members of the general public to suppose that the advertised goods or services, or the conditions (including price) under which they are offered, are materially different from what is in fact the case.

A marketing communication should not contain any statement, or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead a member of the general public.

### **Social responsibility**

#### **Discrimination/denigration**

A marketing communication should respect human dignity and should not incite or condone any form of discrimination, including that based upon race, national origin, religion, gender, age, disability or sexual orientation.

A marketing communication should not denigrate any person or group of persons, firm, organisation, industrial or commercial activity, profession or product, or seek to bring it or them into public contempt or ridicule.

### **Exploitation of credulity or inexperience**

Advertisements should be so framed as not to abuse the trust of people or exploit their lack of experience or knowledge. Especially advertisements directed to children should not abuse their credulity and inexperience.

### **Play on fear/violence**

A marketing communication should not without justifiable reason play on fear or exploit misfortune or suffering. A marketing communication should not appear to condone or incite violent, unlawful or anti-social behaviour. A marketing communication should not play on superstition.

### **Inappropriate for children (social values)**

A marketing communication should not suggest that possession or use of the promoted product will give a child or young person physical, psychological or social advantages over other children or young people, or that not possessing the product will have the opposite effect.

A marketing communication should not undermine the authority, responsibility, judgment or tastes of parents, having regard to relevant social and cultural values. A marketing communication should not include any direct appeal to children and young people to persuade their parents or other adults to buy products for them.

Prices should not be presented in such a way as to lead children and young people to an unrealistic perception of the cost or value of the product, for example by minimising them. A marketing communication should not imply that the product being promoted is immediately within the reach of every family budget.

Marketing communications which invite children and young people to contact the marketer should encourage them to obtain the permission of a parent or other appropriate adult if any cost, including that of a communication, is involved.

### **Health and safety**

Advertisements should not without reason, justifiable on educational or social grounds, contain any visual presentation or any description of dangerous practices or of situations which show a disregard for safety or health.

### **Taste and decency**

Advertisements should not contain statements or visual presentations which offend prevailing standards of decency.

### **Offensiveness**

Any statement or visual presentation likely to cause profound or widespread offence to those likely to be reached by it, irrespective of whether or not it is addressed to them. This includes shocking images or claims used merely to attract attention.

### **Gender issues**

Advertising should not contain any sexually offensive material and should avoid any textual material or verbal statements of a sexual nature which could be degrading to women or men. Furthermore advertising should not be hostile or discriminatory toward a certain gender and should not use any material which calls into question the equality of the sexes.

### **Inappropriate for children (Taste and decency)**

Advertisements likely to cause distress to children or that contain sexual material must not be shown in children's programmes, or in programmes likely to be seen by significant numbers of younger children.

### **Privacy and data protection**

When collecting personal data from individuals, care should be taken to respect and protect their privacy by complying with relevant rules and regulations. Collection of data and notice When personal information is collected from consumers, it is essential to ensure that the individuals concerned are aware of the purpose of the collection and of any intention to transfer the data to a third party for that third party's marketing purposes. (Third parties do not include agents or others who provide technical or operational support to the marketer and who do not use or disclose personal information for any other purpose.) It is best to inform the individual at the time of collection; when it is not possible to do so this should be done as soon as possible thereafter.

### **OBA ads**

Online Behavioural Advertising means the collection of data from a particular computer or device regarding web viewing behaviours over time and across multiple web domains not under Common Control for the purpose of using such data to predict web user preferences or interests to deliver online advertising to that particular computer or device based on the preferences or interests inferred from such web viewing behaviours. Online Behavioural Advertising does not include the activities of Web Site Operators (First Party), Ad Delivery or Ad Reporting, or contextual advertising (e.g. advertising based on the content of the web page being visited, a consumer's current visit to a web page, or a search query).

### **Denigration of competitors**

Advertisements should not make incorrect, false, unduly announcements to give bad effects to reputation, financial situation, business activities in goods and services of competitors of getting a competitive edge.

## **Products**

### **Alcohol beverages**

Alcohol drinks are those that exceed 1.2% alcohol by volume.

### **Furniture and household goods**

a) Furniture and furnishings for the home and outdoors such as carpets and other floor coverings, household textiles, glassware, tableware and household utensils, etc.

b) Cleaning and maintenance products include articles for cleaning and non-durable household articles such as washing powders, washing liquids, detergents, softeners, conditioners, waxes, polishes, dyes, disinfectants, insecticides, fungicides and distilled water, etc.

c) Household appliances such as cookers, ranges, ovens and micro-wave ovens, refrigerators, freezers and fridge-freezers, washing-machines, dryers, drying cabinets, dishwashers, air conditioners, toasters and grills, hotplates, etc.

## **Electronic and information communication technology (ICT) goods**

a) ICT goods: ICT goods are those that are either intended to fulfil the function of information processing and communication by electronic means, including transmission and display, or which use electronic processing to detect, measure and/or record physical phenomena, or to control a physical process; covers delivery, installation and repair where applicable.

Examples: personal computers, printers and scanners, games consoles, portable games players, software (in physical or downloaded form), laptops, notebooks and tablet PCs, PDA's and smart phones, mobile and fixed phone devices, telefax machines, telephone answering-machines, modems and decoders, global positioning systems (GPS).

b) Electronic goods (non-ICT/recreational):\_Equipment for the reception, recording and reproduction of sound and pictures (audio and video systems); photographic and cinematographic equipment and optical instruments; recording media; covers delivery, installation and repair where applicable.

Examples: DVD players-recorders, VCRs, TVs, CD, HI-FI, media players, mp3 players, radios, cameras, photographic equipment, CDs (blank), DVDs (blank), calculators.

## **Cars and motorised vehicles**

This includes new cars, second hand cars and other personal means of transport including bicycles, trailers, boats etc) as well as spares and accessories for vehicles.

## **Health and beauty**

a) Prescribed medication includes medicines that are purchased with a prescription and are used by humans for health purposes such as the cure, mitigation, treatment, or prevention of a disease as well as alternative medicine sold with a prescription.

b) Over-the-counter medication include medicines that are purchased without a prescription and are used by humans for health purposes such as the cure, mitigation, treatment, or prevention of a disease, alternative medicine sold over-the-counter.

c) Cosmetics include articles for personal hygiene such as toilet soap, medicinal soap, cleansing oil and milk, shaving soap, shaving cream and foam, toothpaste, etc as well as beauty products, for example: nail varnish, make-up and make-up removal products, hair lotions, after-shave products, sun-bathing products, perfumes and toilet waters, deodorants, bath products, etc.

d) Toiletries for personal care includes appliances for personal care, for example: razors and hair trimmers and lades, scissors, combs, shaving brushes, hairbrushes, toothbrushes, nail brushes personal weighing machines etc as well as other goods for personal care and personal hygiene, for example: paper handkerchiefs, cotton wool, cotton buds, sponges, etc.

## **Retail**

Refers to supermarkets, department stores and other retailers.

## **Books, magazines, newspapers, stationery**

Including books, atlases, dictionaries, encyclopaedias, text books, guidebooks and musical scores, catalogues, writing pads, envelopes, pens, pencils, fountain pens, ball-point pens, felt-tip pens, inks, erasers, pencil sharpeners, paper scissors, office glues and adhesives, staplers and staples, paper clips, etc.

## **Toys**

A toy is defined as any product or material designed or clearly intended for use in play by children of less than 14 years of age.

## **Services**

### **Real estate services**

Including services of estate agents, property managers and letting agents, house valuation and related services,

### **House maintenance and improvement services**

Including maintenance, improvement and repair of dwellings includes roofing, decorator services, floor coverings, carpenters, painters, wall coating, plumbers, central heating, electrical services and installations, bricklayers, glaziers, gardeners, insulation, etc.

### **Health and beauty services**

Including hairdressing salons, barbers, beauty shops, hair therapy, cosmetic therapy, sun studios, diet clubs/centres, Turkish baths, spas, saunas, solaria, body-care, tattoo, piercing services, etc.

### **Financial services**

Including payment services, services related to borrowing money, a savings account, investments in bonds, securities and other financial assets, including financial instruments or investment products such as funds offered through banks, investments firms and other financial services providers.

### **Telecommunication services**

a) Fix/mobile telephone services such as voice telephone provision, installation of personal telephone equipment, voice telephone provision, subscriptions, voicemail service, roaming services, transmission of data through a mobile telephone device, text messages (sms), multimedia message service (mms).

b) Internet services such as fixed internet provision, mobile internet provision (wireless internet accessible using laptops, netbooks, mobile phones or other similar devices), internet social portals, other internet services e.g. chat rooms, domain name services, pay per view services, e-mail account services.

c) Television services include digital and terrestrial television subscriptions and the related services via cable, satellite or any other medium. For example: modem installation, high definition television, video-on-demand, child lock, television content,

d) The triple play service is a marketing term for the provisioning of the two broadband services, high-speed Internet access and television, and one narrowband service, telephone, over a single broadband connection.

### **Business directories**

A company that publishes contact details of businesses alphabetically or according to field e.g. yellow pages.



## **Leisure services**

c) Entertainment, sports and leisure services include services provided by:

- horse-racing courses, motor-racing circuits, skating rinks, swimming pools, golf courses, gyms, fitness centres, tennis courts, squash courts, bowling alleys, and playground facilities for children;
- cinemas, theatres, opera houses, concert halls, music halls, circuses, sound and light shows,
- museums, libraries, art galleries, exhibitions,
- historic monuments, national parks, zoological and botanical gardens, aquaria, hire of equipment and accessories for culture, such as television sets, video cassettes, etc.,
- fairgrounds and amusement parks,
- sports events,
- ticket-selling services,
- services of musicians, clowns, performers for private entertainments.

## **Gambling and lotteries**

Including online casinos/ gaming sites as well as traditional betting/ gambling, and complaints about ads for official national lotteries and bogus international lotteries.

## **Education services**

Including out-of-school individual or group lessons such as chess, aerobics, dancing, music, skating, skiing, swimming etc. It also includes educational programmes, generally for adults, which do not require any special prior instruction, in particular vocational training and cultural development as well as language, driving instruction and other private courses

## **Energy, water and combustibles**

Including the provision of electricity, water, gas, nuclear and all forms of renewable energy as well as petrol and engine oil.

## **Employment/business opportunities**

Including recruitment services, business opportunities and homework schemes.

## **Non-commercial**

Advertising seeking donations, in cash or kind, or otherwise promoting the interests of charitable or philanthropic bodies and advertising by pressure-groups, NGOs, government departments and local authorities.

## **Sensitive Products (Alcohol beverages)**

### **Safety and drinking patterns**

For spirits ads: Please see EFRD Common Standards: art 1 (Misuse), 3 (Drinking and Driving) and 4 (Hazardous Activities, Workplace and Recreation)

For Wine ads: Please see EU Wine Communication Standards: art 2 (Misuse), art 5 (Drinking and driving vehicles and other potential hazardous recreational or work-related activities and 6 (Workplace)

For Beer ads: Please see Responsible Commercial Communications Guidelines for the brewing industry: art 1 (Misuse), art 3 (Driving) and art 4 (Association with hazardous activities).

### **Sexual and social success**

For spirits ads: Please see EFRD Common Standards: art 9 (Social success) and art 10 (Sexual Success)

For Wine ads: Please see EU Wine Communication Standards: art 11 (Social Success) and art 12 (Sexual Aspects)

For Beer ads: Please see Responsible Commercial Communications Guidelines for the brewing industry: art 7.2. (social or sexual success)

### **Content of appeal to under aged**

For spirits ads: Please see EFRD Common Standards: art 2 (Minors): especially art 2.1., 2.4 and 2.5

For Wine ads: Please see EU Wine Communication Standards: art 3 (Minors): especially art A and C

For Beer ads: Please see Responsible Commercial Communications Guidelines for the brewing industry: art 2.1 (Minors)

*Notes*

# 2013

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