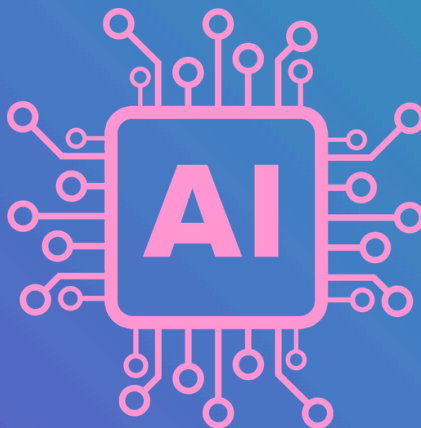




Disclosing ads generated or enhanced with artificial intelligence

easa guide





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This guide is a non-binding document, primarily meant to support ad self-regulation organisations (SROs) active within the EU Single Market in setting up their own local guidance and help stakeholders in the advertising value chain navigate the question of disclosure.

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1. Context

Artificial intelligence (AI) is now embedded into common tools used in the production lifecycle of an ad, and effectively unavoidable for creative agencies, advertisers, and any marketing professional. From the brainstorming stage to the final output that is disseminated, AI is now used every step of the way. In some respects, AI is simply yet another tool in marketers' toolbox, akin to good old photoshop or CGI¹, to produce high-quality content that can carry their inspiring creative message glued onto marketing intent.

Yet AI also feels like it revolutionises – again – the way we are doing business and creating ads. This uncomfortable dichotomy stems largely from the rapidity of AI in producing content and the swiftness with which it can improve on quality. This in turn floods the streaming flow of information that audiences interact with daily, whether as editorial or marketing content. This is partly the reason why the discussion around transparency disclosure for AI-generated or enhanced advertisements is both legal and ethical in nature.

Legal because the European Union's regulation [2024/1689](#), commonly referred to as the AI Act, governs the way artificial intelligence (AI) is deployed in the Single Market and builds guardrails and protections for anyone who comes across content which was generated or modified with AI. Coupled with the provisions set out, at EU-level, by the Unfair Commercial Practices Directive ([2005/29/EC](#)), we have a canvas of regulatory features that directly impact AI-enhanced advertising.

Ethical because there are valid questions about authenticity and deception that might affect audiences' perceptions and understanding of reality in ways that we still have to carefully navigate until AI literacy achieves satisfactory levels. Local cultural sensitivities and what is socially acceptable differ widely across Europe, and the advent of AI will not change this. Rather, exactly how legal requirements are translated into practice for advertising is fully in the realm of self-regulation.

This is where this paper reflects on how to adapt transparency disclosure requirements to the realities of the advertising landscape. Drawing on the near-hundred years' worth of expertise in enforcing the highest ad standards, the European Advertising Standards Alliance's network of ad self-regulatory organisations, industry professionals, and digital players set out in this paper guidance as to when, what, and how to disclose advertising that have been generated or enhanced with AI technology.

Intended as a voluntary non-binding guidance, this guide is primarily meant to support ad self-regulation organisations (SROs) active within the EU Single Market in setting up their own local guidance and help stakeholders in the advertising value chain navigate the question of disclosure.

¹ Computer Generated Interface

2. Disclosing AI-generated or AI-enhanced ads

This paper's aim is to build a coherent solution across Europe that helps ensure that consumers are protected and well informed, all the while safeguarding advertisements' creativity and marketing impact. Collective ad self-regulation always complements European and national regulatory frameworks by promoting responsible advertising across the whole value chain.

This paper will be subject to future updates and adaptations to keep up with the swift turnover of new enhanced tools and marketing trends. Readers are invited to refer to the other guidance pieces mentioned in this paper's annex as they bring detailed complementary guidelines. The first part of the paper outlines the legal framework and the ethical aspect reflected in discourse at the self-regulatory level. The second part lays out guidelines for how to disclose.

The question of disclosing AI-edited or generated advertising has already been discussed at length across recent literature, such as in the ICAS Global Think Tank papers published in 2025.² The ethical considerations are centred on ensuring legal compliance, respecting consumer rights, and fostering trust between advertising practitioners and with consumers so that they can always rely on marketing communication to inform themselves about new products and services. This then creates a healthy and trustworthy ad ecosystem.

a. Regulatory framework

In Europe, advertising must at all times abide by relevant applicable legislation. An important piece of European Union legislation in this context is the Unfair Commercial Practices Directive (2005/29/EC) and its articles 6 and 7 covering misleading actions and omissions. An ad properly disclosed for its heavy content manipulation (with or without AI) may still be misleading under other self-regulatory or legal rules. Any disclosure for AI involvement in the ad's creation cannot mitigate misleading nature of ads.

The latest relevant piece of EU legislation is [Regulation 2024/1689](#) "Artificial Intelligence (AI) Act" from 2024 and the related [Guidelines on the implementation of the transparency obligations for certain AI system](#) (hereinafter referred to as the "Guidelines"). Despite it not explicitly addressing marketing communications, SROs and advertising stakeholders are advised to consider a couple key provisions that may impact advertisements, in particular on disclosure requirements, namely article 50 para.4 and 5, and article 3 para.60. The Guidelines are instrumental to understanding the breadth of the law's application, and the extent to which it applies to advertising.

This paper comes without prejudice to the AI Act and the Guidelines. As reflected in the code of practice on transparency of AI-generated content, sector-specific standards are welcome to bring added granularity and guidance to help comply with the AI Act requirements.³ This paper fits within that optic and is meant to support SROs' own thinking as they develop detailed transparency rules in the context of advertising within the legal framework and local enforcement.

EASA is conscious that a blanket rule for all AI-edited ads would not offer consumers with much more relevant information nor would it help garner their trust. On the contrary, this could lead to a scenario of disclosing anything and everything, which would leave consumers lost as to what is genuine and what is not. The aim is a robust and sustainable disclosure regime for relevant use of AI in advertising for the benefit of the consumers and the industry.

² K. Shek, *Beyond Simple Labelling*, ICAS Global Think Tank, 2025, [link](#);

S. Sidley, *AI in Advertising: Governance, Regulation and Other Troubles*, ICAS Global Think Tank, 2025 [link](#).

³ European Commission, *Code of Practice on Transparency of AI-Generated Content*, pp.27-28, 20 July 2026, [link](#).

The ad industry and its collective self-regulatory ecosystem are fast-paced, and EASA and its network take their responsibilities seriously and have shaped the present toolkit in light of ethical observations on when and how to disclose AI-edited or generated ads.

Legal definitions and scope

Article 50 (4) of the AI Act stipulates that deployers must disclose deep fakes. Deployers are defined in the law and the Guidelines as any natural or legal persons using an AI system “under their authority” outside of any personal non-professional activity.⁴ As concerns advertisements and any marketing or commercial communications, deployers refer to advertisers, as they are the ones that benefit the most from the ad’s dissemination to audiences. This is also reflected in existing self-regulatory standards, where the brunt of accountability rests with advertisers, who therefore bear ultimate responsibility for disclosure obligation. Digital players and media can provide tools to help advertisers comply but do not assume accountability – this is reflected also in para.126 of the Guidelines.

Article 3 (60) and paragraph 113 of the Guidelines define legally the notion of deep fake as being “AI-generated or manipulated image, audio, or video content” that respect the cumulative criteria of resembling “existing persons, objects, places, entities or events that would falsely appear to a person to be authentic or truthful.”⁵ As concerns advertising, if there is a deep fake element in it, it should be disclosed by law. That effectively means that only ads that qualify as deep fakes or which include deep fakes must be disclosed – whether fully or attenuated. Paragraph 113 provides for detailed guidance as to understanding the definition of deep fake.

Paragraph 114 specifies that AI-generation of manipulation of background scenes, special effects, or technical pre- or post-processing are not likely to make content falsely appear authentic or truthful. A high degree of photorealism makes it more likely for the piece of content to be a deep fake, though importantly the Guidelines clarify that the deceiving aspect of the content must still be assessed, within the “intended and foreseeable deployment context”. In other words, where the ad is seen or heard (the context or media) matters when assessing whether it might be deceiving audiences.⁶

This effectively builds a buffer layer around the legal notion of misleadingness as banned by UCPD or related legislation. There will exist advertisements made with AI technology that fit within the definition of deep fake and which, should they not be disclosed to audiences, may mislead *if it were not disclosed*. In other words, an ad generated or enhanced with AI might require a transparency disclosure because it fits the deep fake definition and would otherwise mislead or deceive consumers.

Crucially, any such disclosure will not mitigate any misleading claims or the misleading nature of an ad. Misleading advertising remains illegal. Rather, by the simple nature of AI technology, the ad could give a false impression to consumers, and the disclosure is required to simply inform them about this.

Paragraph 9 of the Guidelines speak clearly to this point, by reminding that the purpose of the AI Act’s transparency obligation is to “reduce the risks of impersonation, deception, misinformation, manipulation at scale, and fraud and to mitigate potential adverse impacts on democratic processes and societal trust caused by AI-generated or manipulated content”⁷ The notion of trust in advertising is paramount and every ad should be crafted with the intention to build towards a trusting relationship with the audiences. Lack of transparency disclosure for ads that contain

⁴ Regulation 2024/1689 (AI Act), article 3 (4), [link](#); Guidelines (AI Act), (12), [link](#).

⁵ Regulation 2024/1689 (AI Act), art.3(60), [link](#). Guidelines (AI Act), (113), p.33, [link](#).

⁶ Guidelines (AI Act), (114), pp.34-35, [link](#).

⁷ Guidelines (AI Act), (9), p.4, [link](#).

deep fakes will lead to distrust and eat at the ecosystem's long-standing efforts to drive responsible advertising.

b. Self-regulatory guidance and industry practices

Several SROs and industry members have already developed guidance for their local markets and stakeholders. The annex provides a list of existing SRO and industry recommendations that is regularly updated.

Across all recommendations to date, all indicate that even in cases where ads are appropriately disclosed, either as per applicable law or self-regulatory standards, this does not mitigate any other harm caused by a misleading message or irresponsible content.⁸ Marketers must never use AI (or any other tool) to create, amplify, or spread false, misleading, or deceptive content, whether intentionally or not.⁹

Similarly, the [International Chamber of Commerce's Advertising and Marketing Communications Code](#) in its latest 2024 iteration continues to prohibit misleading content. Article 5 runs through a list of non-exhaustive practices that could apply to AI-enhanced ads.

Creating ads with AI tools does not make them inherently misleading or trustworthy. Conversely, disclosing that an ad was made with AI does not guarantee in any way that it is compliant with regulatory or self-regulatory requirements, but it does help in this sense as it signals trust through transparency.

Finally, another general key principle of ad SR of particular importance in this field is that **special care must be given to ads that are worked on with AI tools and which are seen or heard by children, minors, the elderly, or other groups of persons with lower digital, AI, or advertising literacy**. For instance, teens, aged 13 through 17, have differing levels of understanding when it comes to marketing communications. Disclosing that certain ads have been generated or heavily enhanced with AI tools could help them better identify and understand the marketing message and thus help avoid that such ads mislead.

Informing and informed consumers

Eventual increases in digital and AI literacy would enable consumers to better deduce whether ads have been created with AI tools or not based on what we might call "inferred context". This refers to techniques aimed to determine important information about an ad without relying exclusively on what's depicted, but leveraging data available on the web – this includes the ad's origin, how old it might be based on what it shows, the claims made, the advertiser, whether it's been seen in other places, etc.¹⁰ These are tools that empower consumers with a relatively good level of autonomy and control over the content they interact with. This information that, especially for the online space, is made available by digital players often in a secondary interface.

Assertive provenance techniques provide clear signals about the creation of an ad with AI through, for example, watermarking or metadata or labelling. This would actively help users and consumers be aware of AI manipulations.¹¹ These techniques effectively help make the 'invisible visible', serving as a practical tool that helps foster trust in advertising and AI through enhanced

⁸ Such as in CAP News (ASA & CAP), "Write a useful article helping marketers with tips for using AI", 12 June 2025, [link](#), 10 April 2026.

⁹ More recently reminded in Raad voor Reclame/Conseil de la Publicité, *AI in advertising ; 12 clear principles. Acting Proactively, Responsibly and Ethically*, p.6, 2025, [link](#).

¹⁰ Google, *Determining trustworthiness and provenance through context and provenance*, p.2, December 2024, [link](#).

¹¹ Ibid.

transparency.¹² Advertisers are then able to add a disclosure if deemed appropriate or needed. This paper recommends that transparency is considered early in the campaign planning to identify where and how it will appear.¹³

Principled approach

SROs are best placed to rapidly develop and adapt guidance and pivot their approach based on actual advertising practice and consumer expectations. In fact, through their work to help ensure responsible advertising, SROs monitor swathes of online adverts against their codes, and handle tens of thousands of consumers complaints. This positions them perfectly to promote the highest standards for advertising and inform and train the local industry in keeping with responsible practices.

To support SROs towards developing their own guidance on when and what to disclose, this paper focuses on three principles to help outline general categories. These principles are based on the regulatory background as explained earlier and on ethical consideration and academic research. They should be taken cumulatively to assess when disclosure is necessary. No one principle alone can trigger a recommendation for disclosure.

1. Level of AI use

A first step would be to identify those ads that have been fully generated or ‘heavily’ enhanced by AI tools in the creative process. Similar to what the Guidelines stipulate in (116), supportive or ‘minimal’ AI enhancements would not qualify a piece of content as deep fake. Should an ad be produced almost entirely with AI, consensus would support disclosing the involvement of AI in what the ad shows, on the condition that other principles also trigger a recommendation for disclosure.

For example, a fully AI-generated ad that does not falsely appear realistic, authentic, or truthful is unlikely to require disclosure, especially if the audience are expecting the marketing content to contain some AI-generated content (cf. second principle and Guidelines (114)). SROs would use their own judgement of what it means when an ad has been ‘heavily’ enhanced or not. This case-by-case approach is reflected in the Guidelines as well.

This principle focuses solely on the adverts’ contents when and as seen by consumers, reflective of how these were produced. Use of AI in the story-planning or at any other upstream stage would not be covered by this principle.

2. Ad content’s plausibility or authenticity

Ad standards are tech-neutral, applying equally with the same force regardless of means or technology used. However, disclosure would be recommended for content in ads showing scenes resembling existing people, places or events that could appear authentic, but which were (almost) completely generated or edited with AI. When ads include fantastical or cartoon elements, behaviours or events that would normally not happen in real life, disclosure is not recommended.

Whilst all ads to a certain degree depict fiction, AI-generated depictions of reality may skew consumers’ understanding of the product, service, or reality itself. When an ad is not based on reality, disclosure makes little sense. This is reflected in the Guidelines’ paragraphs 113 and 114.

¹² K. Shek, *Beyond Simple Labelling*, ICAS Global Think Tank, p.21, 2025, [link](#).

¹³ Raad voor Reclame/Conseil de la Publicité, op. cit., [link](#).

Consumers might believe that the ad is showing seemingly authentic or truthful content – a disclosure would inform the consumers accordingly. An ad created with AI tools can still inadvertently give a false impression to the audience about its authentic-looking content, disconnected from any claims or the ad’s intended impact about informing consumers.

3. Significance to or impact on the consumer

The impact of the ad’s contents on the audience is just as important. Even when an ad shows what could falsely appear to be existing real life authentic scenes and was generated entirely with AI, disclosure might still not be recommended if the manipulations do not have significant impact on the consumer. Guidelines’ paragraphs 114 and 115 underline that *“Whether content ‘falsely appears to a person to be authentic or truthful’ should be assessed as a whole, taking into account the level of resemblance, the potential substantive message of the content, the intended and foreseeable deployment contexts, the environment in which the content is presented, and the intended and reasonably foreseeable audience composition and their expectations.”*

Therefore, the potential impact or significance of the ad on the consumer is a factor to consider in assessing whether it requires a transparency disclosure. By way of principles, disclosure would be recommended:

- when the product or the ad is edited to such an extent that it might mislead the consumer if it weren't disclosed, though the disclosure may not fully mitigate its misleading nature.
- when the generated content may have significant impact on the consumer in terms of perception that it looks reasonably authentic, and the consumer might not be expecting it to not be authentic. These are scenes that would falsely appear authentic to them. Here, transparent disclosure builds trust as consumers may question whether the content they see is authentic or not. Whilst an ad with a real product and an AI-generated background might not require disclosure, depending on the deployment context and how the product is shown and to what extent the background becomes front and centre, transparency disclosure may be advised; to be assessed on ad hoc basis as shown in the decision tree.
- when AI is used both to replicate real-world individuals or when creating synthetic actors that are front and centre in the ad. This is backed by social responsibility concerns where such ads may skew consumer perceptions of reality, in particular of unrealistic beauty canons, expectations, and can leave audiences with a negative self-image rather than informed or inspired. This could be perceived as harmful content. Disclosure would not be needed if AI is used to generate, for example, an indistinct crowd of people in the background, as this has little to no negative impact on the consumer. It’s worth noting that if any generation or alteration of crowds in the background leads to a false impression of popularity, this may be considered misleading advertising.

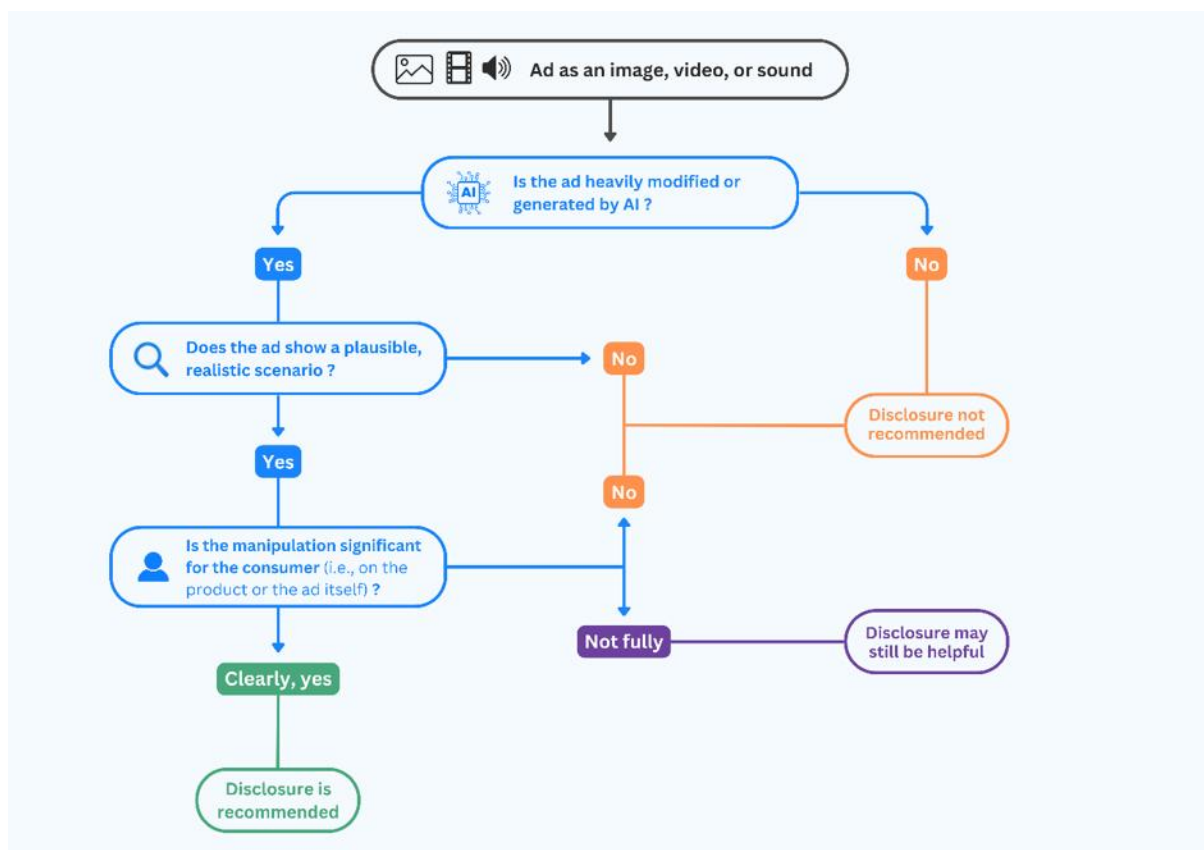
Each principle has nuance to it, with low, mid, or high levels of AI use, ad content’s authenticity or plausibility, or the level of significance to the consumer. This is why, from an ethical perspective, no one principle can ever be sufficient to trigger the recommendation for disclosure.

Disclosure is recommended for heavy AI-enhancements of content resembling a real, existing scenario or product which is significant to the consumer to the extent that they may be misled into thinking the content is authentic or true. This is a specific situation where an ad may mislead the consumer if it weren’t for a transparency disclosure.

Gradient levels from low to high impact the recommendation to disclose			
	Low	Mid	High
Level of AI use	Disclosure not recommended	Ad hoc / helpful	Disclosure recommended
Ad content plausibility			
Significance to the consumer			

However, it's important to underline that an ad that is disclosed correctly can still be misleading, especially under other rules. Disclosure remains a tool recommended when an ad or the product promoted was so heavily modified with AI tools that it could give an unintended false impression to the consumer.

There are clear cases where disclosure is recommended. Others where it is not. There will also be a grey area where this remains unclear. A case-by-case assessment is recommended, given each ad is almost unique. As SROs will gradually provide copy advice for, and handle complaints about AI-enhanced ads, this grey area will steadily begin to colour in with nuance. Eventually, SROs will be better positioned over time to recommend either way and shape their guidance. Conversely, SROs could also find it proper to recommend disclosure in those circumstances as helpful, as a form of fail-safe.



How to disclose

Transparency helps build trust. With this in mind, disclosure should be included as part of the communications' broader strategy.¹⁴ Three guiding questions can help SROs frame the discussion on how to disclose an ad created with AI tools: **what** form of disclosure, and **when** and **where** it should appear.

This reflects in part SROs' consumer protection role, by looking not per se at specific labels or disclosure techniques, but rather at whether the disclosure used fits with methodological principles.

Some ads might include inherent creative elements (such as music, cinematography, etc.) to the point where they may qualify under the attenuated transparency requirements for evidently artistic, creative, satirical, fictional or analogous work, as described in section 6.1.3 of the Guidelines. When this is the case, disclosure should not hamper the enjoyment of the ad.

Either way, the below frameworks helps identify what might work in case a disclosure is needed to protect the creative work.

1. WHAT

Disclosure techniques may include icons or words (e.g., labels such as "AI" or equivalent in local languages), attached on or near the ad. Section 2 of the Code of Practice on Transparency of AI-Generated Content recommends the use of the "AI" acronym. Icons may also be used for advertisements provided these are abundantly clear for viewers of what it means.

For online ads, the icon or label may lead the consumer through a one-click away process to a page with more information on the ad's AI-made components without hampering the enjoyment of the ad.

Whatever the term recommended by SROs, it should not denote a negative nor a positive image to consumers. If language is used, it must be clear, void of any technical or legal jargon, and comprehensible to the consumer. The guidance produced by the International Council for Ad Self-regulation (ICAS) and the World Federation of Advertisers (WFA) will provide a detailed overview of suggested and advised disclosures that brands may refer to when needing to adopt a disclosure for their ads. Classified by theme and level of AI manipulation, the suggested disclosures help identify which element of the ad was edited.

2. WHEN

The disclosure (label, icon or otherwise) must be immediately visible, not hidden within text or graphics, and presented to the audience at first exposure. It must be clearly identifiable. If it's an online static ad, the disclosure must be instantly visible. If it's an audio-visual piece, it must be visible at the start of the video, whether inside the video or near it. If it's an audio-only ad (such as on radio), it is recommended to include the disclosure at the start.

3. WHERE

The disclosure must appear in the vicinity of the ad at the very least, or on the ad itself if placed there by the advertiser or the agency themselves. If it's an online ad, the disclosure may lead to a secondary interface with AI information provided by the digital player. The

¹⁴ MLE, MAKSZ, MMS, & ÖRT, *AI Guide – for the media and marketing communication profession*, Marcom-AI Guide, 2025, [link](#).

disclosure does not need to be in or on the ad itself, to avoid hampering its creative and informational value.

Therefore, any form of disclosure must be clear, visible, and immediately identifiable. The approach to disclose may vary depending on the media and type of ad.

The following is a non-exhaustive suggested framework for recommended disclosure by media type with the intent to protect the creative spirit of advertising:

Media	WHAT	WHEN	WHERE
Online images	Icon, word labels	Immediately visible and identifiable	On or in the vicinity of the ad in ways that do not hamper the enjoyment of the ad. Possibility for a secondary interface with more info.
OOH images	Icon, word labels	Immediately visible and identifiable	In the ad itself in ways that do not hamper the enjoyment of the ad.
Linear media videos (TV, cTV, etc.)	Icon, word labels	At the start of the video, or when the deepfake appears	In the ad itself in ways that do not hamper the enjoyment of the ad.
Online videos	Icon, word labels	Immediately visible, legible, and identifiable, including for livestreams. If needed, multiple disclosures could be recommended.	On or in the vicinity of the ad in ways that do not hamper the enjoyment of the ad. Possibility for a secondary interface with more info.
Radio/audio	Spoken disclosure of the word label, specific tone/ping	Disclosure must be audible and understandable	Within the time allocated to ad spot itself in ways that do not hamper the enjoyment of the ad.

Annex: list of existing industry and SRO guidance pieces and recommendations

Industry and digital players:

- **European Association of Communications Agencies (EACA):** [EACA Practitioners' Guide Transparency Requirements for AI content](#)
- **Federation of European Data and Marketing (FEDMA):** [Ethical AI-Powered Marketing Charter | Federation of European Data and Marketing](#)
- **Google:**
 - [Determining trustworthiness through provenance and context](#)
 - [Google introduces new AI labels for Ads](#)
 - [Use AI content label settings and disclosures - Google Ads Help](#)
- **Meta:** [Expanding GenAI Transparency for Meta's Ads Products](#)
- **TikTok:**
 - [About AI-generated content](#)
 - [TikTok Symphony, our new Creative AI suite](#)
- **World Federation of Advertisers (WFA)** [best-practice guidance for AI-generated marketing creative](#)

Self-Regulatory Organisations:

- **Belgium – Raad voor Reclame / Conseil de la publicité:**
 - [Council for Advertising \(RvR\) launches 12 guidelines for ethical AI-use as part of EU framework](#) (French link [here](#))
 - [AI in reclame: update van onze richtlijn maakt transparantie concreet](#) (French link [here](#))
- **France – Autorité de régulation professionnelle de la publicité (ARPP) :** [Practical guide labelling of advertising content generated or manipulated by artificial intelligence](#)
- **Germany – Zentralverband der deutschen Werbewirtschaft (ZAW):**
 - [Discussion Paper of the Advertising Industry on the Transparency Obligation for “Deep Fakes” under Article 50\(4\) of the AI Act](#) (2024)
 - [ZAW-Handreichung zur Umsetzung der Transparenzvorgaben des Artikels 50 Absatz 4 und 5 der KI-Verordnung](#) (2026)
- **Hungary – Önszabályozó Reklám Testület (ÖRT):** [AI Guide; for the media and marketing communication profession](#)
- **United Kingdom – Advertising Standards Authority (ASA):**
 - [Disclosure of AI in Advertising: Striking the Balance Between Creativity and Responsibility - ASA | CAP](#)
 - ["Write a useful article helping marketers with tips for using AI" - ASA | CAP](#)

- [In at the Deep\(fake\) End - ASA | CAP](#)
- [Generative AI & Advertising: Decoding AI Regulation - ASA | CAP](#)

There are also other industry initiatives that are worth mentioning, such as (non-exhaustive):

- **Interactive Advertising Bureau (IAB) Global:** [AI Transparency and Disclosure Framework](#)
- **International Council for Ad Self-Regulation (ICAS) Global Think Tank:**
 - “[Beyond Simple Labelling](#)” by Konrad Shek
 - “[AI in Advertising: Governance, Regulation and Other Troubles](#)” by Pr. Steven Sidley
- **International Chamber of Commerce (ICC) Code framework:** [Responsible AI in marketing guide](#)

European Advertising Standards Alliance

Rue Marie-Thérèse 21

1000 Brussels, Belgium



www.easa-alliance.org

info@easa-alliance.org

X @AdvertisingEASA

 [european-advertising-standards-alliance](https://www.linkedin.com/company/european-advertising-standards-alliance)

