

## EASA tools, workshops and trainings

### Digital Marketing Communications workshop

EASA organised a dedicated workshop on digital marketing communications on 15 April 2010 in Sofia, focusing on difficult real life cases, establishing whether the ad was indeed within remit and if so, if the complaint was viable or not.

Attendees were very pleased with the workshop and have called for a similar workshop focusing on advertising on social media. This will now take place at the EASA Vienna meetings on 6 April 2011.

### Information leaflet on advertising self-regulation

By popular demand, EASA published a leaflet explaining advertising self-regulation and its value in simple terms. The leaflet called "What

advertising self-regulatory standards ensure" can be downloaded from the EASA website.

### Complaint jury training sessions

In 2010, EASA SRO Vice Chairman Piet Jaspaert has travelled to self-regulatory organisations in Bulgaria and Luxembourg to give training to their respective complaint committees. The next complaint committee training is foreseen to take place in Cyprus at the end of April 2011.

### Copy advice training sessions

To help promote the copy advice service of self-regulatory organisations, EASA and a number of organisations organised two copy advice training sessions, one in Prague in April 2010 and the other one taking place in October 2010 in Vienna.

### European Copy Advice / Pre-Clearance Facility

The European Copy Advice / Pre-Clearance Facility offers a one-stop shop for those who wish to request for copy advice on one advertisement in a number of countries. With one click of the button, registered users can send their requests to multiple self-regulatory organisations at the same time while getting information on costs and turn-over times.

In 2010 the service was extended to include both Romania and Turkey, bringing the number of self-regulatory bodies affiliated to this facility to 17.

Since its launch in November 2009, 190 people have registered with the facility, and 54 have submitted requests.

The European Copy Advice / Pre-Clearance Facility is available at [www.ad-advice.org](http://www.ad-advice.org) and was developed by Clearcast UK in cooperation with EASA.

## Advertising self-regulation in numbers

### 2009 complaint statistics

Every year EASA gathers complaint statistics from the self-regulatory organisations within its membership. In 2009, European self-regulatory organisations received 56.281 complaints in total and handled 873 'own-initiative' investigations. Non-European self-regulatory organisations in EASA membership received 10.162 complaints in 2009 (this number excludes India). The UK and Germany account for an overall majority (78%) of all complaints received and dealt with by self-regulatory bodies in Europe,

being also the countries with the highest ad spend in Europe. The main issue prompting complaints in 2009 was misleading advertising. On average, at a European level, the electronic and information communication technology sector, the food and non-alcoholic beverages sector and the health and beauty products sector were the product/services sectors most complained about. The medium that was most complained about in 2009 was Audiovisual Media Services.

### 2010 report on cross-border complaints

Since EASA's launch in 1992, EASA has coordinated nearly 2.300 cross-border complaints. Through this system EASA helps ensure that a consumer can still complain about an advertisement even though it originates from a different country. In 2010, 193 cases were resolved out of the 200 received. Out of these 138 complaints were made against a rogue trader that advertised a website with free downloads that turned out to be not

free at all. In previous years an apparent drop in the complaints against rogue traders was noted, which tended to be bogus directory publishers and against whom many court orders have been issued. This year, we see a return of the rogue trader who this time focuses on the internet medium. It could be expected that in the coming year more rogue traders will also switch to internet services.

Each year EASA has to say goodbye to some of the key people who were influential in making EASA to what it is now. This year a number of colleagues and friends retired or moved on from our network. We would like to express, on behalf of EASA and all its members, our sincere appreciation for all their hard work over the years and wish them the best of luck in their retirement and/or new endeavours.

★ Alastair Tempest (FEDMA)

★ Jean-Pierre Teyssier as ARPP president

★ Anne Chanon (ARPP)

★ Monika Korkosova (RPR)

## Building & promoting advertising self-regulation

### Self-regulatory organisation in Cyprus set to be launched soon

After several delays, the Cypriot self-regulatory authority, called Cyprus Advertising Regulation Organization (CARO), is now expected to be launched in May 2011. Both the Jury of First Instance as well as the Appeals Jury will be trained by EASA Vice Chairman Piet Jaspaert mid April. The handling

of consumer complaints will be free of charge and the organisation's website, which is expected to be launched together with the start of operations, will have an online complaint form. Activities promoting the new self-regulatory organisation are expected to start at the end of the year.

### Ukraine one step closer to advertising self-regulation

EASA continues to be in direct contact with key players in Ukraine to highlight the benefits of advertising self-regulation and promote responsible advertising. At an event in November 2010, which focused on gender issues in advertising, the term advertising self-regulation was made clear as industry-led independent advertising

self-regulation. The concept, which was muddled before the event, found resonance with all participating groups including government officials. Based on this accepted definition, a first step was made towards general consensus for the need of a self-regulatory organisation.

### EASA education programme: the 3E module

Based on an education module that EASA developed over the last two years and feedback received on it from several universities, EASA is currently fine tuning the module which has been re-branded into the 3E (EASA/Ethics/Education) module.

The 3E module is being developed by EASA's programme director Arthur Pober and its manager Irina Little. The module is expected to be implemented by universities by the second semester of 2011, after its official launch in October in Warsaw. An information pack is available upon request.

The ultimate goal of the 3E module is to develop a moral compass for future advertisers (current students) and advertisers that are small and medium sized (under the Lifelong Learning Programme), with an overall emphasis on digital advertising.

### Peru latest EASA member

CONAR Peru, the Peruvian advertising self-regulatory organisation, is set to become EASA's 49<sup>th</sup> member. Officially, Peruvian membership will be considered at the Annual General Meeting on 7 April in Vienna and is foreseen to be accepted into EASA as a corresponding member.

### Serbia to adopt ad code

With the support of EASA, the Serbian Chapter of the IAA is in the process of writing an advertising code based on the ICC Consolidated Code, which will be sent to the Association of Agencies, the Advertisers' Association (currently in the make), Media and the National Consumer Organisation for feedback and adoption.

### Staff changes

Laure Alexandre, EASA's Policy & Implementation Manager has left EASA at the end of January 2011 and in the mean time has taken on a new position with CEPS. Most of Laure's responsibilities have been given to Sibylle Stanciu, who has been promoted to Project & Compliance Manager. She in turn is assisted by Maria Tsoumou, who has been taken on, on a permanent basis, as Project and Administration Assistant. Christian Kleckel, who helped produce the 6<sup>th</sup> edition of the Blue Book amongst other communication projects, left EASA at the end of September 2010. Since February 2011, Veronika Iankulova, a Bulgarian graduate, has strengthened the team as the new EASA intern.



### 2010-2011: Leaps into the digital world

Pro-active work and good cooperation characterises EASA's work this past year, with a continuous focus on the digital challenge.

In 2010-2011 a new milestone in the digital arena was passed with online behavioural advertising. EASA is playing an important role in the EU debate in how online behavioural advertising could and should be self-regulated.

After setting up an Industry Steering Group, which groups together the key stakeholders and communicates with European regulators, EASA and its members put forward a draft Best Practice Recommendation on Online Behavioural Advertising. This document, which sets out a European advertising industry-wide self-regulatory standard and compliance mechanism for consumer controls in online behavioural advertising, was presented alongside the work of IAB Europe to several Round Tables organised by the European Commission. I am proud to say that European regulators have been impressed with advertising industry cooperation and their willingness to seek viable solutions and would like to thank especially EASA Vice Chairwoman Angela Mills Wade for all her input.

Self-regulatory organisations have also put forward their expertise towards possible online behavioural advertising solutions and I would like to thank them as well for their hard work. If self-regulation will become the preferred policy for online behavioural advertising, self-regulatory organisations will become an inextricable part of the solution. EASA has already started to help prepare self-regulatory bodies for this by organising a workshop on online behavioural advertising during the 2010 EASA Annual General Meetings.

Digital marketing communications were also the main focus in research on advertising for food products and non-alcoholic beverages, undertaken jointly by EASA and WFA at the end of 2010. The research showed that 87% of marketing communications on websites owned by marketers in the food and non-alcoholic beverage industry complied with the advertising rules. EASA also played an important role in the research undertaken for the umbrella organisation of the European brewing sector on the progress of self-regulation in alcohol

advertising, which saw significant improvements since 2007 especially in terms of code coverage, sanctions, consumer awareness and complaint handling.

At the beginning of 2011, EASA was asked to analyse complaint statistics on cosmetics advertising for Colipa, the European Cosmetics Association. EASA provided Colipa with an internal report and organised a workshop, which EASA hopes helps the progress to a deeper understanding of the issues and self-regulation in this area.

Being a representative of one of the European self-regulatory organisations, I find it extremely important that EASA puts a lot of energy in raising the standards of these bodies. For example, EASA, with the help of its Vice Chairman Piet Jaspaert, has helped train a number of juries, which in turn helps raise standards and harmonise decisions.

EASA's flagship publication - the Blue Book 6 - updated in April 2010, sold 54% more copies in its first year of sales than the previous edition, a sure sign that stakeholders find value in the promotion of responsible advertising. Also, in keep with its mantra that it is better to prevent than to get complaints, EASA organised, together with its members, several Copy Advice Training sessions to highlight the benefits of getting pre-publication advice.

The future is important for any responsible industry, which is why EASA is finalising its education programme for higher education and lifelong learning programmes by setting up and further consolidating partnerships, and testing the education material. Also, it has been a special honour for EASA to have had the chance to give input to European research done by high profile legal academics about self-regulation in general, with a focus on advertising self regulation.

Having been with EASA for many years I can say that cooperation between self-regulatory organisations has increased a lot these last years, helping to create a useful network of experts in the field and further developing the expertise of organisations through the sharing of best practice. We have become a real team!

I would like to congratulate everyone at the EASA secretariat whose expertise and committed work ethics have helped EASA achieve all these successes. I would also like to thank all of EASA's members for their united effort this year, which showcased real team work and is one of the key elements of this year's success.

Ildikó Fazekas,

Chairman of the European Advertising Standards Alliance and CEO of the Hungarian self-regulatory organisation ÖRT

ASA  
CONAR  
Ro. Reklamombudsmannen  
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Advertising issues - the digital challenge

Digital marketing communications: now in remit of all

As of March 2011, all self-regulatory organisations within Europe have adopted the EASA Digital Marketing Communications Best Practice, which was launched in October 2008 and recommends that the remit of these organisations should be extended to include all digital marketing communications ranging from paid search advertising to user-generated content endorsed by marketers.

At the end of 2008, only eight of the 20 EU countries that had self-regulatory authorities at that time dealt with digital marketing communications. Now all self-regulatory organisations (in existence in 22 EU countries) have extended their remit. Looking

at a wider Europe, also the Turkish and Swiss advertising self-regulatory bodies have adopted the Best Practice Recommendation.

This means that EU consumers based in the area where more than 97% of EU ad-spend is invested can now make complaints on digital marketing communications.

Further ongoing work in the area of digital marketing communications includes the organisation of a dedicated workshop which will take place in April 2011 and which will focus on marketing communications in social media.

Online Behavioural Advertising - addressing the privacy issue

Online Behavioural Advertising, a practice that is based on a user's internet browsing activity with a specific device and allows brands to deliver adverts that reflect the user's interests, has been at the centre of a privacy debate for the past few years since MEPs, Commissioners and national governments argued over wording about "cookies" in the ePrivacy Directive adopted in 2009.

EASA and its industry members have since pushed forward advertising industry discussions on the subject focusing on a Best Practice Recommendation that provides for a European-wide icon to inform consumers when they are served online behavioural advertising as well as enforcement tools allowing consumers to exercise choices about online behavioural advertising.

On the one hand, linking directly from the icon, consumers will find a website (in all different national languages) explaining where the information comes from that is used to generate online behavioural advertising and provides the opportunity to opt out of online behavioural advertising. On the other hand, it provides the possibility for consumers to use the trusted route via advertising self-regulatory organisations should they still wish to complain about an ad that was sent to them using data collected on web viewing behaviour.

Late 2010 and beginning 2011, two Roundtables were organised by DG INFOS on online behavioural advertising. EASA, IAB Europe and other advertising industry stakeholders presented the European wide industry strategy on online behavioural advertising. EASA presented its draft Best Practice Recommendation as well as the suggested changes received through public consultation. IAB Europe showed the official website on which consumers would land when they click the icon. Overall, European legislators have commended the advertising industry for having risen to the challenge put forward by European Commissioner for the Digital Agenda Neelie Kroes in September 2010.

The final recommendation is foreseen to be approved and launched by the end of April 2011, with a twelve month roll-out via national industry associations and self-regulatory organisations. At the last Roundtable, EASA also committed that at least 70% of all self-regulatory organisations within the EU27 will have adopted the Best Practice Recommendation within a year. By May 2011 the official consumer website is expected to go live in at least 10 European languages with a gradual roll-out of further languages later in the year.

EASA gives input to Juvin report

Philippe Juvin, French EPP MEP, published an own-initiative report on the "Impact of advertising on consumers' behaviour" in August 2010, looking at areas such as online advertising, online behavioural advertising and advertising-targeted answers to search requests.

EASA provided extensive input regarding the role and effective use of advertising self-regulation, in particular with regard to alcohol advertising and the recent European extension of remit to include digital marketing communications.

Advertising issues - alcohol advertising

International action on alcohol advertising self-regulation

In order to be able to provide the alcohol sector with guidelines for alcohol code development, EASA was asked in 2010 by the International Center for Alcohol Policies (ICAP) to provide input to the development of these guidelines, and EASA's international self-regulatory

organisation members were asked to provide feedback on the international applicability of the guidance. At the same time, the ICAP 'Global Action on Harmful Drinking', a consortium of initiatives dedicated to helping reduce the harmful use of alcohol, launched a

website highlighting its work on alcohol advertising self-regulation. EASA, via its member World Federation of Advertisers, was also involved in this project and shared its expertise with ICAP.

More information: [http://www.icap.org/\\_GlobalActions/\\_design/index.html](http://www.icap.org/_GlobalActions/_design/index.html)

Progress on alcohol advertising self-regulation

Compiled by the EASA secretariat, independently reviewed by KPMG Sustainability and published in May 2010 by The Brewers of Europe, the report "Responsible beer advertising through self-regulation" reflects the

progress made to ensure effective advertising self-regulation across the EU 27. Notable overall results include that the full implementation of alcohol advertising code coverage is now at least in progress in all EU countries,

and that today, 26 countries have a sanctions process in place, have improved the array of sanctions available, or are progressing on this.

The report can be downloaded from: <http://www.easa-alliance.org/page.aspx/357>

Food advertising

Second workshop on codes of conduct for HFFS foods

As the Audiovisual Media Services Directive places an obligation on the Commission to encourage media service providers (both traditional and on-demand) to develop codes of conduct related to audiovisual commercial communications aimed at

children for foods high in fat, sugar and salt, a workshop was organised by the European Commission on 25 October 2010.

Representatives of the Polish and German self-regulatory organisations made presentations at this event,

supported by EASA representatives also present at the workshop. The event allowed for an exchange of views and best practices between the various stakeholders, notably advertisers, audiovisual media service providers, consumers and regulatory authorities.

EASA research demonstrates high compliance on marketer-owned websites

In 2010, EASA and self-regulatory organisations in eight European countries, ranging from Austria to the UK, monitored marketing communications published on websites owned by the main producers of food products and non-alcoholic beverages.

these marketer-owned websites have average compliance rates of 87%. 11% of the advertisements on marketer-owned websites are still under further investigation (for issues such as substantiating scientific claims), 1% was found to be in breach of technical requirements and only 1% was found to be in breach of the codes.

The monitoring research shows that marketing communications on

the Diet, Physical Activity and Health Platform on 9 September 2010, where it was well received. A workshop discussing the results took place in Brussels on 28 October for EASA members as well as representatives of the companies that took part in the exercise.

The report was released publicly at

Environmental issues

DG SANCO's Green Energy Roundtable

On 16 June 2010, DG SANCO hosted its first Green Energy Roundtable grouping together consumer representatives, energy providers, energy retailers, AIM (representing brands) and EASA.

The group looked at 'guaranteeing consumer trust in green energy', and especially focused on 'green' claims, their potential misleading aspects and required substantiation. The group

also concentrated on the enforcement problematic (at EU and national level) and the role advertising self-regulation can play.

EASA project updates

Substantial progress in advertising self-regulation across EU27

Since EASA members subscribed to the EASA Charter in 2004 and the subsequent Charter Commitments in 2005, the status of self-regulation for advertising standards across Europe has shown considerable progress in extending the systems both geographically across the EU and to the new areas of digital marketing communications.

There are now 23 self-regulatory systems for advertising in operation in 22 out of the 27 EU Member states covering 95% of the EU's ad spend and 97% of the EU's population; all but one have an independent element in the jury, thus helping to ensure that decisions are fair and independent.

In 2009, the EU27 advertising self-regulatory organisations handled 56.281 complaints and 873 'own-initiative' investigations which raised potential problems on 18.785 ads.

91% of the self-regulatory organisations in the EU27 now provide copy advice services, helping companies get their advertisements right before publication. In terms of complaint handling, 86% of the self-regulatory systems now have a formal appeals procedure in place.

Last but not least, all self-regulatory bodies in the EU have now adopted the EASA Digital Marketing Communications Best Practice and have extended their remit to include digital marketing communications. This means that SMS/MMS, outdoor digital display, search, display and text ads, marketer seeded or endorsed virals, in-game ads and specific parts of marketer owned websites are now subject to the national advertising codes.

Supporting the Consolidated ICC Code review

EASA is continuing to support the International Chamber of Commerce with the revision of the 2006 Consolidated ICC Code. After getting feedback from advertising self-regulatory organisations in the EASA network as well as national ICC

Chapters, the final revised Code is foreseen to be adopted in June and launched in September 2011. The updated code will address for the first time online behavioural advertising related issues.



Pris de l'éthique publicitaire

Top best practice rewarded by EASA

Best practice in advertising self-regulation deserves to be recognised, which is why EASA organises the yearly Best Practice Awards.

Advertising Codes that are independently applied by the ASA.

Reklamombudsmannen, Swedish body for advertising self-regulation, won silver for the launch of its new website. The website not only features typical best practice characteristics such as an online complaints form, a section where all adjudications are published as well as information on advertising self-regulation, but is also extensively used as a tool to get additional funding, which has enabled the body to get over 100 new contributors.



The bronze award was presented to the Österreichischer Werberat, the Austrian self-regulatory body, for the effective way in which it had consulted with a number of key stakeholders including women rights groups for the revision of its advertising code. The revised Code emphasises social issues in commercial communications such as sexual discrimination, gender neutrality and special rules of conduct (women, children, senior citizens).

From left to right: Elisabeth Trotzig from Reklamombudsmannen (SE); Shahriar Coupal from Advertising Standards Authority (UK); Markus Deutsch from Österreichischer Werberat (AT).

Publications that were published in 2010

- EASA Blue Book 6<sup>th</sup> edition
- 2009 statistics report
- 2010 Cross Border Complaint report
- Alcohol monitoring report
- Colipa internal report
- Leaflet: What advertising self-regulatory standards ensure

