



Interprofesional del
**VINO DE
ESPAÑA**

Code for Wine Commercial Communications

J A N U A R Y 2 0 2 1



"El vino solo se disfruta con moderación"

Interprofesional del
**VINO DE
ESPAÑA**

About us

The Organización Interprofesional del Vino de España (OIVE) –Spanish Wine Interbranch Organization- is a nonprofit organization that brings together the representative bodies of the Spanish wine-making sector value chain. It is a tool at the service of the wine sector that has been developed to reduce its weaknesses through the united and joint efforts of the different parties involved.

www.interprofesionaldelvino.es

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Preamble

Advertising and commercial communications are important tools for producers and companies to establish the reputation of their products, secure customer loyalty and provide the public with product information, **and ultimately secure market share.**

In the wine sector, the communication and advertising strategy has always tried to encourage and induce moderation as the only possible form of consumption. For that reason, wine has always been linked to gastronomy or to a leisurely enjoyment, with the purpose of appreciating all the nuances every glass of wine has to offer.

Nevertheless, aware of the harms that alcohol abuse can bring to society, in 2008 and within the framework of the **Wine in Moderation program**, the Federación Española del Vino (FEV) –Spanish Wine Federation- approved the Wine Self-Regulation Code in the Matter of Advertising and Commercial Communications, which reinforced the traditional wine communication with a number of rules to be met by wine companies when elaborating their messages.

In 2018, the wine sector, on behalf of the Organización Interprofesional del Vino de España (OIVE), reinforced and expanded this previous commitment with society through this **Code of Commercial Communications of Wine** that constitutes a further step towards the responsibility of the Spanish winemaking sector as a whole. The present Code, besides assuring the messages of moderation in wine communication, also entails a work of clarification for some implementation aspects that raised doubts, and an increase in the degree of protection for groups or situations in which the wine is incompatible, such as minors, consumption during pregnancy and driving.

Wine is defined as food by the Ley de la Viña y el Vino (Ley 24/2003) and it is an essential ingredient of the Mediterranean Diet. It has been part of our culture and traditions since the beginning of time, and it also has a very relevant social, economic and environmental dimension in Spain. This code is intended to reinforce the communication of this product and, at the same time, contribute to the education of consumers.



“El vino solo se disfruta con moderación”

II Purpose

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The Spanish wine sector, through the Organización Interprofesional del Vino de España, is committed to fulfill, in the framework of the **Wine in Moderation program**, its due share on social responsibility towards consumers and society through the promotion of a number of responsible advertising and communication rules in order to not foster abusive and harmful consumption.

Being aware of the importance of advertising and commercial communication self-regulation and considering the specific features of the winemaking sector products, the Organización Interprofesional del Vino de España establishes these wine communication rules with the purpose of promoting the best self-regulatory practice in the wine sector in order to:



Reinforce the traditions of wine presentation, communication and availability to consumers in terms of promoting moderation and responsibility in its consumption.



Ensure that commercial communication on wine products does not encourage or condone excessive consumption or misuse of any kind.

WINE COMMUNICATION RULES

It is meant to be especially sensitive with **vulnerable groups** or high **risk scenarios** that are unsuitable with alcohol consumption. In this case, these groups and situations could be represented by:



Pregnancy



Minors



Driving

III. Scope of Applications

1. Objective scope

This Code should be applied to all **wine commercial communications**, which are defined as it follows:



“**Commercial communications**” is referred to any kind of advertising or marketing communication tool, regardless of the means used by a company, with the aim of promoting goods sales, customers service or trademark image, including corporate advertising, sponsorships, Internet, and direct marketing and sales promotion at the point of sale. Editorial content is excluded.



“**Advertising**” shall be interpreted according to current legislation. From now on referred to as “**communications**” or “**commercial communications**”.



This Code is to be applied to both online and offline contents in all communications channels, including email, mobile phones and software applications

For the purposes of this Code, the following definitions shall apply:

“**Wine or wines**”: still wines, sparkling wines, liquor wines, aromatised wines, their non alcoholic or low alcoholic content counterparts, and other by products of wine making as established by the 1308/2013 and 251/2014 Regulations (or any other that modifies or derogates them in the future) with the exception of grape juice.

Minors are the individuals that are not of legal age of purchasing and/or consuming alcoholic beverages based on the legislation in force.

2. Subjective scope

These guidelines apply to:



All Spanish wine operators, regardless where they are based, producing, trading, distributing and importing wine in Spain and to Spain.



All public or private entities grouping together Spanish wine producers, marketers, distributors and importers. This commitment extends to their respective members.



Any other link of the value chain, other than the afore-mentioned.

This Code is also available for other groups that may, on voluntary basis, join in via the mechanism laid down.



IV. Become a member

Those operators and organizations willing to join in this **Self-Regulatory Code** shall do as according to the instructions given at www.wineinmoderation.eu website. New members will be authorized to make use of the Wine in Moderation program's logo⁽¹⁾.



"El vino solo se disfruta con moderación"

(1) Wine in Moderation is a registered trademark, property of the Wine in Moderation-Aisbl association, based in Belgium. The use of the logo is allowed to all operators and organizations that properly join in the Program and are specifically authorized. Joining in implies the application of Code for Wine Commercial Communications.

V. Principles

“**Communications**” are welcome to outline the wine sector and/or any of the specific attributes of wine (e.g., origins, tradition, vinification process, specific features, and product service), as well as other activities related to leisure, joviality or socialization in a moderate and responsible consumption context.

By no means, “communications” **are allowed to encourage, under any circumstances, any kind of irresponsible and/or abusive consumption of wine.**



Communications must respect the following principles:



Legality

Wine commercial communications must comply with legislation in force, regarding content, broadcast method or whatever the form it might take.



Veracity

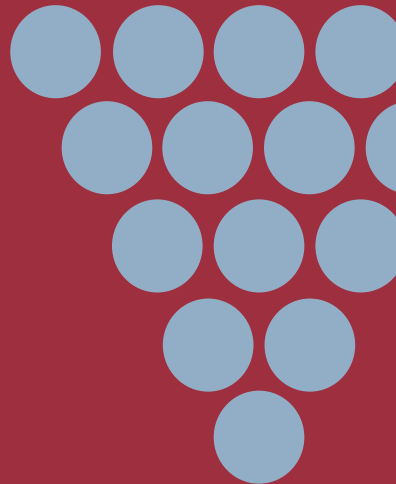
All “communications” regarding wine must be decent, honest and truthful.



Good faith

All “communications” regarding wine must bear in mind their social responsibility. Thus, they will meet the good faith requirements and good business practices, regardless their content, the type of media or the way they are consumed. “Communications” must not be amoral or discriminatory. They must not violate the accepted standards of good taste and decency neither be an affront to human dignity and integrity.

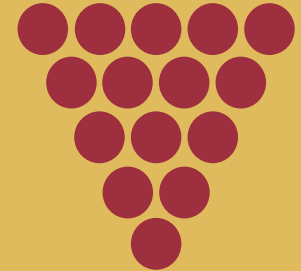
“Commercial communications” shall never:



Encourage or tolerate excessive or irresponsible consumption of wine. Neither this kind of behavior nor abstinence or moderate wine consumption shall be trivialized.



Display situations of abusive consumption. They shall not exhibit people showing signs of excessive consumption or somehow accepting it.



Suggest any type of connection with violence, aggressiveness or any antisocial, illegal or dangerous behavior.

VI. Content of commercial communications

1. Messages of moderate and responsible consumption

Wine communications shall foster responsible wine consumption. To this effect:

A) Commercial communications being visible enough must include:

- The WINE IN MODERATION logo, according to the style guide found in annex 1.
- The “WINE ONLY APPRECIATED IN MODERATION” message.
- This obligation shall NOT apply to:

- I. Freely expressed contents on mass media based on press releases, as long as they are not a paid job or whenever the content has been published without the member being able to control it.
- II. Product labeling, where is an opt-in.
- III. Winemakers sponsoring an activity or event in any advertising campaign.
- IV. Corporate advertising whenever not promoting products or consumption.

B) On a voluntary basis and in those cases where the aforementioned logo and message is mandatory, it is strongly recommended use the logos included in annex 2, or similar ones.

C) Radio spots with a duration of more than 20 seconds are only obliged to include the “Wine only appreciated in moderation” message or an equivalent one.

D) The message referred to on point a) applies to Spain.

VI Content of commercial communications

E) Both the logo and the message referred to on point a) shall be displayed to consumers visibly and legibly.

For that purpose, these elements shall:

- Be clearly and visible placed.
- Take up at least 1% of the advertising surface or timespan.
- Use a 1,5 mm minimum font size typesetting so the message is easily and clearly legible.
- Make a contrast with the advertising's background so they are easily and clearly legible.
- In the particular cases of television and cinema, both shall be horizontally displayed on a still printing for, at least, 2 seconds and taking up, at least, 1,5% of the advertising surface.

The websites of those member companies or organism must include, in a permanent and notable place, both the logo and the message, linking to the programs website:

<http://www.wineinmoderation.eu>

F. Where applicable, the message referred to in point a) might be replaced for other messages calling for responsible consumption. They also might be expressed in any of the official languages in the European Union or in any of the co-official languages in Spain as long as they are easily understandable for the consumer. In any event, the message must:

- Not imply that moderate wine consumption is somehow vulgar, banal or trivial, nor bring fear, evoke negative feelings, denigrate or harm the wine sector's image (companies and associations).
- Not mislead the consumers.
- Be associated with any kind of content or behavior against these rules.
- Be used in mass media where commercial communication is not allowed, or whenever used with the aim of avoiding self-regulation or the current wine advertising legislation.

 **WINEinMODERATION**

ELEGIR | COMPARTIR | CUIDAR

"El vino solo se disfruta con moderación"

VI Content of commercial communications

2. Misuses

- A)** Shall not encourage or tolerate excessive or irresponsible consumption of wine. Neither this kind of behavior nor abstinence or moderate wine consumption shall be trivialized.
- B)** Shall not display situations of abusive consumption. They shall not exhibit people showing signs of excessive consumption or somehow accepting it.
- C)** Shall not suggest any type of connection with violence, aggressiveness or any antisocial, illegal or dangerous behavior.

3. Alcoholic strength

- A)** Commercial communications must not lead to confusion when informing about wine's alcoholic strength.
- B)** Whenever commercial communications inform about wine's alcoholic strength, they shall do it for the purposes of information only.
- C)** Commercial communications must not give the wrong impression that high alcohol content is a positive attribute of wine nor a purchase trigger.
- D)** Commercial communications must not give the wrong impression that low alcohol content wines prevent from abusive consumption.

4. Minors

- A)** Websites of those companies where this code is applied must set up an age control system in order to prevent minors from entering.
- B)** Commercial communications must not be intended for minors, nor display minors or people looking like minors drinking or encouraging wine consumption.
- C)** Commercial communications must not be broadcasted by mass media intended for minors².
- D)** Commercial communications must not suggest that abstinence is equivalent to immaturity.
- E)** Commercial communications must not suggest that consumption triggers growth or maturity.
- F)** Commercial communications must not use any appealing element (objects, people, images, styles, symbols, logos, colors, music or characters) for minors.

An effective system to avoid minors from accessing commercial communications is age control tools or parental control apps. Audiovisual media can use age groups audience figures.

- G)** Those advertising legal restrictions applied to alcoholic drinks shall also apply to non-alcoholic drinks commercial communications.

(2) An effective system to avoid minors from accessing commercial communications is age control tools or parental control apps. Audiovisual media can use age groups audience figures.

5. Drinking and driving, and other potential risky activities, recreational or job related

Commercial communications must not associate wine consumption with driving or operating with potentially dangerous machinery, nor with any type of recreational activities or those implying third parties' responsibilities

6. Workplace

Commercial communications must not associate wine consumption with permanent workplaces nor with people consuming wine while working, with the exception of workplaces or people directly related to wine as a profession.

7. Health issues

Commercial communications shall not claim or suggest wine having health properties, or wine consumption helping preventing, treating or healing any kind of human illness by any medical effect.

8. Pregnancy

Commercial communications must not display pregnant women while drinking or specifically aim pregnant women.

9. Psychosocial aspects (disinhibition, anxiety and psychic conflicts)

Commercial communications shall NOT:

- Claim the disinhibiting effect of wine consumption.
- Suggest that wine consumption helps overcoming shyness and fear, or invite to transgression.
- Display situations that might suggest that wine consumption helps to reduce or eliminate social maladjustment, anxiety or psychosocial conflicts and, in general terms, they shall never suggest or present solitary drinking as a mean to solve this type of problems.

VI Content of commercial communications

10. Performance abilities

Commercial Communications must not give the false impression that wine consumption improve mental or physical capacities.

11. Social success

Commercial communications are allowed to display people socializing or cohabitating but shall not:

- A) Suggest that wine consumption helps social acceptance or social success.
- B) Suggest that abstinence is equivalent to social, work or business failure.

12. Sexual issues

- A) Commercial communications must not display images discriminating or degrading men or women, nor share any kind of stereotype, feminine or masculine, or images or to incite violence.
- B) Commercial communications must not suggest that wine consumption enhances sexual strength, nor stimulates sexual appetite or leads to sexual encounters.



VII. Compliance and watchfulness

1. Spanish wine operators joining the code are committed to fulfill the principles stated within.
2. Compliance of the rules is entrusted to the Asociación para la Autorregulación de la Comunicación Comercial (AUTOCONTROL).
3. Surveillance and effective application of the rules shall be carried out through the following mechanisms:

A) Mandatory prior consultation (“CopyAdvice”) for advertisings to be broadcasted on TV.

- Companies subscribed to this code are committed to dispatch their advertisings or advertising projects for an initial review by the prior consultation system (“Copy Advice®”). This is a mandatory, confidential and binding requirement for all advertisings or advertising projects before they are broadcasted on TV.

B) Voluntary prior consultation (“Copy Advice®”)

- Companies subscribed to this code may dispatch their advertisings or advertising projects to the Gabinete Técnico (Technical Bureau) through the prior consultation system (“Copy Advice®”). This is a voluntary, confidential and non-binding service, available for those advertisings or advertising projects oriented to mass media other than TV.

VII Compliance and watchfulness



4) How to claim

OIVE entrusts the enforcement of this code to the Jury of AUTOCONTROL. That is why those companies subscribing this code undertake to comply and fulfill, with immediate effect, the resolutions that the Jury of AUTOCONTROL might issue in relation with the claims that either the consumers or the Administration may dispatch in case of a possible infringement of the code.

To this effect, they shall interrupt their advertising campaigns or modify them if required by the Jury of AUTOCONTROL

Companies subscribed to this code commit themselves to report the advertising of other subscribed companies to the Jury of AUTOCONTROL before resorting to the courts.

While processing and sentencing the eventual claims presented against the advertising of the companies subscribed to this code, the Jury of AUTOCONTROL will attend its own regulations. According to these regulations, the resolutions shall be made publicly available.

5) Sanctions

In case of recidivism or disregard of this code or the resolutions of the Jury of AUTOCONTROL, the OIVE, by resolution of the Board of Directors, will send a warning to the concerned parties.

OIVE reserves the right to apply to the courts whenever any of its members breaches any resolution made by the Jury of AUTOCONTROL related to the advertising of the drinks to which this code applies.

6) The OIVE will organize, with the collaboration of AUTOCONTROL, training activities aimed at professionals involved in the advertising activities of member companies, to contribute to better compliance with this Code.

7) Independency

The Jury of AUTOCONTROL is a body specialized in advertising ethics, composed of independent professionals of the wine sector.

The Jury of AUTOCONTROL is a fully and absolutely independent body. It is responsible for the extrajudicial resolution of controversies and claims in the matter of commercial communication.

VIII. Implementations

This code shall apply as of:

01

08

2018

Anex 1



“El vino solo se disfruta con moderación”

Style guide for Wine in Moderation®

Registered trademark

Since April 1, 2020, the logos to be included in wine commercial communications are the ones contained in this annex. The updating is motivated by the new strategy of the Wine in Moderation Aisbl logo's owner.

The logo's slogan is now CHOOSE|SHARE|CARE. It can be translated into Spanish the two following ways:

Version 1: ELEGIR | COMPARTIR | CUIDAR.

More impersonal and more appropriate for institutional messages.

Version 2: ELIGE | COMPARTE | CUIDA.

It addresses directly the customer. More appropriate for wineries' commercial communications.

A transitional period, due on December, 31st 2020, is allowed for members who need to update their logos. If you have any questions, please contact the Organización Interprofesional del Vino de España (info@oive.org) or the WIM association (info@wineinmoderation.eu).

Important reminder

Logos and symbols of the Wine in Moderation (WIM) program are registered trademarks, and thus, they are protected by law. The owner of the WIM trademarks, and future possible variations, is the Wine in Moderation association. The use of these symbols and logos is reserved to authorized users and it is regulated by a code of use. Authorized users need to join the WIM program, register and agree to the terms and conditions of the code of use. The whole process can be carried out at www.wineinmoderation.eu, as stated in paragraph IV. “Becoming a Member”.

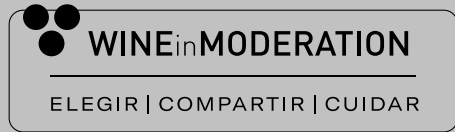
This document contains all the valid and authorized variations of the WIM trademark to be used by Spanish operators. As stated on paragraph VI.1.a del Código Comunicación Comercial del Vino, all commercial communications must include, together with the WIM logo (in all its versions) the following message:

1. **“WINE ONLY APPRECIATED IN MODERATION”.**
2. Any other equivalent message appealing to responsible consumption.

The inclusion of the logo on wine labels is voluntary. If included, it is recommended to also incorporate the program's website (www.wineinmoderation.es)

Wine in Moderation logo options

Version 1: ELEGIR | COMPARTIR | CUIDAR



Version 2: ELIGE | COMPARTE | CUIDA



Logo Fonts & Colors

Name **WINEinMODERATION**

DIN PRO MEDIUM Basal GT AMERICA EXTENDED MEDIUM
 DIN PRO LIGHT CHOOSE | SHARE | CARE

Degraded

RGB 184 0 21 CMYK 20 100 91 10 HEXA #B80015	RGB 114 0 24 CMYK 29 100 85 37 HEXA #720018	RGB 51 51 51 CMYK 0 0 0 80 HEXA #333333	RGB 0 0 0 CMYK 0 0 0 100 HEXA #000000	RGB 255 255 255 CMYK 0 0 0 80 HEXA #FFFFFF
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Anex 2 Additional logos

- As stipulated in paragraph VI.1.b of this code.
- Available at www.interprofesionaldelvino.es
- If possible, the major version of the logo shall be preferred. If for technical reasons it is not possible, the black&white version shall be used.

COLOR VERSION (MAJOR)			
MONOCHROME VERSION			
BLACK&WHITE VERSION			
BLACK&WHITE VERSION (NEGATIVE) (To be used on a dark background)			

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