

## 3 Bulgaria (BG)

### 3.1 Introduction

At present there are two official regulations referring to alcohol marketing and advertising in Bulgaria: the *Health Law*, implemented by the Ministry of Health and the *Radio and TV Law*, implemented by the Council for Electronic Media. Both are statutory, covering electronic as well as printed media and treating with special attention marketing practices that are directly or indirectly targeted at young people.

The Bulgarian *Health Law* stipulates a total ban on direct marketing and time-limitations for indirect marketing of hard liquor in mass media; it also states that indirect advertisements of spirits and advertisements of wine and beer cannot be directed to underage or minors or be otherwise appealing to them (by appearing in youth programmes or printed publications; by using minors as participants, etc). In addition, it forbids associating alcohol consumption with sport or physical achievements or with driving as well as making false implications about any health, social or sexual benefits attributed to alcohol. The *Radio and TV Law* deals with the same restrictions; it authorizes the Council for Electronic Media (an independent regulatory body) to supervise electronic media concerning observance of all alcohol-marketing regulations (especially with respect to young people), to impose proprietary sanctions and warnings in cases of violation and to revoke media licenses for repeated violations of these normative acts. All results of the CEM procedures are publicly announced by the media. These are, in general, the ways in which the elements of the Council Recommendation are reflected in Bulgarian legislation.

| Regulation |                  | Statutory / Non-statutory |
|------------|------------------|---------------------------|
| 1          | Health law       | Statutory                 |
| 2          | Radio and TV Law | Statutory                 |

### 3.2 Health law

#### Name of regulation:

#### 1 Health law

*Is this statutory or non-statutory regulation?*

Statutory

*Who made the text of this regulation?*

Ministry of Health

*Which types of marketing are controlled by in this regulation?*

Electronic and printed media (direct and indirect marketing)  
(a ban for both targeting youth < 18y)

*Which alcoholic beverages are subject to this regulation? (in VOL.)*

All types (a total ban on direct marketing of hard liquors).

*Whom is this regulation directed at or who has to adhere to it?*

Mass media

### 3.2.1 Bans

Any bans on alcohol marketing practices in this regulation or code regarding the following marketing or advertising aspects are indicated with 'yes' in the following table below. If a ban regarding this aspect is absent it is indicated with 'no'.

| BANS      |          |      |               |                 |               |            |
|-----------|----------|------|---------------|-----------------|---------------|------------|
|           | Location | Time | Media-channel | Type of product | Target-group* | Advertiser |
| Yes or No | No       | Yes  | Yes           | Yes             | No            | No         |

\* other than young people

### 3.2.2 Elements of Council Recommendation

Any elements of the Council Recommendation that are forbidden by this regulation or code (either literally or formulated in other words) are indicated with 'yes' in the following table. If an element is not forbidden at all, it is indicated with 'no'.

| ELEMENTS  |              |          |            |         |            |           |                 |          |         |        |         |
|-----------|--------------|----------|------------|---------|------------|-----------|-----------------|----------|---------|--------|---------|
|           | A Production | B Styles | C Children | D Drugs | E Violence | F Success | G Encouragement | H Events | I Media | J Free | K Other |
| Yes or No | No           | Yes      | Yes        | No      | No         | Yes       | Yes             | No       | Yes     | Yes    | No      |

#### Remarks on elements

- B Ban on marketing targeting young people under 18 years.
- C Ban on use of young people under 18 years as participants in indirect marketing.
- F - Ban for marketing practices that suggest false implications regarding health benefits, social and /or sexual wellness.  
- Ban on marketing connecting use of alcohol with sport and physical achievements.
- G Ban on selling alcohol to young people under 18 years.
- I Ban on use of electronic media or printed media targeting youth under 18 years of age.
- J Ban on selling alcohol to young people under 18 years.

### 3.2.3 Procedures connected to the regulation

It is indicated whether the following procedures are ('yes' or 'no') connected to the regulation.

| PROCEDURES |                   |   |  |                  |                                |   |
|------------|-------------------|---|--|------------------|--------------------------------|---|
|            | Pre-launch advice | Systematically searching for violations | Possibility to complain and to start a procedure | System of appeal | Sanctions in case of violators | Results published or publically announced |
| Yes or No  | No                | Yes                                     | Yes  | Yes              | Yes                            | Yes                                       |

The search for violations is performed by the Council for Electronic Media. Complaints can be made to the Ministry of Health Council for electronic media. The possibility of complaining is announced by the Media. Sanctions, where appropriate, are imposed by the Council for Electronic Media - following the Radio and TV Law the fines can run between €2500 – €5000. The results of procedures are publicly announced by the Media.

### 3.3 Radio and TV Law

#### Name of regulation:

#### 2 Radio and TV Law

*Is this statutory or non-statutory regulation?*

Statutory

*Who made the text of this regulation?*

Council for Electronic Media (specialised independent body) [<http://www.crc.bg/vi/files/en/107.htm>]

*Which types of marketing are controlled by in this regulation?*

Electronic and printed media (direct and indirect marketing) (a ban on use of electronic media targeting youth < 18y)

*Which alcoholic beverages are subject to this regulation? (in VOL.)*

All types

*Whom is this regulation directed at or who has to adhere to it?*

**Electronic Mass Media**

#### Additional comments

Ban on marketing practices that suggest false implications regarding health benefits, social and/or sexual wellness;  
Ban on marketing connecting use of alcohol to sport and physical achievements.

#### 3.3.1 Bans

Any bans on alcohol marketing practices in this regulation or code regarding the following marketing or advertising aspects are indicated with 'yes' in the table below. If a ban regarding this aspect is absent it is indicated with 'no'.

| BANS      |          |      |               |                 |               |            |
|-----------|----------|------|---------------|-----------------|---------------|------------|
|           | Location | Time | Media-channel | Type of product | Target-group* | Advertiser |
| Yes or No | No       | No   | Yes           | No              | No            | No         |

\* other than young people

### 3.3.2 Elements of Council Recommendation

Any elements of the Council Recommendation that are forbidden by this regulation or code (either literally or formulated in other words) are indicated with 'yes' in the following table. If an element is not forbidden at all, it is indicated with 'no'.

| ELEMENTS  |              |          |            |         |            |          |                 |          |         |        |         |
|-----------|--------------|----------|------------|---------|------------|----------|-----------------|----------|---------|--------|---------|
|           | A Production | B Styles | C Children | D Drugs | E Violence | F Succes | G Encouragement | H Events | I Media | J Free | K Other |
| Yes or No | No           | No       | Yes        | No      | No         | Yes      | No              | No       | Yes     | No     | No      |

#### Remarks on elements

- C Ban on use of young people under 18 years as participants in indirect marketing.
- I Ban on use of electronic media programs targeting youth under 18 years of age

### 3.3.3 Procedures connected to the regulation

It is indicated whether the following procedures are ('yes' or 'no') connected to the regulation.

| PROCEDURES |                   |   |  |                  |                               |   |
|------------|-------------------|---|--|------------------|-------------------------------|---|
|            | Pre-launch advice | Systematically searching for violations | Possibility to complain and to start a procedure | System of appeal | Sanctions incase of violators | Results published or publically announced |
| Yes or No  | No                | Yes                                     | Yes  | Yes              | Yes                           | Yes                                       |

The search for violations is preformed by the Council for Electronic Media. This is an independent specialized body which regulates radio and TV activities by means of registering and licensing Radio and TV business and by applying supervision on Radio and TV operators.

Complaints can be made to the Council for Electronic Media. During a procedure a marketing practice can be continued.

The possibility of complaining is made known to the public by the Media. Sanctions, where appropriate, are imposed by the Council for Electronic Media - following the Radio and TV Law- and can range between €1000 - €7500 on first occasion or a doubled fine for subsequent violations or radio/TV License cancelation.

The results of procedures are publicly announced by the Media.

The minimum and maximum amount of time the procedure officially takes is 1 month for judging procedure.