



Inventory Alcohol Marketing Regulations

With this form STAP, the Dutch Institute for Alcohol Policy, would like to ask you to fill out information regarding alcohol marketing regulations in your country.

First, we will ask you to give an overview of the different alcohol marketing regulations that exist in your country. Next, some general questions about time bans and the monitoring system in your country will follow. Finally, we will ask you to fill out more specific questions per regulation. We have included separate Regulation Forms for this part of the questionnaire.

Thank you very much for participating and providing the data!

Organization:	State Agency for Prevention of Alcohol-Related Problems
Country:	Poland
Date:	5.07.2009

1. Overview Alcohol Marketing Regulations

Below, please fill out all regulations on alcohol advertisement and alcohol sponsorship and promotion that exist in your country.

We provided room for a maximum of 6 regulations. In case more than 6 alcohol marketing regulations exist in your country, please contact Esthervan den Wildenberg at evandenwildenberg@stap.nl.

**With Coverage we would like to know which types of alcohol marketing are being covered by the regulation (e.g. cinema, digital media, event sponsoring, outdoor, print, promotional items, radio, tv, sport sponsoring, etc.)*

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No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	Ustawa o wychowaniu w trzeźwości i przeciwdziałaniu alkoholizmowi	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982	Currently updated	http://www.parpa.pl/index.php?option=com_content&task=view&id=2&Itemid=6	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:
2.	Kodeks Etyki Reklamy- Kodeks Reklamowy Związku Przemysłu Piwowarskiego Browary Polskie (Standardy Reklamy Piwa)	Code of Ethics in Advertising - The Advertising Code of the Union of the Brewing Industry Employers in Poland (Standards of Beer Advertising)	4.06.2008	http://www.radareklamy.pl/zalacznik-nr-1-standardy-reklamy-piwa.htm	<input type="checkbox"/> Statutory/ Legal <input checked="" type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:
3.	Kodeks Postępowania Marketingowego Przemysłu Spirytusowego	Code of Marketing Conduct of the Spirit Industry	data not found (published on the web page in 2008)	http://www.pps.waw.pl/pliki/Certyfikaty/KOD EKS.pdf	<input type="checkbox"/> Statutory/ Legal <input checked="" type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input type="checkbox"/> Tv <input type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: marketing and promotion in the places selling alcohol, promotion in the place of business, direct marketing, labeling and packaging, communication with clients and consumers, naming products

2. Watersheds / Time bans

We would like to know more about time bans or watersheds in your country on alcohol marketing on TV, radio and in the cinema. Also if no alcohol advertising is allowed at all for this type of medium, please indicate.

Time ban on TV?		
1	Is there a watershed (time ban) for alcohol advertising on TV in your country?	<input checked="" type="checkbox"/> Yes, namely: between 6 a.m. and 8 p.m. <input type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982
3	Is sponsorship of TV <i>programmes</i> during this watershed still permitted? (e.g. a movie or soap series sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4	Is sponsorship of <i>events</i> that are televised during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5	Are Corporate Social Responsibility messages of an alcohol producer still permitted on TV during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the radio in your country?	<input checked="" type="checkbox"/> Yes, namely: between 6 a.m. and 8 p.m. <input type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982
8	Is sponsorship of radio <i>programmes</i> during this watershed still permitted? (e.g. a radio program sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9	Is sponsorship of <i>events</i> that are broadcast on the radio during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10	Are Corporate Social Responsibility messages of an alcohol producer still permitted on the radio during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the cinema in your country?	<input checked="" type="checkbox"/> Yes, namely: between 6 a.m. and 8 p.m. <input type="checkbox"/> No → go to next part (3)

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12	In which regulation is the cinema time ban embedded?	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982
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3. Monitoring system

We would like to know more about organizations that monitor the adherence to alcohol marketing (regulations) in your country.

Please fill out in the table below as many organizations you know in your country that monitor whether (part of) the alcohol marketing regulations are being adhered to by the parties that the regulations concern (e.g. alcohol producers, broadcasters, etc).

We are interested in the monitoring of statutory as well as non-statutory regulations or co-regulation.

** In the final column you can indicate which types of data are used by the monitoring organization. Where do the data come from? You can select multiple options if necessary.*

Name organization	Which regulation is/are monitored?	Independent from commercial interests?	Official part of the regulation system?	Monitoring routinely/systematically ?	Includes marketing other than on TV, radio, print or outdoor?	Source data used:*
State Agency for Prevention of Alcohol-Related Problems	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input checked="" type="checkbox"/> Government <input type="checkbox"/> Own inventarisation <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:
National Broadcasting Council	The Broadcasting Act of December 29, 1992	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input checked="" type="checkbox"/> Government <input type="checkbox"/> Own inventarisation <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:

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<p>The Office of Competition and Consumer Protection</p>	<p>Act of 16 February 2007 on competition and consumer protection (Journal of Laws of 2007, No. 50, item 331), Act of 23 August 2007 on combating unfair commercial practices, Act of 16 April 1993 on combating unfair competition</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input checked="" type="checkbox"/> Government <input type="checkbox"/> Own inventarisation <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:</p>
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Regulation Form No. 1

Organization:	State Agency for Prevention of Alcohol-Related Problems
Country:	Poland
Date:	6.07.2009

Below, please indicate the name of Regulation No. 1 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 1:	Act on upbringing in sobriety and counteracting alcoholism of October 26th, 1982
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: advertising of alcoholic beverages – public dissemination of alcoholic beverage trade marks and related logotypes, and of alcoholic beverage manufacturer brands or logotypes that are not different from alcoholic beverage trade marks or logotypes and are used to popularise alcoholic beverage trade marks; information used for commercial purposes between businesses involved in the manufacture , wholesale and/or retail trade in alcoholic beverages shall not be considered advertisement; Alcohol Marketing: -
How many articles about alcohol advertising/ marketing does Regulation No. 1 contain?	2 (Art. 2[1].definitions and Art. 13[1]. regulations)

Article (paragraph)*	Type of restriction**	Text article
Art. 13[1].	<input checked="" type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: see next page	<p style="text-align: center;">Alcohol Marketing Regulations Questionnaire Original text: www.parpa.pl</p> <p>1. Zabrania się na obszarze kraju reklamy i promocji napojów alkoholowych, z wyjątkiem piwa, którego reklama i promocja jest dozwolona, pod warunkiem że:</p> <ol style="list-style-type: none"> 1) nie jest kierowana do małoletnich, 2) nie przedstawia osób małoletnich, 3) nie łączy spożywania alkoholu ze sprawnością fizyczną bądź kierowaniem pojazdami, 4) nie zawiera stwierdzeń, że alkohol posiada właściwości lecznicze, jest środkiem stymulującym, uspakajającym lub sposobem rozwiązywania konfliktów osobistych, 5) nie zachęca do nadmiernego spożycia alkoholu, 6) nie przedstawia abstynencji lub umiarkowanego spożycia alkoholu w negatywny sposób, 7) nie podkreśla wysokiej zawartości alkoholu w napojach alkoholowych jako cechy wpływającej pozytywnie na jakość napoju alkoholowego, 8) nie wywołuje skojarzeń z: <ol style="list-style-type: none"> a) atrakcyjnością seksualną, b) relaksem lub wypoczynkiem, c) nauką lub pracą, d) sukcesem zawodowym lub życiowym. <p>2. Reklama i promocja piwa, o której mowa w ust. 1, nie może być prowadzona:</p> <ol style="list-style-type: none"> 1) w telewizji, radiu, kinie i teatrze między godziną 6⁰⁰ a 20⁰⁰, z wyjątkiem reklamy prowadzonej przez organizatora imprezy sportu wyczynowego lub profesjonalnego w trakcie trwania tej imprezy; 2) na kasetach wideo i innych nośnikach; 3) w prasie młodzieżowej i dziecięcej; 4) na okładkach dzienników i czasopism; 5) na słupach i tablicach reklamowych i innych stałych i ruchomych powierzchni wykorzystywanych do reklamy, chyba że 20% powierzchni reklamy zajmować będą widoczne i czytelne napisy informujące o szkodliwości spożycia alkoholu lub o zakazie sprzedaży alkoholu małoletnim; 6) przy udziale małoletnich. <p>English translation: 1. advertisement and promotion in the territory of the country of any alcoholic beverage shall be prohibited, except for beer, advertisement and promotion of which shall be permitted provided that the same:</p> <ol style="list-style-type: none"> 1. is not targeted at the under aged, 2. does not present the under aged, 3. does not associate drinking alcohol with physical fitness or vehicle driving, 4. does not include any statements that alcohol is a medical, stimulating, calming drug or a mean to resolve personal problems, 5. does not promote excessive alcohol drinking, 6. does not present abstinence or reasonable alcohol drinking in a negative way, 7. does not promote the high percentage of alcohol content in alcoholic beverages as a feature improving their quality, 8. does not form any associations with: <ol style="list-style-type: none"> 9. sexual attractiveness, 10. relaxation or leisure, 11. learning or work, 12. personal or professional success. <p>2. Neither advertisement of beer, nor promotion thereof, referred to in par. 1 above shall be executed:</p> <ol style="list-style-type: none"> 1. on television, the radio, at the cinema or the theatre between 6 a.m. and 8 p.m. except advertisement provided by an organizer of a qualified or professional sports event during such an event, 2. on video cassettes and other media, 3. in press for the youth and children, 4. on a newspaper or magazine cover, 5. on posts, billboards, and other fixed and mobile advertisement displays, unless 20% of the advertisement area is covered with visible and legible notices on the harmful effects of alcohol consumption or of ban of alcohol sale to the under aged, 6. with participation of the under aged.
		9/22/2016

sponsoring rules,

5. It shall be forbidden to inform of sponsoring a sport event, music show, or another mass event by any beverage manufacturer and/or distributor, the principal business of which is manufacturing or sale of any alcoholic beverage with alcohol content from 8% to 18%, in any manner other than publishing the manufacturer's/distributor's brand and logotype, inside a newspaper or magazine, on an invitation, entrance ticket, poster, information product or billboard relative to a specific event, subject to reservation of the following par. 6.

6. A sponsoring information may be broadcast on the radio and/or television provided that the same shall be limited to communicating the brand of a manufacturer and/or distributor of a beverage with up to 18% alcohol content or the logotype thereof only, and no such information shall be provided on television by an individual or using the image of an individual.

7. It shall be forbidden to inform of any other than specified in the above par. 5 sponsoring by a producer and/or distributor of an alcohol beverage, the principal business of which is manufacturing or sale of any alcoholic beverage with alcohol content from 8% to 18%, and to inform of sponsoring by any manufacturer and/or distributor of any beverage with over 18% alcohol content.

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Next, we have some general questions about Regulation No. 1.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: internet, CRS, direct marketing <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.parpa.pl (Analizy, badania, raporty; Sprawozdania z realizacji ustawy) <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www. not in internet, but on paper in courts archives <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
Complaint system		

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11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: policja, prokuratura, sądy English translation: police, prosecutors, courts
13	What is the composition of the 'evaluating committee'?	prosecutors and courts staff
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: courts Committee appointed by: -
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input checked="" type="checkbox"/> Financial penalty between 2500 and 125000 euro <input type="checkbox"/> Other, namely:

Comments on Regulation No. 1:



Regulation Form No. 2

Organization:	State Agency for Prevention of Alcohol-Related Problems
Country:	Poland
Date:	7.07.2009

Below, please indicate the name of Regulation No. 2 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 2:	Code of Ethics in Advertising - The Advertising Code of the Union of the Brewing Industry Employers in Poland (Standards of Beer Advertising)
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<p>What is the definition of alcohol advertising or alcohol marketing according to this regulation?</p>	<p>Alcohol Advertising: No English version available Użyte w Kodeksie określenia mają poniższe znaczenie: a) reklama – przekaz zawierający w szczególności informacje lub wypowiedź, zwłaszcza odpłatny lub za wynagrodzeniem w innej formie, towarzyszący czyjejkolwiek działalności, mający na celu zwiększenie zbytu produktów, inną formę korzystania z nich lub osiągnięcie innego efektu, które sa požądane przez reklamodawcę. Do reklamy zalicza sie również promocję sprzedaży, oferty kierowane do odbiorców za pomocą marketingu bezpośredniego lub sponsoring. b) reklama porównawcza lub reklama o charakterze porównawczym – reklama, która umożliwia rozpoznanie konkurenta lub jego produktów, lub produktów pozostających w jego dyspozycji w celu promowania innego podmiotu, lub jego produktów, lub produktów pozostających w jego dyspozycji; c) sponsoring – rodzaj reklamy powstałej w wyniku porozumienia, przez które sponsor z korzyścią dla siebie oraz podmiotu sponsorowanego, zapewnia, na podstawie umowy, jakiegokolwiek wsparcie albo współwsparcie w celu zapewnienia pozytywnego powiazania między wizerunkiem sponsora, jego markami i innymi oznaczeniami identyfikującymi go oraz produktami a sponsorowanym wydarzeniem, działalnością, produktem lub określonym podmiotem;</p> <p>Alcohol Marketing: -</p>
<p>How many articles about alcohol advertising/marketing does Regulation No. 2 contain?</p>	<p>12: 1-2 general rules (preface) and 3-12 refer to specific areas of content of beer advertising</p>

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 2. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
3	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text: http://www.radareklamy.pl/jednolity-tekst-kodeks-etyki-reklamy.htm Artykuł 3 1. Reklama piwa nie może wykorzystywać wizerunków, symboli, osób lub tematów, które można uznać za obraźliwe, uwłaczające lub poniżające. 2. Reklama piwa nie może godzić w uczucia religijne. English translation: Article 3 1. Beer advertising may not use images, symbols, persons and topics, which can be regarded as offensive, derogatory or humiliating. 2. Beer advertising may not cause offence to prevalent religious norms.
4	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text: Artykuł 4 Reklama piwa nie może zachęcać do zachowań agresywnych lub innego rodzaju zachowań antyspołecznych. English translation: Article 4 Beer advertising may not encourage aggressive or anti-social behavior.
5	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text: Artykuł 5 Reklama piwa nie może wykorzystywać lub promować swobody seksualnej, pokazywać treści seksualnych lub nagości, ani sugerować, że konsumpcja piwa może pozytywnie oddziaływać na aktywność seksualną. English translation: Article 5 Beer advertising may not use or promote sexual promiscuity, consent to sex or nudity, nor suggest that beer consumption can have a positive influence on sexual performance.

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Article (paragraph)	Type of restriction	Text article
6	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 6 Reklama piwa nie może kreować wizerunku piwa jako środka do przezwycięzania problemów życiowych.</p> <p>English translation: Article 6 Beer advertising may not create the image of beer as a means of overcoming life's problems.</p>
7	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 7 Reklama piwa nie może przedstawiać spożywania piwa w okolicznościach, które są powszechnie uznawane za nieodpowiedzialne, nieodpowiednie lub niezgodne z prawem, w szczególności przed lub w toku działania, które wymaga zachowania stanu trzeźwości.</p> <p>English translation: Article 7 Beer advertising may not present beer consumption in circumstances which are commonly regarded as irresponsible, inappropriate or in breach of law, in particular before or during any course of action which requires sobriety.</p>
8	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 8 Reklama piwa nie może:</p> <ol style="list-style-type: none"> 1) przedstawiać ani zachęcać do nieodpowiedzialnego lub nadmiernego spożywania piwa, 2) przedstawiać osób w stanie nietrzeźwości, ani w jakikolwiek sposób sugerować, że stan nietrzeźwości jest stanem akceptowanym społecznie, 3) zachęcać konsumentów do preferowania określonego napoju ze względu na możliwość osiągnięcia stanu nietrzeźwości, 4) sugerować, że spożywanie piwa o niższej zawartości alkoholu nie prowadzi do nadużywania alkoholu, 5) przedstawiać w negatywnym świetle sytuacji odmowy spożywania alkoholu lub jego spożywania w ilościach umiarkowanych. <p>English translation: Article 8 Beer advertising may not:</p> <ol style="list-style-type: none"> 1. present or encourage irresponsible or excessive consumption of beer; 2. present intoxicated people or in any way suggest that state of intoxication is a state socially approved; 3. encourage consumers to prefer a given beverage due to its ability to create intoxication; 4. suggest that consumption of beer with lower alcohol content does not lead to alcohol abuse; 5. present refusal to consume alcohol or consumption in moderate quantities in a negative light.

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Article (paragraph)	Type of restriction	Text article
9	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 9 Reklama piwa nie może być w jakikolwiek sposób, ani poprzez jej treść, ani poprzez sposób przekazu, skierowana do osób poniżej 18 roku życia. W tym zakresie w stosunku do reklamy piwa nie obowiązuje treść Rozdziału IV „Reklama skierowana do dzieci i młodzieży”.</p> <p>English translation: Article 9 Beer advertising may not be addressed at people under the age of 18 years, in any way whatsoever, be it through its contents or the method of publicizing. In this context, it does not apply to beer advertising the content of chapter IV “Advertisement addressed to children and young people” .</p>
10	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 10 Producenci piwa, ich przedstawiciele lub agencje działające na rynku reklamy nie będą dokonywać jakichkolwiek płatności lub dokonywać innego rodzaju świadczeń za działania reklamowe skierowane do osób poniżej 18 roku życia i przeznaczone do publicznego rozpowszechniania na terenie Rzeczypospolitej Polskiej. Ograniczenia te mają zastosowanie również do działań mających charakter lokowania produktu (product placement).</p> <p>English translation: Article 10 Neither beer producers, nor their representatives, nor their agencies may make any payments or provide any benefits whatsoever for advertising which is mainly aimed at persons under the age of 18 years and is meant to be publicly distributed in the Republic of Poland. This provision shall apply also to messages and product placement contained in films.</p>
11	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 11 Reklama piwa nie może: 1) zawierać wizerunków osób, które mają mniej niż 25 lat; 2) wykorzystywać wizerunków osób lub postaci, które w szczególny sposób wpływają na małoletnich; 3) sugerować, iż spożywanie piwa jest niezbędne do osiągnięcia dorosłości lub do odnoszenia sukcesów w pracy, jak również jakiegokolwiek innej dziedzinie społecznej aktywności.</p> <p>English translation: Article 11 Beer advertising may not: 1. contain images of people who are less than 25 years old; 2. use images of people or figures which influence minors in a special way; 3. suggest that beer is essential to becoming an adult or to achieve success in work or areas of social activity.</p>

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Article (paragraph)	Type of restriction	Text article
12	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Artykuł 12 Reklama piwa nie może: 1) sugerować, iż piwo ma właściwości lecznicze lub zapobiega chorobom; 2) sugerować, iż piwo ma właściwości środka stymulującego, znieczulającego lub uspokajającego; 3) przedstawiać kobiet w ciąży lub kobiet karmiących.</p> <p>English translation: Article 12 Beer advertising may not: 1. suggest that beer has healing properties or prevents illnesses; 2. suggest that beer has properties of a stimulating, anesthetic or sedative drug; 3. present pregnant women or breastfeeding women.</p>

Next, we have some general questions about Regulation No. 2.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: internet, Corporate Social Responsibility campaigns <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.

** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast/published.

How publicly available?		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.http://www.radareklamy.pl/uchwaly.htm <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see www.http://www.radareklamy.pl/uchwaly.htm <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Rada Reklamy English translation: Council of Advertising
13	What is the composition of the 'evaluating committee'?	producers, media representatives, advertising agencies reprezenataives
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: Council of Advertising Committee appointed by: Council of Advertising

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15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input checked="" type="checkbox"/> Other, namely: Not found

Comments on Regulation No. 2: Standards of Beer Advertising is a part of the Code of Ethics in Advertising (an annex). The Advertising Code of the Union of the Brewing Industry Employers in Poland (Standards of Beer Advertising) used to be a separate document from 8.06.2005 until 4.06.2008. Articles 1-2 of the Standards of Beer Advertising contain general rules and are kind of preface of the entire code.



Regulation Form No. 3

Organization:	State gency for Prevention of Alcohol-Related Probelms
Country:	Poland
Date:	7.07.2009

Below, please indicate the name of Regulation No. 3 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

Name Regulation No. 3:	Code of Marketing Conduct of the Spirit Industry
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising: - Alcohol Marketing: -
How many articles about alcohol advertising/ marketing does Regulation No. 3 contain?	11

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 3. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

** To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

***The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Article (paragraph)*	Type of restriction**	Text article
1	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 1. Nieletni</p> <p>1.1 Grupą docelową wszystkich działań marketingowych, promocyjnych oraz komunikacyjnych prowadzonych przez sygnatariuszy niniejszego Kodeksu są wyłącznie te osoby, które przekroczyły wiek uprawniający do kupowania alkoholu.</p> <p>1.2 Żadne działania marketingowe, promocyjne oraz komunikacyjne nie będą obierać za grupę docelową, ani nie będą kierowane do nieletnich ani nie będą w pierwszej kolejności adresowane do nieletnich, nie będą też pokazywać nieletnich spożywających alkohol.</p> <p>1.3 W materiałach marketingowych, promocyjnych oraz komunikacyjnych nie będą pokazywani modele i aktorzy, którzy nie ukończyli 25 lat, którzy nie wyglądają na tyle lat i nie zachowują się w sposób właściwy dla tego wieku.</p> <p>1.4 Do przeprowadzania akcji promocyjnych nie będą zatrudniane – bezpośrednio bądź pośrednio – osoby nieletnie.</p> <p>1.5 Tam, gdzie prawo zezwala na udostępnianie próbek produktów, zostaną podjęte wszelkie uzasadnione kroki, w celu zapobiegania dostępowi nieletnich do takich próbek.</p> <p>1.6 W działaniach marketingowych, promocyjnych oraz komunikacyjnych nie będą wykorzystywane przedmioty, wizerunki, style, symbole, muzyka i postacie (prawdziwe lub fikcyjne, w tym postacie z filmów rysunkowych lub sławne osoby takie jak gwiazdy sportu), które skierowane są głównie do nieletnich.</p> <p>1.7 W działaniach marketingowych, promocyjnych oraz komunikacyjnych napojów alkoholowych nie będą wykorzystywane marki, nazwy i logo artykułów innych niż napoje alkoholowe, np. gry, sprzęt do gier, odzież i sprzęt sportowy lub inne przedmioty, które skierowane są głównie do osób nieletnich.</p> <p>1.8 Działania marketingowe, promocyjne oraz komunikacyjne nie będą – bezpośrednio lub pośrednio – przedstawiać konsumpcji produktów alkoholowych jako poprawiających sprawność i zdolności umysłowe, przyczyniać się do odniesienia sukcesu.</p> <p>1.9 Działania marketingowe, promocyjne oraz komunikacyjne nie będą prezentowały napojów alkoholowych w sposób kojarzący je ze statusem dorosłości, osiągnięciem dorosłości lub rytuałami „przechodzenia” w dorosłość.</p> <p>1.10 Żadne znaki identyfikujące marki alkoholu, włączając logo, znaki handlowe bądź nazwy nie będą wykorzystywane bądź licencjonowane do użycia na zabawkach lub grach dla dzieci ani na innych materiałach skierowanych głównie do nieletnich.</p> <p>1.11 Materiały i działania komunikacyjne marek alkoholi będą umieszczane w mediach oraz wydarzeniach, co do których można zakładać, że będą skierowane do osób, którym zgodnie z prawem można sprzedawać alkohol. Wszyscy sygnatariusze Kodeksu, współpracujące agencje oraz domy mediowe zostaną poinformowani o niniejszym zobowiązaniu oraz będą pomagać w jego wypełnieniu.</p> <p>1.12 Wszelkie strony internetowe napojów alkoholowych oraz inne działania promocyjne prowadzone w internecie będą posiadały stronę pomostową, na której pojawi się wyraźne zapytanie o to, czy osoby, które chcą skorzystać ze strony osiągnęły wiek, w którym, zgodnie z prawem, mogą spożywać alkohol.</p> <p>English translation: below</p>
2	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 2. Picie alkoholu i prowadzenie pojazdów</p> <p>2.1 Działania objęte niniejszym Kodeksem nie będą sugerować, że jakiegokolwiek spożycie napojów alkoholowych jest dopuszczalne lub tolerowane przed lub w trakcie prowadzenia jakiegokolwiek pojazdów mechanicznych z uwzględnieniem samochodów, łodzi motorowych, skuterów wodnych, skuterów śnieżnych, samolotów itp.</p> <p>English translation: below</p>
3	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 3. Niebezpieczne czynności i rekreacja</p> <p>3.1 Działania objęte niniejszym Kodeksem nie będą sugerować, że spożycie napojów alkoholowych jest dopuszczalne przed lub w trakcie obsługi urządzeń potencjalnie niebezpiecznych ani przy podejmowaniu działań wymagających koncentracji dla ich bezpiecznego przeprowadzenia, ani przy podejmowaniu potencjalnie niebezpiecznych czynności związanych z rekreacją lub pracą.</p> <p>3.2 Napoje alkoholowe nie będą przedstawiane jako spożywane przez osobę, która zajmuje się lub niezwłocznie się zajmie jakąkolwiek działalnością wymagającą wysokiego stopnia koncentracji lub sprawności fizycznej.</p>

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Article (paragraph)	Type of restriction	Text article
4	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 4. Aspekty dotyczące zdrowia</p> <p>4.1 Materiały marketingowe, promocyjne i komunikacyjne nie będą zawierać żadnych twierdzeń dotyczących zdrowia.</p> <p>4.2 Wszelka komunikacja nie będzie utrzymywać lub sugerować, że napoje alkoholowe mogą mieć właściwości lecznicze lub że ich spożycie może pomagać w zapobieganiu, kuracji lub leczeniu jakichkolwiek schorzeń, czy poprawiać sprawność fizyczną.</p> <p>English translation: 4. Health related issues</p> <p>4.1 Marketing, promotional or communication materials shall not contain any health related statements.</p> <p>4.2 Any communication shall not maintain nor suggest that alcoholic beverages may have treatment properties or that their consumption may help prevent, cure or treat any human illness or improve physical fitness.</p>
5	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 5. Ciąża i okres karmienia</p> <p>5.1 Materiały marketingowe, promocyjne i komunikacyjne nie będą w żadnym wypadku przedstawiać kobiet w ciąży i nie będą do nich skierowane.</p> <p>5.2 Materiały marketingowe, promocyjne i komunikacyjne nie będą przedstawiać kobiet karmiących i nie będą do nich skierowane.</p> <p>5.3 Materiały marketingowe, promocyjne i komunikacyjne nie będą w jakikolwiek sposób pokazywały, że kobiety w okresie ciąży lub karmienia zachęca się do spożywania alkoholu lub zaleca się jego spożywanie.</p> <p>English translation: 5. Pregnancy and breast feeding</p> <p>5.1 Marketing, promotional or communication materials shall not present pregnant women and shall not be directed to them.</p> <p>5.2 Marketing, promotional or communication materials shall not present breast feeding women and shall not be directed to them.</p> <p>5.3 Marketing, promotional or communication materials shall not show in any manner that pregnant or breast feeding women are encouraged or recommended to consume alcohol.</p>
6	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 6. Zawartość alkoholu</p> <p>6.1 Sygnatariusze Kodeksu czują się odpowiedzialni za prawidłowe oznakowanie swoich produktów.</p> <p>6.2 Żadna komunikacja nie powinna dezorientować w zakresie charakteru napojów alkoholowych oraz ich zawartości alkoholu.</p> <p>6.3 Komunikacja handlowa może przedstawiać informacje dla konsumentów na temat zawartości alkoholu, ale nie powinna podkreślać wysokiej zawartości alkoholu jako dominującego wątku w materiałach komunikacyjnych jakiegokolwiek marki. Z drugiej strony komunikaty nie mogą sugerować, że spożywanie napojów alkoholowych o niskiej zawartości alkoholi spowoduje uniknięcie ich nadużycia.</p> <p>English translation: 6. Alcohol content</p> <p>6.1 The signatories of this Code feel responsible for the correct labelling of their products.</p> <p>6.2 No communication shall be confusing in terms of the nature of alcoholic beverages or their alcohol content.</p> <p>6.3 Trade communication may present information for consumers on the subject of alcohol content, but it should not emphasize high alcohol content as the dominant element in communication materials of any brand. On the other hand, announcements cannot suggest that the consumption of alcoholic beverages with low alcohol content causes the avoidance of their abuse.</p>

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Article (paragraph)	Type of restriction	Text article
7	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 7 Skutki działania alkoholu 7.1 Działania objęte niniejszym Kodeksem nie będą tworzyć wrażenia, że spożywanie napojów alkoholowych wzmacnia lub w inny sposób polepsza zdolności umysłowe lub sprawność fizyczną, wytrzymałość lub że ma skutek pobudzający przy wykonywaniu czynności wymagających koncentracji w celu ich bezpiecznego wykonania. 7.1 Działania objęte niniejszym Kodeksem nie mogą promować napojów alkoholowych jako napojów energetycznych. 7.2 Działania objęte niniejszym Kodeksem nie będą tworzyć wrażenia, że spożywanie napojów alkoholowych ma działanie uspokajające lub terapeutyczne.</p> <p>English translation: 7. Achievements 7.1 Activity covered by this Code shall not create the impression that the consumption of alcoholic beverages strengthens mental abilities or physical fitness or has a stimulating effect, e.g. when performing actions requiring concentration in order for their safe performance. 7.2 Activity covered by this Code cannot promote alcoholic beverages as energising beverages. 7.3 Activity covered by this Code cannot create the impression that the consumption of alcoholic beverages is relaxing or therapeutic.</p>
8	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 8 Sukces społeczny 8.1 Działania objęte niniejszym Kodeksem nie będą sugerować, że spożywanie napojów alkoholowych jest konieczne do uzyskania akceptacji społecznej lub przyczyniają się do osiągnięcia jakiegokolwiek rodzaju sukcesu.</p> <p>English translation: 8. Social success 8.1 Activity covered by this Code shall not suggest that the consumption of alcoholic beverages is required for social acceptance or achieving success or contribute to achieving any type of success.</p>
9	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 9 Powodzenie seksualne 9.1 Działania objęte niniejszym kodeksem nie będą sugerować, że spożywanie napojów alkoholowych wzmacnia potencjał seksualny, atrakcyjność lub prowadzi do związków o naturze seksualnej. 9.2 Materiały marketingowe napojów alkoholowych nie powinny nie powinny nawiązywać do sprawności i atrakcyjności seksualnej jako argumentacji do wyboru danej marki. 9.3 Materiały marketingowe nie powinny zawierać lub przedstawiać obrazowej bądź zbędnej nagości, jawnych aktów seksualnych, swobody seksualnej lub nieprzyzwoitych wizerunków bądź werbalizacji.</p> <p>English translation: 9. Sexual popularity 9.1 Activity covered by this Code shall not suggest that the consumption of alcoholic beverages enhances sexual potential, attraction or leads to relationships of a sexual nature. 9.2 Marketing materials of alcoholic beverages should not rely on sexual prowess or sexual success as an argument for choosing a given brand. 9.3 Marketing materials should not contain or present an image or unnecessary nakedness, overt sexual acts, sexual freedom or obscene images or language.</p>

Article (paragraph)	Type of restriction	Text article
10	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 10 Przekaz dotyczący odpowiedzialnej konsumpcji Bardzo istotne jest by komunikaty reklamowe przedstawiały wyłącznie umiarkowane i odpowiedzialne spożycie alkoholu. Sygnatariusze niniejszego Kodeksu nie będą odnosić się pobłaźliwie ani zachęcać do nadmiernego lub nieodpowiedzialnego spożycia alkoholu, ani odnosić się w przychylny sposób do skutków upojenia alkoholowego. Nie będą też przedstawiać osób pijących dużo lub bardzo szybko, ani sugerować, że takie zachowanie jest atrakcyjne lub właściwe.</p> <p>10.1 Wszystkie reklamy, materiały promocyjne oraz informacyjne powinny zawierać przejrzysty przekaz dotyczący odpowiedzialnej konsumpcji alkoholu.</p> <p>10.2 Wszystkie akcje promocyjne powinny zawierać komponent poświęcony odpowiedzialnemu picciu alkoholu (np. transparenty/reklamy na stołach zawierające taki przekaz i/lub programy bezpiecznej jazdy do domu lub wyznaczania kierowcy).</p> <p>10.3 Przesłanie odpowiedzialnej konsumpcji powinno być wyraźnie czytelne dla każdego przeciętnego odbiorcy, tak więc jego wielkość zależeć będzie od nośnika, umiejscowienia przesłania i kształtu reklamy.</p> <p>10.4 Ponadto, wszystkie strony internetowe marek będą zawierać oświadczenie o zachowaniu społecznej odpowiedzialności w biznesie oraz linki do stron organizacji o charakterze społecznym, których reklamodawca jest członkiem, np. do stron Portman Group i Century Council.</p> <p>English translation: 10. Responsible drinking message It is very important for advertising messages to present only moderate and responsible consumption of alcohol. The signatories of this Code shall not be indulgent towards or encourage the excessive or irresponsible consumption of alcohol, nor make reference in a friendly manner as to the consequences of alcohol intoxication. Additionally, they shall not present persons drinking a lot or quickly, nor suggest that such behaviour is attractive or appropriate.</p> <p>10.1 All advertisements, promotional and informational materials should contain a visible message concerning the responsible consumption of alcohol.</p> <p>10.2 All promotional campaigns should contain a component devoted to the responsible drinking of alcohol (e.g. banners / advertisements on tables containing such a message and/or programs for safe driving home or designated driver).</p> <p>10.3 The message of responsible consumption should be clearly legible for any average consumer; hence its size should depend on the carrier, location of the message and shape of the advertisement.</p> <p>10.4 Additionally, all websites of brands shall contain a statement on behaving socially responsible in business as well as links to websites of social organisations, which the advertiser is a member of, e.g. to Portman Group or Century Council.</p>
11	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: 11 Ochrona środowiska 11.1 Działania sygnatariuszy w zakresie ochrony środowiska mają na celu wniesienie wkładu w zrównoważony ekologiczny rozwój.</p> <p>English translation: not available</p>

Alcohol Marketing Regulations Questionnaire

Article (paragraph)	Type of restriction	Text article
1	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: above</p> <p>English translation: 1. Minors</p> <p>1.1 The target group of any marketing, promotional or communications activity conducted by the signatories to this Code are only persons who have reached the age entitling them to purchase alcohol.</p> <p>1.2 No marketing, promotional and communication activity shall chose minors as a target group, nor be directed to minors or be addressed primarily to minors, nor show minors consuming alcohol.</p> <p>1.3 All people, celebrities, models and actors cannot be shown in marketing, communication and promotional materials unless they are over 25 years old and clearly appear to be so and behave as such.</p> <p>1.4 Minors – either directly or indirectly – shall not be hired to conduct promotional campaigns.</p> <p>1.5 Where the law permits the availability of product samples, relevant steps shall be taken to prevent minors from having access to such samples.</p> <p>1.6 No subjects, images, styles, symbols, music or figures (real or fictitious, including figures from cartoons or famous persons such as sports stars) shall be used in marketing, promotional or communications activity that is directed mainly to minors.</p> <p>1.7 No brands, names and logos of articles other than alcoholic beverages shall be used, such as games, gaming equipment, clothing and sports equipment or other subjects that are mainly directed to minors or other subjects that minors are attracted to in the marketing, promotional or communications activity of alcoholic beverages.</p> <p>1.8 Marketing, promotion or communication activity shall not present – directly or indirectly – the consumption of alcoholic products as improving, mental efficiency and ability, contribute to gain a success.</p> <p>1.9 Marketing, promotional or communication activity shall not – directly or indirectly – present the consumption of alcoholic beverages in a manner that associates them with the status of adulthood, reaching adulthood or rituals of passing into adulthood.</p> <p>1.10 No identification marks of alcohol, including logos, trademarks or names shall be used or licensed for use on toys or games for children or on any other materials directed mainly to minors.</p> <p>1.11 Materials and communications activity of alcohol brands shall be placed in the media or events, towards which it can be assumed that they will be directed to persons who can buy alcohol according to the law. All the signatories to this Code, cooperative agencies and media firms shall be informed of these requirements and shall assist in compliance thereto.</p> <p>1.12 All websites for alcoholic beverages and other promotional activity conducted on the internet shall have a linked page, through which the viewer will be asked whether the person who wants to use the website is of legal age for the consumption of alcohol.</p>
2	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: above</p> <p>English translation: 2. Drinking alcohol and driving</p> <p>2.1 Activity covered by this Code shall not show nor suggest that any consumption of alcoholic beverages is permissible or tolerated before or during the operation of any mechanical vehicle, including automobiles, motorboats, jet skis, snowmobiles or aircraft etc.</p>
3	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: above</p> <p>English translation: 3. Hazardous activity and recreation</p> <p>3.1 Activity covered by this Code shall not suggest that the consumption of alcoholic beverages is permissible before or during the handling of potentially dangerous equipment, or when undertaking</p>
		<p>activities requiring concentration to be safely performed, nor when undertaking potentially dangerous activity associated with recreation or work.</p>
		<p>3.2 Alcoholic beverages shall not be presented or consumed by a person that deals with or takes up any kind of activity without delay requiring a high degree of concentration or physical fitness.</p>

Next, we have some general questions about Regulation No. 3.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: Corporate Social Responsibility campaigns <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input checked="" type="checkbox"/> Alcohol distributors/Wholesalers <input type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

** The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*** A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

How publicly available?

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input type="checkbox"/> Yes, see www. <input type="checkbox"/> No <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: http://www.pps.waw.pl/index_en.php <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see www. <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input checked="" type="checkbox"/> Other, namely: in the document there is a statement saying that the verdict admitting that the code was violated should be published in a daily nationwide press
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Pre-screening procedure		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to: <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: http://www.pps.waw.pl/index_en.php <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Polski Przemysł Alkoholowy English translation: Polish Spirits Industry
13	What is the composition of the 'evaluating committee'?	not found
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: not found Committee appointed by: not found
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input checked="" type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input checked="" type="checkbox"/> Financial penalty between 250 and 5000 euro <input type="checkbox"/> Other, namely:

Comments on Regulation No. 3: Financial penalty is devoted to a social goal decided by the evaluating committee. In the English translation par. 11 is missing (only available in Polish). The entire document (in Polish) is available on the web site: <http://www.pps.waw.pl/pliki/Certyfikaty/KODEKS.pdf>