



# 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. For each alcohol marketing regulation that exists, please fill out a separate Regulation Form (please let the number of the form correspond with the number in the table on page 1 of this questionnaire, where you summarized all existing regulations).

Thank you very much for participating and providing the data!

<b>Organization:</b>	ANPAA
<b>Country:</b>	France
<b>Date:</b>	30-09-2009

## 1. Overview Alcohol Marketing Regulations

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

*\*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.)*

Alcohol Marketing Regulations Questionnaire

No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	LOI n° 2005 -102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées)		Law 11-02-2005 Decree 02-10-2007	<a href="http://www.legifrance.gouv.fr">www.legifrance.gouv.fr</a>	<input checked="" type="checkbox"/> Statutory/ Legal <input 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 type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: Labelin/ pregnancy
2.	LOI HOPITAL PATIENT SANTE TERRITOIRE Titre III - Prévention et Santé Publique. n°2009-879. Art. 93-94-96-97(V)		Law 21-07-2009	<a href="http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEX T000006072665&amp;dateTexte=20091001">http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEX T000006072665&amp;dateTexte=20091001</a>  <a href="http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEX T000020879475&amp;dateTexte=&amp;categorieLien=id#JORFSCATA000020879478">http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEX T000020879475&amp;dateTexte=&amp;categorieLien=id#JORFSCATA000020879478</a>	<input checked="" type="checkbox"/> Statutory/ Legal <input 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 checked="" type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: Free offer/open bars and sale in petrol station; happy hours; internet; sale to minors
3.	CODE DE SANTE PUBLIQUE. Livre III.Lutte contre l'alcoolisme (LOI EVIN)	CODE OF PUBLIC HEALTH. Title III. Fight against alcoholism.	Original version	<a href="http://www.legifrance.gouv.fr">www.legifrance.gouv.fr</a>	<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 checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input checked="" type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:

## 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 <b>TV</b> in your country?	<input checked="" type="checkbox"/> Yes, namely: NO CHANGE: total ban (ref.Code de Santé Publique in ELSA Questionnaire) <input type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	
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 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 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 type="checkbox"/> Yes <input type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the <b>radio</b> in your country?	<input checked="" type="checkbox"/> Yes, namely: NO CHANGE: total ban (ref.Code de Santé Publique in ELSA Questionnaire) <input type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	
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 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 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 type="checkbox"/> Yes <input type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the <b>cinema</b> in your country?	<input checked="" type="checkbox"/> Yes, namely: NO CHANGE: total ban (ref.Code de Santé Publique in ELSA Questionnaire) <input type="checkbox"/> No → go to next part (3)
12	In which regulation is the cinema time ban embedded?	

### 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:*
CSA/ Conseil Supérieur de l'Audiovisuel	Communication at TV and radio	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input 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:
ARPP: Autorité de régulation Professionnelle de la Publicité	Commercial communications	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Academic organization <input checked="" type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input type="checkbox"/> Government <input type="checkbox"/> Own inventarisation <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:



## Regulation Form No. 1

<b>Organization:</b>	ANPAA
<b>Country:</b>	France
<b>Date:</b>	30-09-2009

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).

<b>Name Regulation No. 1:</b>	LOI n° 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées [CODE DE SANTE PUBLIQUE]
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. 1 contain?	1

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 1. 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
Art 5	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely:warning label	<p>Original text: Toutes les unités de conditionnement des boissons alcoolisées portent, dans les conditions fixées par arrêté du ministre chargé de la santé, un message à caractère sanitaire préconisant l'absence de consommation d'alcool par les femmes enceintes.</p> <p>Arrêté du 2/10/20007: « La consommation de boissons alcoolisées pendant la grossesse, même en faible quantité, peut avoir des conséquences graves sur la santé de l'enfant. » ou un pictogramme.</p> <p>English translation: All the units of packaging of alcoholic drinks mention, in the conditions fixed by order of the minister of health and social security, a sanitary message with sanitary recommending no alcohol consumption by the pregnant women.</p> <p>Order of 2/10/20007. Message: " the consumption of alcoholic drinks during the pregnancy, even in small amounts can seriously damage the child's health " or a pictogram.</p>

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: the others are covered by the Code of Public Health (see regulation n°3) <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:

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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.anpaa.asso.fr">www.anpaa.asso.fr</a> <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: Court of Justice - media
6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see <a href="http://www">www</a> . <input 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: not relevant
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.anpaa.asso.fr">www.anpaa.asso.fr</a> <input 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: Court of Justice - media
<b>Pre-screening procedure</b>		
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 type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input checked="" type="checkbox"/> Other, namely: not relevant
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: not relevant
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 checked="" type="checkbox"/> Other, namely: not relevant
<b>Complaint system</b>		





## Regulation Form No. 2

<b>Organization:</b>	ANPAA
<b>Country:</b>	France
<b>Date:</b>	30-09-2009

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).

<b>Name Regulation No. 2:</b>	LOI HOPITAL PATIENT SANTE TERRITOIRE du 21-07-2009.Titre III - Prévention et Santé Publique n°2009-879. [CODE DE SANTE PUBLIQUE]
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. 2 contain?	4

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
Art 94	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Sauf dans le cadre de fêtes et foires traditionnelles déclarées.....ou lorsqu'il s'agit de dégustations en vue de la vente... [ NOUVEAU: il est interdit d'offrir gratuitement à volonté des boissons alcooliques dans un but commercial ou de les vendre à titre principal contre une somme forfaitaire].                      Les points de vente de carburant ne peuvent pas vendre d'alcool à emporter [CHANGE: entre 18 heures et 8 heures du matin (vs &lt;22h-6h&gt;)]. Il leur est interdit de vendre des boissons réfrigérées.</p> <p>English translation: Except within the framework of holidays and declared traditional fairs ... or when tastings in order to sale [NEW: it is forbidden to offer free of charge at will alcoholic drinks in a commercial purpose or to sell them all-inclusive price].                      No alcohol can be sell in the petrol stations [CHANGE: between 6 pm and 8 am (vs &lt;10pm-6am&gt;)]. It is forbidden to them to sell cooled alcoholic drinks.</p>
Art 96	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Si le débitant propose des boissons alcooliques à prix réduits pendant une période restreinte (happy hours), [NOUVEAU: il doit également proposer à prix réduit les boissons non alcooliques].</p> <p>English translation: If retailers propose alcoholic drinks at a reduced price during a restricted period (happy hours), [NEW: he also has to propose them at a reduced price to non alcoholic drinks].</p>
Art 97	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: supports publicitaires autorisés(same restrictions for internet) :                      Presse écrite adulte, radio (dans certaines tranches horaires), affiches, brochures commerciales, inscription sur les véhicules de livraison, fêtes et foires traditionnelles, [NOUVEAU: services de communications en ligne à l'exception de ceux destinés à la jeunesse ou édités par les organisations sportives [et sous réserve que la publicité ne soit ni intrusive ni interstitielle].</p> <p>English translation: Authorized advertising media: grown-up Print media, radio (time bans), posters, commercial brochures, indications on delivery vehicles, holidays and traditional fairs, [NEW: on-line with the exception of those intended for the youth or published by the sports organizations (and under reserve that the advertising is neither intrusive or interstitial)].</p>
Art 93	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: La vente de boissons alcooliques [NOUVEAU: aux mineurs est interdite (vs16 ans)], ainsi que leur offre à titre gratuit à des mineurs dans les débits de boissons et tous commerces ou lieux publics].</p> <p>English translation: The sale of alcoholic drinks [NEW: to the minors is forbidden (vs 16 years), as well as their offer for free to minors in bars and any markets or public places].</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: the others are covered by the Code of Public Health (see regulation n°3) <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 type="checkbox"/> Alcohol producers <input checked="" 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:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.anpaa.asso.fr">www.anpaa.asso.fr</a> <input 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: Court of Justice - media

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6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see www. <input 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: not relevant
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.anpaa.asso.fr <input 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: Court of Justice - media

<b>Pre-screening procedure</b>		
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 type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input checked="" type="checkbox"/> Other, namely: not relevant
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 checked="" type="checkbox"/> Other, namely: not relevant
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 checked="" type="checkbox"/> Other, namely: not relevant

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 checked="" type="checkbox"/> Other, namely: associations against alcoholism agreed since 5 years can sue
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Tribunal English translation: Court of Justice
13	What is the composition of the 'evaluating committee'?	not relevant
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: not relevant Committee appointed by: not relevant
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input 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: not relevant
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: It not relevant

**Comments on Regulation No. 2:** This regulation updates the Code of Public Health [CODE DE SANTE PUBLIC]. See below regulation n°3.



## Regulation Form No. 3

<b>Organization:</b>	ANPAA
<b>Country:</b>	France
<b>Date:</b>	30-09-2009

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).

<b>Name Regulation No. 3:</b>	CODE DE SANTE PUBLIQUE. Livre III.Lutte contre l'alcoolisme: ORIGINAL VERSION. See ELSA Questionnaire
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?	20

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.

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Article (paragraph)*	Type of restriction**	Text article
	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text: See ELSA Questionnaire  English translation:

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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 type="checkbox"/> Yes, namely: <input checked="" 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 checked="" type="checkbox"/> Retailers <input checked="" type="checkbox"/> Catering & Hospitality service <input checked="" 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.*

<b>How publicly available?</b>		
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 <a href="http://www.anpaa.asso.fr">www.anpaa.asso.fr</a> <input 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: Court of Justice - media

Alcohol Marketing Regulations Questionnaire

6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see www. <input 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: not relevant
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see www.anpaa.asso.fr <input 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: Court of Justice - media

<b>Pre-screening procedure*</b>		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input 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 checked="" 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 checked="" 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:

\* see article Bredow (2006)

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 checked="" type="checkbox"/> Other, namely: associations against alcoholism agreed since 5 years can sue
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Tribunal English translation: Court of Justice
13	What is the composition of the 'evaluating committee'?	not relevant
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: not relevant Committee appointed by: not relevant
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input 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: not relevant
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 and euro <input checked="" type="checkbox"/> Other, namely: not relevant

**Comments on Regulation No. 3:** These data concern the general Code of Public Health which mentions a total ban on TV, radio, cinema...as it is detailed in ELSA Questionnaire.