

DEUTSCHER WERBERAT

Explanatory Notes on the Code of Conduct of the German Advertising Standards Council on commercial communications for alcoholic beverages (Social Media Guidelines for producers of alcoholic beverages)

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INTRODUCTORY

Alcohol advertising is subject to comprehensive legal regulation in Germany, particularly in the context of protection of children and young people. Online advertising also does not take place in a legal vacuum. According to the Inter-State Treaty on the Protection of Youth in the Media, for example, alcohol advertising in the Internet must not be aimed directly to children and young people, or be particularly attractive in its presentation to children and young people, or depict them consuming alcohol. In addition to what is required by law, manufacturers and importers of alcoholic beverages, retailers, media and agencies assume independent responsibility by observing the *“Code of Conduct of the German Advertising Standards Council on Commercial Communications for Alcoholic Beverages”*. First adopted in 1976 by the umbrella organisation the German Advertising Federation (ZAW) and frequently updated since then, this applies to all forms of commercial communication (online and offline). It includes classic advertising, for example

on TV, outdoor advertising, in newspapers and magazines, on the radio, but also online and mobile advertising, advertising in social networks, sponsoring, product placement or display advertising at point of sale. The rules contained in the Code are the central benchmark for the advertising of alcoholic beverages. They provide that everything is to be avoided in commercial communication for this product group which could be misunderstood as an invitation to abuse or an incitement to excessive consumption. Special provisions apply to the protection of children and young people.

Commercial communication and dialogue with customers increasingly also take place in the social media appearances of the manufacturers of alcoholic beverages. Social media present special demands for responsible commercial communication. These explanatory notes are intended to assist in the application of the Code of Conduct in everyday practice and should simplify observance of the Codex in social media when the content of advertising by companies in the alcohol industry is managed and controlled. They also serve, in general, the better understanding of the scope of the guidelines.

GUIDELINES FOR SOCIAL MEDIA

1. Age limits

In the social media channels of manufacturers of alcoholic beverages the available platform-specific age limits should be employed (e.g. Option/Default value “Alcohol-related” [Facebook], “Age



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restriction“ [YouTube], “Alcohol-related“ with the specification “16 years and over“ and “18 years and over“ [Google+]).

If there is no age-specification function available on a digital platform, an age indication should follow, that the content is exclusively intended for persons legally permitted to purchase and consume alcohol.

2. Redirection notices

In social media channels controlled by manufacturers of alcoholic beverages which allow the sharing or unblocking of content, the redirection option, wherever technically possible, should be set so that forwarding to persons below the legal minimum age is excluded.

If the operators of the platform do not provide the technical possibility, or do so only at the expense of disproportionately high cost or effort, a notice should be included to inform the visitor to the social-media channel that the content is intended exclusively for persons of the legally required minimum age

3. User-generated content

User-generated content (all content - including text, videos and pictures - not originating from the companies publishing the advertising but from third parties), which will be uploaded into the digital channels of manufacturers of alcoholic beverages should regularly be controlled to determine its conformity with the Codes of the Advertising Industry (in this case: the Code of Conduct of the German Advertising Standards Council). Inappropriate content should be deleted, with reference

to the Codes of the German Advertising Standards Council.

In their social-media appearances, manufacturers of alcoholic beverages should inform users of this practice and draw attention to the fact that pictures/texts contrary to the Codex will be deleted. This can be done, for example, as a “netiquette“.

4. Transparency

In their social-media channels, it should always be made clear by manufacturers of alcoholic beverages that they are officially responsible for the operation of the respective offering. In addition to the necessary transparency for the user, this also provides for their own security (distinguishing them from “fan sites“, which cannot be controlled by the company).