[CH] Illegal Alcohol Advertising on SRG

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Oliver Sidler
Medialex

The Swiss Radio and Television Corporation (SRG) broadcast illegal advertisements for alcohol during the Football World Cup in France. According to a decision of the Federal Office of Communication (BAKOM) in December last year, the channel will be fined SFr 5,000 and will have to forfeit the net profit made from the advertisement concerned (around SFr 550,000). The commercial was broadcast a total of 486 times on television channels SF DRS, TSR and TSI. It shows football players celebrating victory by drinking beer. The logo Feldschlösschen appears on beer bottles and glasses. Towards the end of the advertisement, the name of the advertised product, Schlossgold appears with the word alkoholfrei (alcoholfree).

In the BAKOM's opinion, a commercial for beer violates the ban on alcohol advertisements, set out in the Radio and Television Act (Radio- und Fernsehgesetz), if the fact that the beer is alcohol-free is not mentioned until the end. It is not acceptable if the product Schlossgold and the word "alcohol-free" only appear on screen in the last five seconds of the advertisement. In fact, until shortly before the end of the commercial, it appears that beer containing alcohol, which the Feldschlossen brewery mainly produces, is being advertised. The BAKOM's decision does not have the force of law.

The Independent Radio and Television Complaints Authority (Unabhängige Beschwerdeinstanz für Radio und Fernsehen) had already ruled on 22 January 1999 that the Feldschlösschen advertisement had breached the ban on misleading advertising during broadcasts of the Football World Cup. This decision is currently being examined by the Federal Appeal Court.

Verfügung des Bundesamtes für Kommunikation vom 19. November (nicht rechtskräftig).

Order of the Federal Office of Communication (BAKOM), 19 November 1999 (which has no legal force).

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