[BG] Direct and Indirect Advertising of Alcoholic Beverages in Radio and Television Programmes

IRIS 2005-1:1/40

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On 1 January 2005 the provisions of the *Закон за здравето* (Health Act) concerning direct and indirect advertising of alcoholic beverages in the electronic media came into force.

The amended Article 55 reads as follows:

“Article 55 (1) Direct advertising of alcoholic beverages is prohibited.

(2) Indirect advertisements of alcoholic beverages and advertisements of wine and beer cannot:

1. be directed to persons below 18 years of age, as well as be transmitted in programmes or published in printed publications, designated for them;

2. use persons below 18 years of age as participants;

3. connect the use of alcoholic beverages with sport or physical achievements or with the driving of vehicles;

4. contain claims about usefulness for health, social or sexual well-being or present abstention or temperance in negative regard.

(4) Indirect advertisements of alcoholic beverages cannot be transmitted in radio and television programmes before 22.00 hours.”

In paragraph 1 of the Additional Provision of the Health Act new definitions of direct and indirect advertisement were introduced:

Item 19. “Direct advertising” is each form of commercial message, note or recommendation, aiming at the promotion of alcoholic beverages and/or their consumption by using the beverages themselves or activities connected with their consumption, production and distribution.

Item 20. “Indirect advertising” is each form of commercial message, note, recommendation or activity, using the name or the manufacturer's name of an alcoholic beverage, as well as the name or the manufacturer's name of a producer of alcoholic beverages on products and goods, which are not alcoholic beverages.

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The sanctions for operators violating the above named rules were laid down in Article 218 paragraphs 6 and 7. Operators broadcasting advertisements of alcoholic beverages in breach of Article 55 paragraphs 1 and 3 are subject to fines amounting to BGN 5,000 (approximately EUR 2,500) for the first breach, and amounting to BGN 10,000 (approximately EUR 5,000) for the second breach. The fines shall be imposed by the Council for Electronic Media in accordance with the terms and conditions of the *Закон за радиото и телевизията* (Radio and Television Act, see IRIS 2002-2: 3).

Закон за здравето

Health Act, published in the State Gazette No. 70 of 10 August 2004

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