[DE] Ring Tone Adverts Under Scrutiny

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Max Schoenthal
Berlin

According to a programme analysis currently being conducted on behalf of the Gemeinsame Stelle Programm, Werbung und Medienkompetenz (Joint Body on programming, advertising and media competence - GSPWM) of the Landesmedienanstalten (regional media authorities), ring tones are the subject of the overwhelming majority of advertisements broadcast by the four music channels in Germany. In some cases, more than 90% of airtime that can be used for advertising is devoted exclusively to this type of product. At its meeting of 16 March 2005, the Joint Body also concluded that two of the broadcasters had, in isolated cases, exceeded the legal limit of 12 minutes of advertising per hour; in one case, more than 18 minutes of advertising per hour had been broadcast. In this connection, the Joint Body recommended that the responsible regional media authorities take legal action against the broadcasters concerned. This means that both broadcasters now have the opportunity to submit a statement.

However, no breaches of the provisions of the Rundfunkstaatsvertrag (Inter-State Broadcasting Agreement) or advertising directives have been observed. The fact that broadcasters advertise ring tones so heavily is not in itself a breach of media law.

Nevertheless, the Kommission für Jugendmedienschutz (Commission for youth protection in the media - KJM) will now investigate the extent to which ring tone advertisements exploit the inexperience of children and young people. According to the Jugendmedienschutz-Staatsvertrag (Inter-State Agreement on youth protection in the media), advertising must not appeal directly to children or young people in a way that exploits their inexperience and gullibility. The dangers linked to ring tone advertisements are thought to include, in particular, that children and young people might underestimate the cost of downloading ring tones because the information given on prices or subscription conditions is far too inconspicuous.

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