[DE] Ruling on Surreptitious Advertising in Easter Show Upheld

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The *Oberverwaltungsgericht* (Higher Administrative Court - OVG) of Rhineland-Palatinate has upheld the decision of the *Verwaltungsgericht Neustadt* (Neustadt Administrative Court), confirming the ruling of the *Landeszentrale für Medien und Kommunikation* (State Media and Communications Agency - LMK), according to which the live programme " *Jetzt geht's um die Eier. Die große Promi-Oster-Show* " broadcast by private broadcaster Sat.1 had violated the ban on surreptitious advertising set out in Art. 1 para. 2 of the *Landesmediengesetz* (*Land* media act) in connection with Art. 7 para. 6 sentence 1 of the *Rundfunkstaatsvertrag* (Inter-State Broadcasting Agreement) (see IRIS 2008-5: 5).

According to an LMK press release, the OVG rejected the argument put forward by Sat.1 that the blatant advertising contained in the programme did not constitute surreptitious advertising and ruled that the involvement of other production companies could not release the broadcaster from its responsibility for separating programme and advertising content.

Pressemitteilung der LMK

http://www.lmk-online.de/wirueberuns/presseseite/ansicht/article/ovg-bestaetigt-schleichwerbung-bei-sat1-nr-38/243/?tx_ttnews%5BpS%5D=1229614638&cHash=177ae9e1c5

LMK press release

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