[GB] Product Placement to be Permitted, Subject to Restrictions

IRIS 2010-3:1/28

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The consultation carried out by the UK Department for Culture, Media and Sport on product placement (see IRIS 2010-1: 1/25) has been completed and the Government has decided to permit product placement, subject to restrictions.

According to the minister, such conditional approval will permit benefits to commercial television companies and programme makers through extra sources of finance whilst taking account of legitimate concerns. Product placement will be permitted in the four categories of programme set out in the Audiovisual Media Services Directive: cinematographic works, films and series made for television or on-demand services; sports programmes; and light entertainment programmes. In view of consultation responses, product placement will not be allowed in current affairs, consumer or religious programming, even if they fall within the 'series' category. No product placement will be allowed in BBC's licence fee funded services.

The legislation will also prevent placement of products in the following categories: alcoholic drinks; foods and drinks high in fat, salt or sugar; gambling; smoking accessories; over-the-counter medicines; and infant milk formula. This will supplement the Directive's total ban on product placement in children's programmes.

The new legislation will specify that product placement should not affect editorial independence, be unduly prominent or directly encourage purchase. It will also require that audiences be alerted to the presence of product placement by signalling at the beginning and the end of a programme and after advertising breaks.

The change in policy will be implemented through the making of regulations under the European Communities Act 1972. However, product placement will not be permitted until Ofcom (the UK communications regulator) has amended its Code after further consultation. This stage should be reached later in 2010. Ofcom will also have the responsibility for policing the provisions, including ensuring that product placement is not included in programmes not properly falling within the categories where it is permitted. Ofcom will also be able to set further conditions in its Code to ensure editorial integrity.

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Department for Culture, Media and Sport, 'Written Ministerial Statement on Television Product Placement', 9 February 2010

http://www.culture.gov.uk/reference_library/minister_speeches/6624.aspx

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