[FR] CSA Lays down Conditions for Product Placement on Television

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Amélie Blocman
Légipresse

After consulting the professionals concerned, the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory body - CSA) published a deliberation on 5 March 2010 laying down the conditions for authorising product placement on television, in accordance with Article 14-1 of the Act of 30 September 1986 as amended by the Act of 05 March 2009 transposing the AVMS Directive into national legislation. The text begins by defining the term 'product placement' as "placement in return for monetary consideration, i.e., the contractual supply of goods or services with a brand name that is identifiable within the programme". This is henceforth authorised in cinematographic works, audiovisual fiction works and music clips, but not during information or news programmes, documentaries or children's programmes. Products for which advertising is either banned or restricted for public health or safety reasons (alcohol, tobacco, medicines, firearms) may not be placed. Placement in favour of a gambling or lottery operator is also banned. In accordance with Article 14-1 of the Act of 30 September 1986, programmes including product placement must also comply with a number of requirements: their content and their programming may not in any circumstances be influenced in such a way as to infringe the liability and editorial independence of the editor; they must not constitute direct incitement to purchase or hire the products or services of a third party, and more specifically they must not include specific promotional references to the products, services or brand names; they must not promote the product, service or brand name concerned without justification. A pictogram is to be used to inform viewers that a product has been placed in the programme. Where a product is placed in a programme produced, co-produced or pre-purchased by the editor, "a contract shall define the economic relations between the advertiser, the producer of the programme and the editor of the television service".

Délibération du CSA no 2010-4 du 16 février 2010 relative au placement de produit dans les programmes des services de télévision, JO du 5 mars 2010

http://www.legifrance.gouv.fr/jopdf/common/jo_pdf.jsp?numJO=0&dateJO=20100305&numTexte=88&pageDebut=&pageFin=

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CSA deliberation no. 2010-4 of 16 February 2010 on product placement in television service programmes, published in the Journal Officiel on 5 March 2010

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