[SE] Exposure of Footballer’s Book Was Considered an Unfair Promotion of Commercial Interests.

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Erik Ullberg and Michael Plogell
Wistrand Advokatbyrå, Gothenburg

On 19 March 2012 Granskningsnämnden för radio och TV (the Swedish Broadcasting Commission - GRN) delivered a decision regarding the promotion of a commercial interest in an improper manner in a television program. The case concerned the application of sections 5:5, 17:5 and 19:4 of Radio- och TV-lagen (The Radio- and Televisions Act - RTL). The RTL is based inter alia on Directive 89/552/ECC, as amended by 97/36/EC.

Section 5:5 of the RTL states that programs that are not advertising may not encourage the purchase or rental of goods or services or provide other marketable foreign elements, or highlight a product or service in an improper manner. A promotion of a commercial interest is improper if it is not justified by sufficient information or entertainment interest. Sections 17:5 and 19:4 of the RTL stipulates that Granskningsnämnden för radio och TV (the Swedish Broadcasting Commission - GRN) can apply to Förvaltningsrätten (the Administrative Court) to establish that the broadcaster must pay a special fee for violation of the provision of favoritism by commercial interests.

The program in question was Sportnytt, broadcast by the Swedish nationwide television channel SVT 2 on 11 November 2011. In a feature of the program the author Björn Ranelid reviewed footballer Zlatan Ibrahimović´s autobiography “I am Zlatan”. During the review, which was about 4 minutes long, the book and a picture of Zlatan Ibrahimović were visible on a large screen in the background for about 2 minutes and 50 seconds.

Granskningsnämnden för radio och TV (the Swedish Broadcasting Commission - GRN) initiated proceedings against SVT 2 and ruled against the television channel, ordering that a special fine of SEK 50,000 (EUR 5,528) should be imposed on SVT 2 for promotion of a commercial interest in an improper manner. The GRN claimed that the exposure of the book was so highlighted that it comprised an undue commercial promotion.

Granskningsnämnden för radio och tv, Beslut 2012-03-19 Dnr: 11/03506

http://www.radioochtv.se/Documents/Beslut/n%c3%a4mndens%20beslut/2012/11-03506%20Beslut%20i%20granskningsn%c3%a4mnden.pdf

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Decision of the Swedish Broadcasting Commission, 19 March 2012

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