

[IE] Revision of General and Children's Commercial Communications Codes

IRIS 2013-7:1/17

*Damien McCallig
School of Law, National University of Ireland, Galway*

On 4 June 2013 the Broadcasting Authority of Ireland (BAI) published revised versions of its General and Children's Commercial Communications Codes. The Codes deal with advertising, sponsorship, product placement and other forms of commercial promotion. The revisions deal, in particular, with the approach to be taken to products that are high in fat, salt and sugar (HFSS). The Codes apply to all radio and television broadcasters regulated in the Republic of Ireland.

The BAI is required under section 42 of the Broadcasting Act 2009 to develop advertising codes to protect the general public health interests of children, and may prohibit the advertising in a broadcasting service of a particular class or classes of foods. The revised Codes were developed following a two-stage consultation process, which was undertaken between September 2011 and October 2012. The consultation process also included input from a BAI convened Expert Working Group, that examined health concerns for children in Ireland (see IRIS 2013-1/26 and IRIS 2011-7/29).

HFSS foods are those that are assessed as high in fat, salt or sugar in accordance with the Nutrient Profiling Model developed by the UK Food Standards Agency and which is adopted by the BAI. The BAI has exempted cheese from the Nutrient Profiling Model, however, advertisements for cheese must include an on-screen message indicating the recommended daily consumption limits (see IRIS 2013-1/26).

Children's Programmes are defined as programmes commonly referred to as such or programmes where more than half the audience are under 18 years. The revised Codes provide that commercial communications for HFSS food and drink shall not:

- be permitted in Children's Programmes;
- include celebrities or sports stars;
- include Children's Programme characters;
- include licensed characters, for example characters and personalities from cinema releases;

- contain health or nutrition claims; or
- include promotional offers.

The revised Codes will also limit HFSS advertising so that no more than 25 percent of advertising sold by a broadcaster can be for HFSS food and drink. Also, only one in four advertisements for HFSS products will be permitted in any advertising break. The revised Codes will come into effect from 2 September 2013 onwards.

Broadcasting Authority of Ireland, BAI General Commercial Communications Code, (June 2013)

http://www.bai.ie/wordpress/wp-content/uploads/201306_GCCC_English_vFinal.pdf

Broadcasting Authority of Ireland, BAI Children's Commercial Communications Code, (June 2013)

http://www.bai.ie/wordpress/wp-content/uploads/201306_CCCC_English_vFinal.pdf

