[IE] New code of standards for advertising and commercial communication

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On 1 March 2016, the Advertising Standards Authority for Ireland's (ASAI) new Code of Standards for Advertising and Marketing Communications in Ireland (7th edition) came into effect (for previous codes, see IRIS 2006-2/24 and IRIS 2002-5/21). The ASAI is an independent self-regulatory body, and the code applies to advertising and marketing communication in all media in Ireland, including television and digital media.

The new 132-page code contains a number of new provisions, including the following: first, there is a new section on e-cigarettes, which provides that "marketing communications for e-cigarettes should be socially responsible and should contain nothing which promotes the use of a tobacco product or shows the use of a tobacco product in a positive light." Second, in relation to gambling, the new code states that "all advertisements for gambling services or products shall contain a message to encourage responsible gambling and shall direct people to a source of information about gambling and gambling responsibly." Third, the code has also been updated to bring it into line with Regulation (EC) No. 1924/2006 on nutrition and health claims on foods (see IRIS 2011-4/16 and IRIS 2011-8/20). Finally, in relation to children's advertising, the code now provides that "except those for fresh fruit or fresh vegetables, marketing communications should not seem to encourage children to eat or drink a product only to take advantage of a promotional offer: the product should be offered on its merits, with the offer as an added incentive."

The ASAI stated that the new code followed "significant public consultation process with a wide range of Government departments and agencies, consultations with consumer groups and other NGOs, and consultation with the advertising industry including advertisers, agencies and the media." Any individual may make a complaint to the ASAI concerning a commercial communication being in breach of the code, which the ASAI will adjudicate upon, and a decision will be published.

Advertising Standards Authority for Ireland, Code of Standards for Advertising and Marketing Communications in Ireland, 7th edition, effective from 1 March 2016

http://www.asai.ie/wp-content/uploads/ASAI-CODE_2015_DEC15_Revision.pdf

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