# [IT] A new regulation on commercial communications on food products and beverages released by the Italian Advertising Self-Regulatory Body

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On 9 February 2021, the *Istituto dell'Autodisciplina Pubblicitaria* (Italian Advertising Self-Regulatory Body - IAP) passed a new regulation to discipline commercial communications concerning food products and beverages. The approval of this act aims to strengthen the protection of children and ensure healthy eating.

The regulation at hand constitutes an attempt to implement some of the provisions of the revised AVMS Directive, that has not yet been transposed by Italy. It largely resorts to a self-regulatory and co-regulatory mechanism, for instance, by suggesting the adoption of codes of conduct to reduce the exposure of children to audiovisual commercial communications for food and beverages containing nutrients and substances with a nutritional or physiological effect. In particular, these include fat, trans-fatty acids, salt or sodium, and sugar, of which excessive intakes in the overall diet are not recommended. Among others, Article 5 of the Regulation specifies that audiovisual commercial communications targeting children “must not emphasize the positive nutritional qualities” of the latter types of foods and beverages.

Also, Article 11 of the Self-Regulatory Code on Commercial Communications, of which the new regulation will constitute a component, recommends paying particular attention to those messages targeting minors below the age of 12 and teenagers. This provision, among other things, prohibits the broadcast of messages which may encourage the adoption of imbalanced eating habits or disregard for the need to adopt a healthier lifestyle.

With a view to provide more detailed guidelines, the regulation largely reflects the provisions already set by the Ministry of Health along with the Italian Advertising Self-Regulatory Body in 2015 in the so-called “Guidelines for marketing communications regarding food products and beverages for the protection of children and their proper nutrition”.

The regulation generally bans those “statements or representations that could mislead children, including omissions, ambiguity, and exaggerations that are not obviously hyperbolic, particularly regarding the nutritional characteristics and effects of the product, prices, free offers, conditions of sale, distribution, the

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identity of persons depicted, prizes, or rewards". It also mandates respect for the principles of fair representation and transparency.

***Regolamento per la Comunicazione Commerciale relativa ai prodotti alimentari e alle bevande, a tutela dei bambini e della loro corretta alimentazione***

https://www.iap.it/codice-e-altre-fonti/regolamenti-autodisciplinari/regolamento-alimentari-bevande-bambini/

*Regulation on commercial communications concerning food products and beverages for the protection of minors and ensure their healthy eating*

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