

5 years
of advertising
self-regulation



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For the sake of best practice

This year advertising self-regulation in Poland celebrates its fifth anniversary. Up to now, the Advertising Standards Board (Komisja Etyki Reklamy) has handled more than 3,000 complaints filed by consumers, businesses, public administration institutions and non-governmental organisations. Mutual cooperation between organisations constituting Union of Associations Advertising Council (Związek Stowarzyszeń Rada Reklamy) resulted in achieving high standards of advertising in Poland. Activities of the Advertising Standards Board safeguard the interest of consumers and competitors, ensuring the system of protection that includes a free complaints mechanism whenever an advertising message raises any doubts. The Polish self-regulatory system has been also enhanced by providing the copy advice service, which helps obtain advice on planning marketing activities before they are launched. This helps avoid potential problems and unnecessary expense.

The self-regulation plays the pivotal role in today's media and advertising. Because of modern communication technologies the number of possible communication channels has been increasing on an unprecedented scale, which poses a serious obstacle to applying provisions of the law to all of them and, in consequence, to law enforcement. Another difficulty is the source of the message – while in the case of traditional media the usual model of client-agent-medium-receiver is in place, the assumed roles are not so obvious in the case of digital marketing. Not only is the way of receiving information different, but also the possibility of modifying the message by its receivers and subsequent transfer of the modified message. An excellent example of such activities is the so-called viral marketing, in which case the initial advertising message is only to provide inspiration for further ones, which may come both as a pleasant or unpleasant surprise to advertisers. When receivers of ads convert into co-authors of the message, which is almost completely out of control, the brand image is no longer shaped by its owner only. The results could be completely unpredictable and traditional methods of message control often prove ineffective.

Self-regulation is a declaration made by the industry of assuming responsibility for advertisements it produces and distributes. We work together to ensure advertising is not only good quality and effective, but also complies with standards laid down in the Code of Ethics in Advertising (Kodeks Etyki Reklamy – KER).

The strength of the self-regulatory system lies in its flexibility – it is able to respond to changing needs, which proves essential in such a dynamic sector as advertising. Another crucial aspect is the fact that regulations are made by mutual consent of representatives of all the communities related to advertising, namely advertisers, media and advertising agencies and that they are adapted to the real situation on the market, both of which ensure that the regulations are met.



Consumers	Advertisers	Advertising agencies	Media
<p>Self-regulation protects receivers of ads against unethical and dishonest advertising messages. Everyone who feels that a given advertising message violates standards set by Code of Ethics in Advertising can file a complaint. For consumers, the procedure has been simplified as much as possible – they need only to visit our website www.radareklamy.pl and fill in the form.</p>	<p>Independent surveys show that Poles perceive advertising as a source of information and pay special attention to its trustworthiness. They accept advertising as part of culture but, at the same time, they have clear expectations of it. The Code of Ethics in Advertising does not limit creativity, but promotes high standards of advertising.</p>	<p>The responsibility for creating an advertising message lies in particular with advertising agencies. As a result of the system of self-regulation, advertising complies with required standards, is accepted and thus more effective.</p>	<p>The Advertising Code applies to all types of media, regardless of the form of the message. Acting in conformity with the Code of Ethics in Advertising proves publisher's responsible practice and at the same time for advertisers, it is a guarantee that both the medium and the customers commissioning ads apply the same standards.</p>

The consumer policy of the European Commission, connected with the strategy of promoting corporate social responsibility, has contributed significantly to the development of self-regulation. Under this policy, on 18 July 2011, the European Commission presented *Green Paper – Promoting framework for Corporate Social Responsibility*. This is the first document elaborated at such a high level describing in detail principles of corporate social responsibility and defining the ways of their implementation in Europe.

Self-regulation is a voluntary and grassroots initiative. Since self-regulation is established by market players themselves, it is based on good knowledge of the situation in a given field and therefore there is greater chance of excluding irrelevant solutions. Self-regulation consists of a list of standards which are to be met by individual industries on a voluntary basis, yet once accepted they should be applied consistently.

To supersede the law?

Self-regulation cannot replace the legal system, but it should complement effectively state actions when a rapid solution based on a specific situation is needed. The idea of self-regulation targeted at consumers should mean efficient, straightforward, easily available and cost-free handling of their complaints to allow for immediate removal of a dishonest advertisement and avoiding similar problems in the future.

Self-regulation in advertising? What for?

Self-regulation in the field of advertising is aimed at ensuring the highest possible standards of marketing communication and consumer protection against dishonest and unethical advertising. The strength of the self-regulatory system lies in its flexibility and relevance to the situation on the market – it is able to respond to changing needs, which proves essential in such a dynamic sector as advertising. Equally essential for importance and validity of self-regulation is the fact that regulations are made by mutual consent of representatives of all areas connected with production and exposition of advertisements. Elimination of poor advertisements that do not meet advertising standards brings benefits both to consumers and to the three above-mentioned groups that decided to adopt the self-regulation system. Elimination of advertisements that do not adhere to the standards is in the interest of the entire advertising industry. If a poor advertisement offends or misinforms the customer, even if it is a low-reach one, it can undermine customers' trust in the rest of advertisements that live up to the advertising standards.

For the consumer...

An efficient self-regulatory system guarantees consumers protection of the right to reliable information about products and services. Thanks to the best practice model, the consumer can be sure that advertising messages s/he receives will not be misleading nor offensive. The receiver is free to present their opinions and protest against an ad that they find dishonest or unethical. Self-regulation provides for a simplified procedure of filing complaints – easily available to consumers and free of charge.

and for the market...

Thanks to self-regulation, competing businesses have the possibility of **combating dishonest advertising**. Self-regulation also helps consistently **create a positive image of market players to consumers**. Withdrawal of poor advertisements from the market brings benefits to all the market players. A poor advertisement undermines consumer's confidence in all the advertisements, even those that adhere to the standards. In the long run, this leads to reduced public confidence in all the market players and their offers..

How does it work?

The underlying principle of self-regulation is the same in all the countries. The advertising sector comprising advertisers, advertising agencies and media establishes a **code of standards and best practice** and agrees to support it in terms of ethics, finance and actions. A committee representing the whole community draws up a code and is responsible for keeping the document up-to-date and making it reflect the changing reality. All the codes are based on the following underlying principles: advertising should be lawful, decent, trustworthy, produced with the sense of social responsibility and respectful of principles of fair competition.

The body appointed to deal with complaints is also responsible for interpretation of the code. It comprises independent experts with many years' experience in marketing. The third component of the self-regulation structure is the permanent secretariat responsible for daily tasks connected with self-regulation.

Teams that settle disputes have to take into account consumers' opinions, however, they should not limit unnecessarily the freedom and creativity of advertising practitioners.

Institutions operating within the system of self-regulation take actions relating to particular advertisements on their own initiative – although they endeavour to monitor the released advertisements, assessment of all the ads would require tremendous amount of effort and large financial outlays. Self-regulation of the advertising market is based, to a great extent, on **complaints filed by consumers or businesses**.

Another component of self-regulation is prevention. Most of the national self-regulatory systems provide for the possibility of seeking expert advice on advertising campaigns before they are launched. The activity is called copy advice.

One is not obliged to act upon the advice given under copy advice and the ad in question could be broadcast in spite of the negative evaluation. What is more, if a complaint about

the ad is filed, the commission handling it do not have to act upon recommendation of copy advice either.

Code of Ethics in Advertising refers to marketing communications except for social and political campaigns. It is a set of regulations defining what is acceptable and what should be treated as unethical in advertising. It governs all the aspects of advertising taking account of particularities of different media. It promotes responsible practices cautioning against conveying messages that are misleading and make advertising dishonest.

The Code of Ethics in Advertising forbids as follows:

- sex, religious and racial discrimination,
- use of elements promoting violence and cruelty,
- abuse of trust, lack of experience or knowledge of the receiver.

Annex to the Code of Ethics in Advertising is a document governing in detail principles of marketing communication on the brewing market. Standards of beer advertising rely on self-regulation elaborated and adopted by the Union of the Brewing Industry Employers in Poland Polish Breweries (Związek Pracodawców Przemysłu Piwowarskiego Browary Polskie) – an entity which unites the biggest beer producers in Poland and, at the same time, the biggest advertisers in the brewing industry.

Complaints procedure

Everyone who feels that a given advertising message breaches the rules contained in the Code may file a complaint. For consumers, the procedure has been simplified as much as possible – they need only to visit our website www.radareklamy.pl and fill in the form.

Complaints regarding breaches of the Code of Ethics in Advertising are submitted to Advertising Council Bureau where they are evaluated in formal terms. Advertising Council Bureau pass complaints meeting special requirements on to the Advertising Standards Board, which investigate them at the meetings. Complaints may be lodged both by consumers and businesses. The procedure of dealing with complaints lasts a few weeks, whereas court proceeding may take even a few years.

Advertising Council – its mission and members

- The mission of the Union of Associations Advertising Council is to eliminate unethical and dishonest advertising and promote the highest standards of communication through popularising the Code of Ethics in Advertising and supervising enforcement of its principles.
- The members include industry organisations comprising advertisers, media and advertising agencies/media houses.

The Advertising Standards Board is a monitoring authority that decides whether advertising messages are compliant with the Code. The Board comprises 30 jury members appointed by representatives of the advertising community. Representation of each group is based on the parity principle and thus all the participants have equal number of votes.

Advertising Standards Boards investigates claims about advertising messages received both from consumers and legal entities. The procedure of dealing with complaints is easy and fast, it lasts a few weeks at the most. If an advertisement is found dishonest and unethical, the Advertising Standards Board can apply sanctions against advertisers and companies responsible for production and dissemination of messages that are in breach of the Code of Ethics in Advertising. All the decisions of the Advertising Standards Board can be found on the website www.radareklamy.pl.

Certificates of “Ethical Advertising”

Self-regulation of the advertising sector in Poland operates thanks to the system of certificates acknowledging that advertising is compliant with the Code of Ethics in Advertising. All those who are interested in joining the system of self-regulation, sign a licence agreement on the use of “My advertising is ethical” and “KER Signatory” signs. The agreement stipulates in detail the rights and obligations of its signatories. It also contains a description of all the procedures connected with proceedings at the Advertising Standards Board. The licence agreement is concluded for the period of 12 months and could be extended for another 3 years. Certificate holders can place the “My advertising is ethical” logo on their corporate materials and use it in their advertising campaigns.

The price of the certificate depends on expenses/advertising receipts for the previous year (rate card) according to the Expert Monitor list. The amounts of subscription fees are divided into

four groups, depending on advertising expenses in the previous year (according to rate card). Advertising agencies pay a fixed annual contribution, while media subscriptions depend on their share in the advertising market. Businesses that do not hold certificates have to pay for investigation of complaints they file against others.

1 in 1,000 advertisements in the EU is disapproved of

Advertising self-regulation operates in all the EU Member States. Although every country has its own advertising code tailored to their reality and cultural background, all the codes originated from the International Code of Advertising Practice. Currently, every year in Europe under the self-regulation system, around 50,000 complaints are dealt with, which represents 0.1% of all the ads released.

National self-regulation organisations in the European Union are associated in European Advertising Standards Alliance (EASA Alliance). Union of Associations Advertising Council is one of EASA Alliance members. EASA Alliance does not regulate the advertising industry as such, but promotes self-regulation as complementary to law provisions, offers advice on organising national self-regulation systems and supports self-regulation solution in those countries where they are not well ordered yet. EASA Alliance provides information on self-regulation for the European Commission and the European Parliament. It conducts also its own research and publishes the results.

Beer advertising standards

The history of self-regulation in the brewing industry in Poland and Europe goes back to 2007. Five years' period of self-regulation on the beer market provokes discussion about the functioning of the mechanism in Poland and the effects it has produced on the Polish market.

The beginning of self-regulatory activities in the brewing industry in Poland overlapped with the opening of the process in the EU. In 2007, The Brewers of Europe – an organisation associating national brewery organisations from 23 EU states as well as Norway, Switzerland and Turkey presented at the EU Alcohol and Health Forum the all-European declaration, in which they undertook to improve standards of beer advertising in the EU.

Additionally, in June 2008 the Union - Polish Breweries comprising the biggest beer manufacturers in Poland and also the strongest advertisers from the brewing sector became a member of the Union of Associations Advertising Council.

The Union of the Brewing Industry Employers became signatory of the Code of Ethics in Advertising making its own contribution to it.

A chapter of the Code is devoted to regulations governing marketing communication in the brewing industry. Standards of beer advertising reflect improved rules regarding self-limitation of advertising freedoms, adopted by Union's members voluntarily.

Together with the European Commission and the EASA, the 7 standards of ethical advertising have been elaborated. They concern, inter alia, popularising national codes in beer advertising, informing and educating customers about possibility of filing complaints about unethical advertising and supervising different forms of marketing communication.

7 operational standards in 2007-2010

1. Popularization, publicizing of the code in all the forms of marketing communications, canvassing for signatories among advertisers, ads producers and media owners.
2. Compliance of the marketing communication with the idea and the content of the code through staff trainings and trainings of advertising production companies and seeking advice, under copy advice, on a proposed advertising campaign before it is launched.

10


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3. Handling consumer complaints about advertisements by an independent jury.
4. Speed of decision: ensuring fast and efficient handling of complaints and shortening the period between the receipt of the complaint and final decision by self-regulation juries.
5. System of sanctions which minimizes the risk of use of unlawful forms of marketing communication.
6. Greater consumer awareness – the consumer needs to be aware of the possibility of lodging a complaint and of the adequate procedures in place.
7. Own and independent of the consumer complaints system monitoring of the marketing communication, managed by the entity subject to self-regulation.

1) Under **the first standard** referring to dissemination of principles of ethical advertising, the advertising code of the Union has been included in the Code of Ethics in Advertising. It encompasses all the forms of communication, namely television, press, radio and external advertising, sponsoring, all the three types of promotional activities aimed at consumers and special offers in sales, on-line activities and design of packages.

2) Under the **second standard**, a special programme of trainings for marketing departments of all the brew-houses belonging to the Union of the Brewing Industry Employers in Poland (ZPPP) has been elaborated.

The Union members may also refer to Advertising Council to use copy advice. It involves expert assessment of a concept of an advertisement, before the advertising campaign is launched.

3) The principal idea of self-regulation is its universality that guarantees compliance with the accepted practices and provides independence for an organisation responsible for handling complaints. Each complaint received by the Advertising Council with regard to beer advertising is investigated by a jury excluding representatives of the brewing sector, as outlined in **the third operational standard**. Additionally, for cases regarding beer, another member of the jury is present, namely a representative of Generation Europe, organization representing youth.

4) Accomplishments of Polish breweries in the area referred to in **the fourth operational standard** involve significant reduction of the process of complaint handling. When the Advertising Council receives a complaint, it has to notify the company concerned of the complaint. This action has to be accomplished by the Advertising Council in no more than 14 days. Within the period of 10 days from sending notification of the complaint, the Committee of Ethics (Komisja Etyki) has to be convened and it has 30 days to give its opinion. The final decision should be announced within the period of 7 days. Not later than on day 28 from the day the adjudication was rendered the company concerned and the complaining consumer are to be notified of the decision taken.

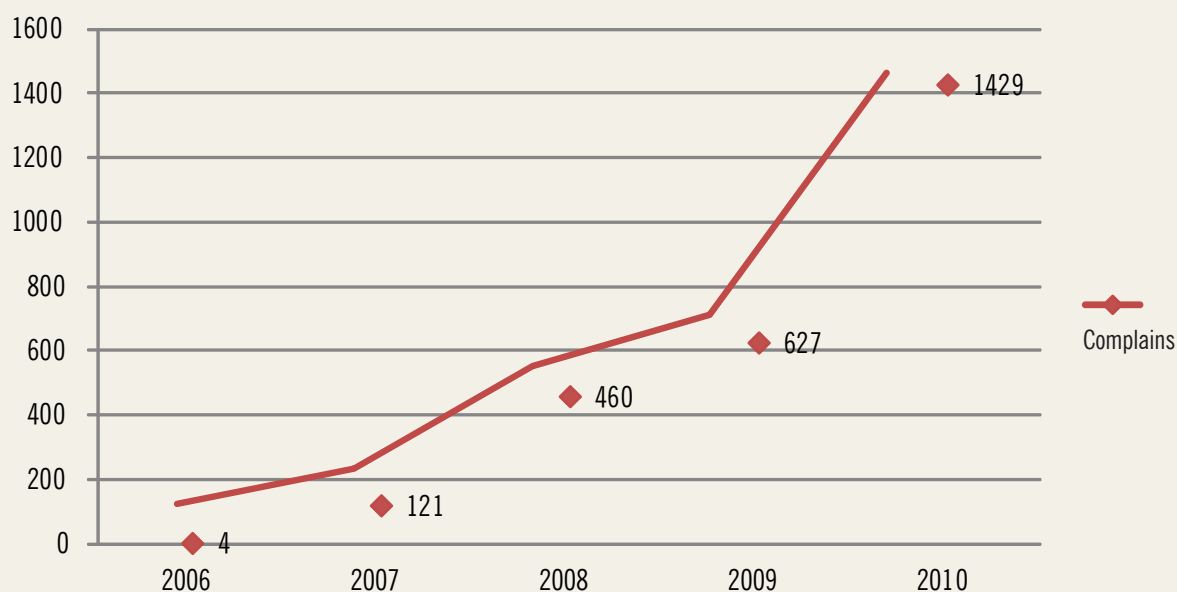
5) The fifth operational standard (sanctions) in Poland involves significant powers of the adjudicating body. The Advertising Council may decide on non-compliance of the advertisement with the advertising code, demand an immediate withdrawal of the unethical advertisement or demand removal of improper elements.

6) Under the sixth standard concerning consumer awareness, the Union asked TNS OBOP to conduct a survey on awareness of Polish consumers of self-regulation and possibility of filing complaints in case of dishonest advertising. Websites of all the members of the Union contain links to the website of the Advertising Council where a complaint can be filed. In addition, also info-lines of all brewer members of the Union offer a possibility of filing a complaint.

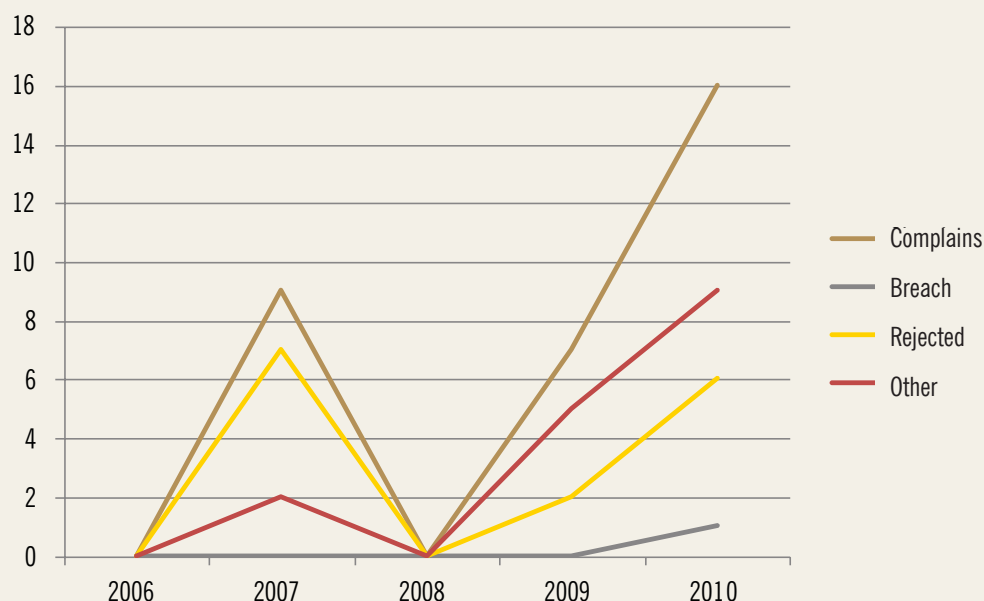
The rising awareness of consumers is illustrated by the fact that, inter alia, from one year to the next the number of filed consumer complaints has been increasing – in 2007, there were only 121 complaints lodged, in 2008 – 460 complaints while in 2010 the number of complaints was already 1429. It is worth mentioning that complaints about alcohol products, including beer, constitute only a small percentage of all the complaints – in 2009, there were 7 of them, only 2 of which were subject to adjudication by the jury which did not find them in breach of the Code. In 2010, the Advertising Council received 16 complaints about advertisements of alcohol products, 7 of which were subject to adjudication by the jury and only in one case the breach of the Code was adjudicated. However, it was the advertiser himself who had introduced necessary changes before the decision of the Council was made public.

The growing number of complaints proves that consumers are becoming more and more aware of ethical principles existing in advertising and are getting to know better how to exercise their rights in this respect.

Complaints about beer advertising



Complaints about beer advertising



According to the Code and recommendations of the seventh operational standard, the Union introduced mechanisms which allow for the introduction of monitoring of beer advertising in Poland. Results of such analyses are usually consulted with independent experts, unrelated to the brewing industry or media, and the results are made public.

In May 2011, the Union of the Brewing Industry Employers in Poland Polish Breweries laid down new, stricter principles of using warning labels.

Since May 2011, the instantly recognisable signs “I never drive after drinking” and “Alcohol. Only for adults” can be found alternately on every retail packaging of beer produced by breweries belonging to the Union, and in all the audiovisual advertisements, most of all on TV and in cinema, where they should occupy 10% of the image and remain on the screen for 10% of the duration of the commercial.



**Nigdy nie jeżdżę
po alkoholu**

I never drive after drinking

18

**Alkohol. Tylko dla
pełnoletnich**

Alcohol. Only for adults

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13



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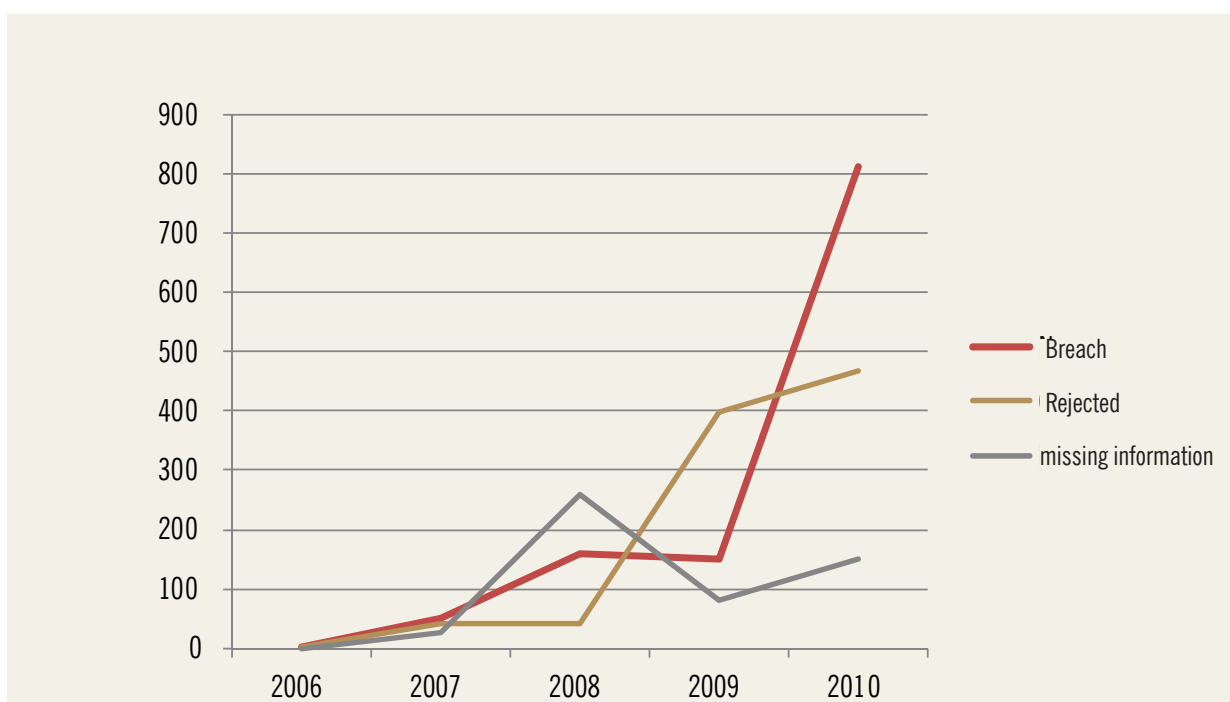
Breweries – members of the Union began using this kind of signs earlier, namely at the end of April 2008 when the sign of car keys could be already found on beer labels on cans and bottles, while the sign of “18” was introduced to advertising in July 2010. Those signs are a voluntary initiative of the industry and their use is not imposed by legislation.

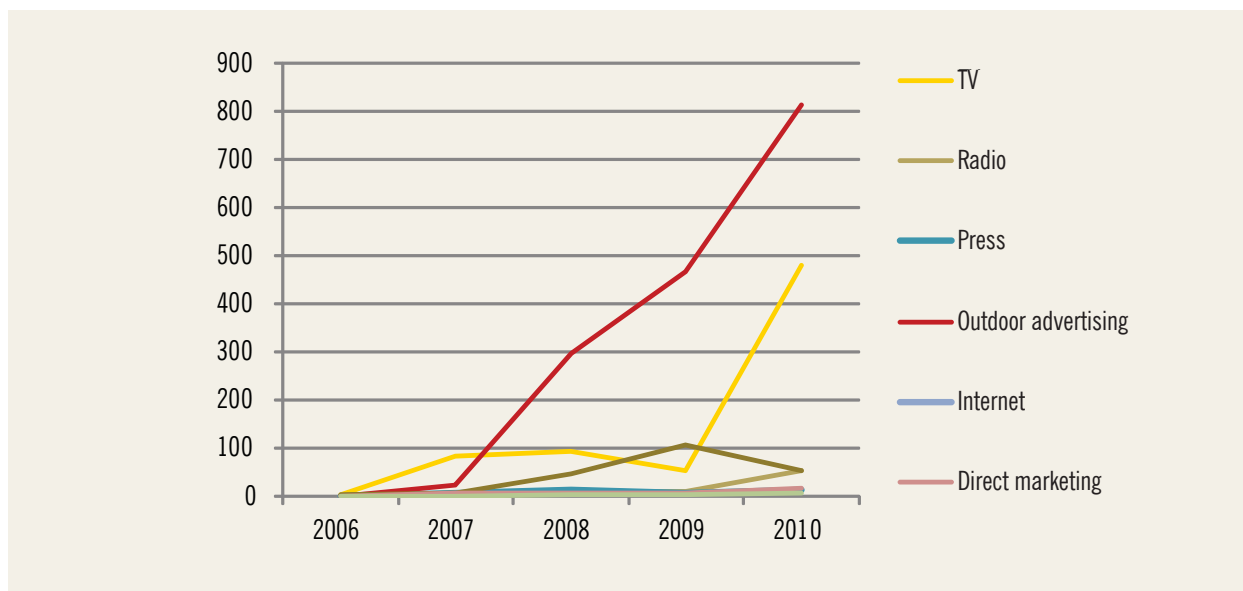
Breweries, as a socially responsible industry, decided to dedicate a part of every label and of every TV commercial for educating customers about responsible beer consumption. Previous experience concerning activities promoting responsible consumption has indicated clearly that education is the right way to prevent negative social phenomena and therefore we want every customer buying a beer or watching an advertisement to receive a clear message – “I never drive after drinking” and “Alcohol. Only for adults”.

5 years of self-regulation in numbers

During 5 years, the Advertising Council has handled 3,000 complaints. Until the end of 2010, they dealt with 2642 complaints, filed mostly by consumers.

Decisions of the Advertising Standards Board



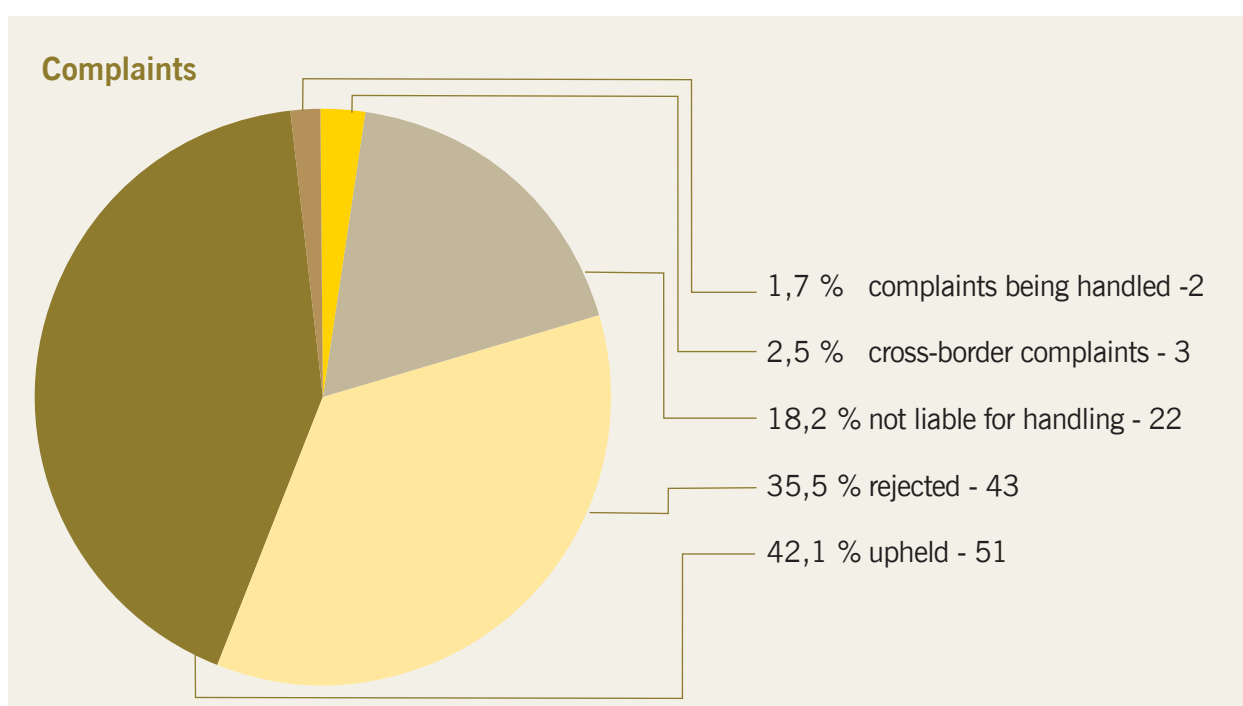


Year 2007

In 2007, the Advertising Council investigated 121 complaints, submitted mostly by consumers.

The main accusations made by customers against advertisers involved the following: using too explicit forms of expression, discrimination and disinformation. The greatest number of complaints in 2007 were filed against the campaign “Stop pneumococcal infections” – 19 complaints – and against a few commercials advertising Play mobile operator – 15 complaints in total.

Almost 68% of complaints concerned TV commercial while 18% concerned billboards. Poles complain less about direct marketing – 4.1%, press and radio advertisements – 3.3% and 1.7% respectively.



Year 2008

In 2008, the Advertising Council received 460 complaints, four times more than in 2007 (121 complaints.) 455 complaints were filed by consumers, 5 by businesses. The Advertising Standards Board made 71 decisions.

Most often, Poles complained about: religious discrimination (287 complaints), sex discrimination (53 complaints), misleading advertising (32 complaints) and violent and explicit scenes in advertising (31 complaints).

The most protested at advertisements in 2008 included: billboards promoting Virginity collection by Artman – 283 complaints, TV commercials of Mobilking mobile operator – 37 complaints and posters promoting the film “Frontiers” – 9 complaints.

64% of the complaints concerned outdoor advertising, 20% TV commercial and 10% online advertisements. Press advertisements were referred to in 2.6% of the complaints, radio advertisements in 1.7% of the complaints and direct marketing in 1.3% of them.

In 158 cases, complaints were found justified entirely or partially while 42 complaints were rejected. In the case of 67 complaints, information enabling identification of an advertisement was missing or they were not within the scope of the Code of Ethics in Advertising 181 complaints were filed in the course of proceedings of the Advertising Standards Board or when they had been already concluded and thus the decision was made without investigating the complaints. In the case of 11 complaints from the end of 2008, the decision was made in 2009.

the number of complaints		460
the number of consumer complaints		455
the number of B2B complaints		5

Decisions

found justified		158
rejected		42
formal errors		68
not subject to handling procedure		181
being handled		11
	total	460

the number of cases		113
the number of decisions		71

Media

TV	20,0%	92
Radio	1,7%	8
Press	2,6%	12
Internet	10,0%	46
Outdoor advertising	64,1%	295
Direct marketing	1,3%	6
no data	0,2%	1
	total	460

Gender

Men	49,7%	226
Women	50,3%	229
	total	455

Year 2009

In 2009, the Union of Associations Advertising Council, the organisation responsible for self-regulation in the advertising industry in Poland, received 627 complaints. It means that there were 26% more complaints than in the previous year 2008 (461 complaints). 624 complaints were filed by consumers, 3 by businesses. The Advertising Standards Board, a body adjudicating on compliance of an advertisement with the Code of Ethics in Advertising, took 70 decisions in total.

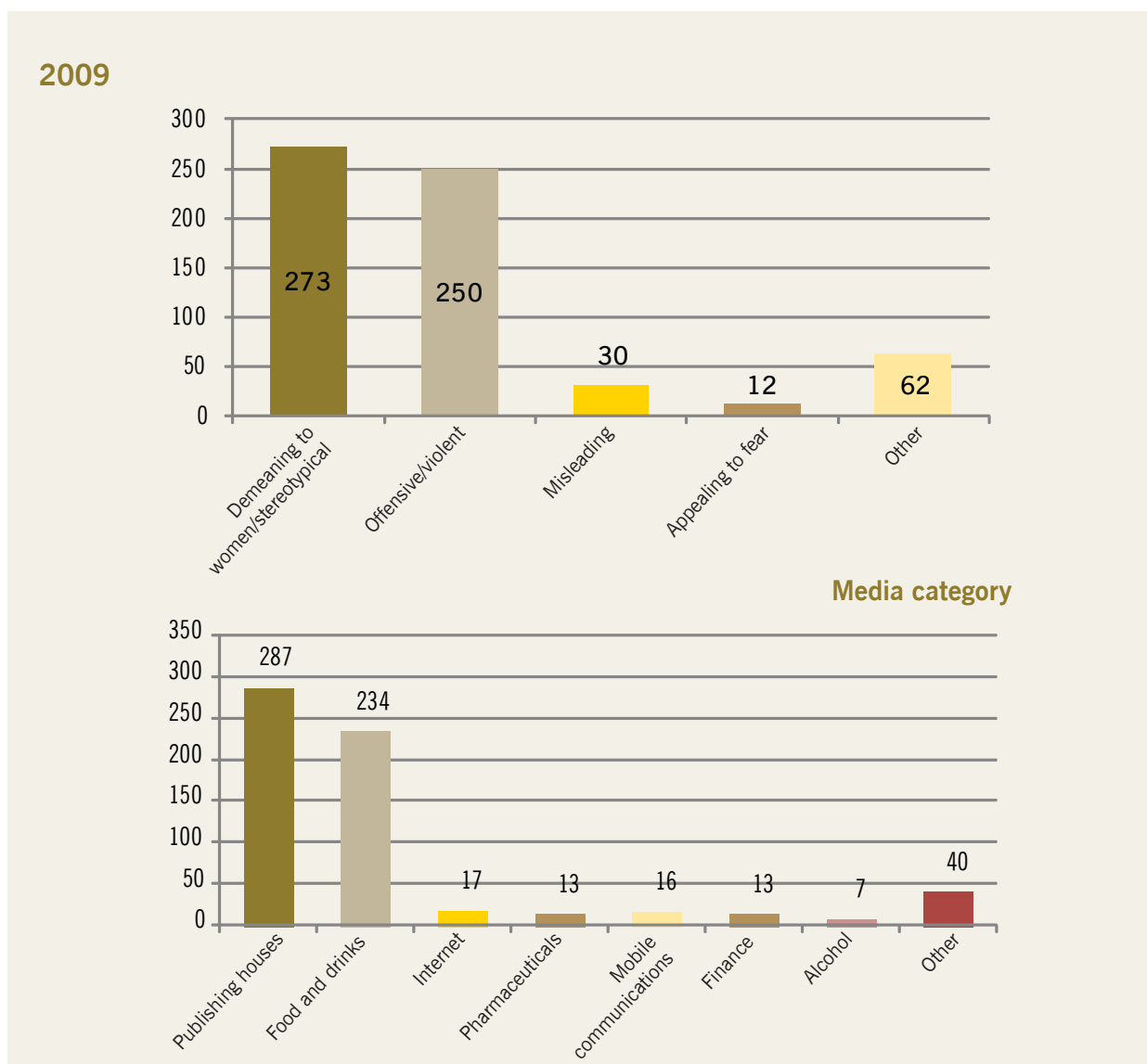
In 2009, Poles most often complained about advertisements that presented women in a degrading way or reinforced negative stereotypes – 273 complaints. 250 complaints concerned advertisements which, according to the complaining, were offensive, discriminatory or violent. In 30 cases, consumers accused advertisers of giving misleading information, in the case of 12 advertisements, reservations concerned the appeals to fear.

Most of complaints received last year – 155 – concerned the campaign promoting one of editions of Playboy magazine with Anna Mucha on the cover. The advertisement was accused of violating public decency and acceptable standards of behaviour, promoting sexually explicit images in public, what, according to the complaining, may corrupt children and teenagers. The Advertising Standards Board did not accept the accusations and decided that the advertisement was not in breach of the Code,

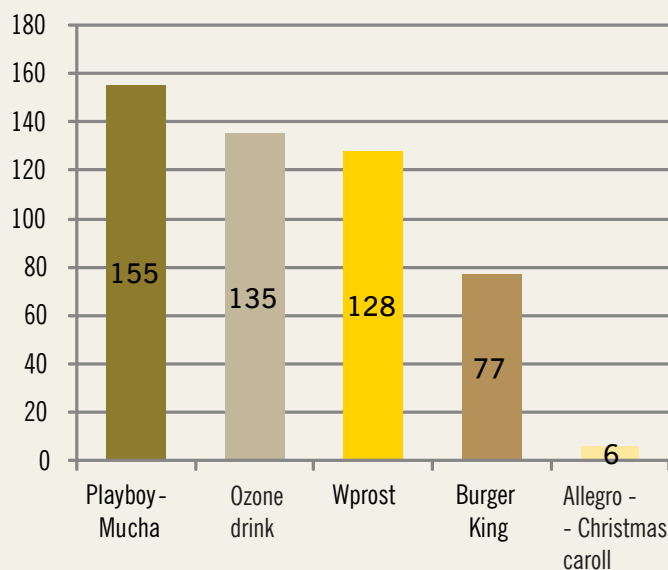
The advertising campaign of an energetic drink, Ozone, according to 135 people, objectified woman presenting her uniquely as a sexual object. Also in this case, the Advertising Standards Board did not share the opinion presented in the complaints.

Most of the complaints received by the Advertising Council in 2009 concerned outdoor advertising – 446, there were 105 complaints referring to online advertising and 54 complaints to TV commercials. Radio advertising campaigns were objected to by 10 people only, 6 people complained about direct marketing, 5 about press advertisements and 1 person about a cinema advertisement. This shows clearly that outdoor advertising arouses the strongest emotions, mainly due to the way it is displayed in public space. Many of people filing complaints declare that the content they cannot accept on billboards, would not be a problem for them if seen in a magazine for adults.

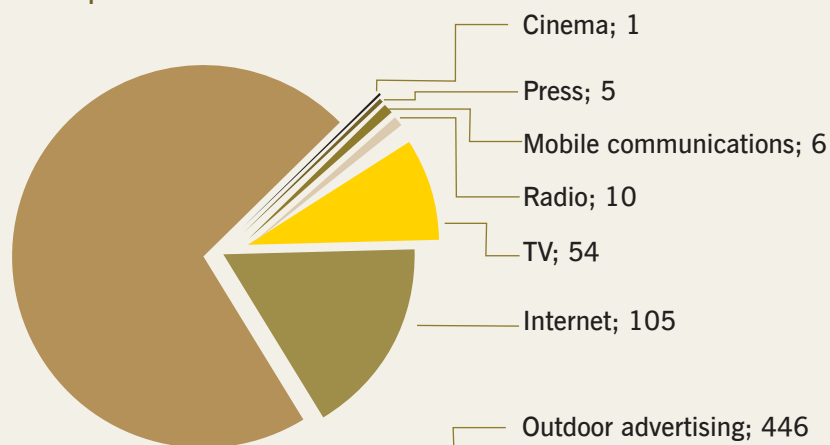
In 2009, as many as 287 complaints involved advertisements of publishing houses, mainly because of controversial campaigns by the weekly *Wprost* and *Playboy* monthly magazine. The second most numerous category included food and drinks, what was influenced to a large extent by campaigns of the energetic drink Ozone and Burger King chain. The third position concerned websites – 17 complaints. Complaints about mobile communications products and services were lodged by 16 people, whereas 13 complained about advertisements of pharmaceuticals and financial products. 7 people complained about advertisements of alcohol products. 7 people complained about advertisements of alcohol products.



The greatest number of complaints



Media-based division of complaints

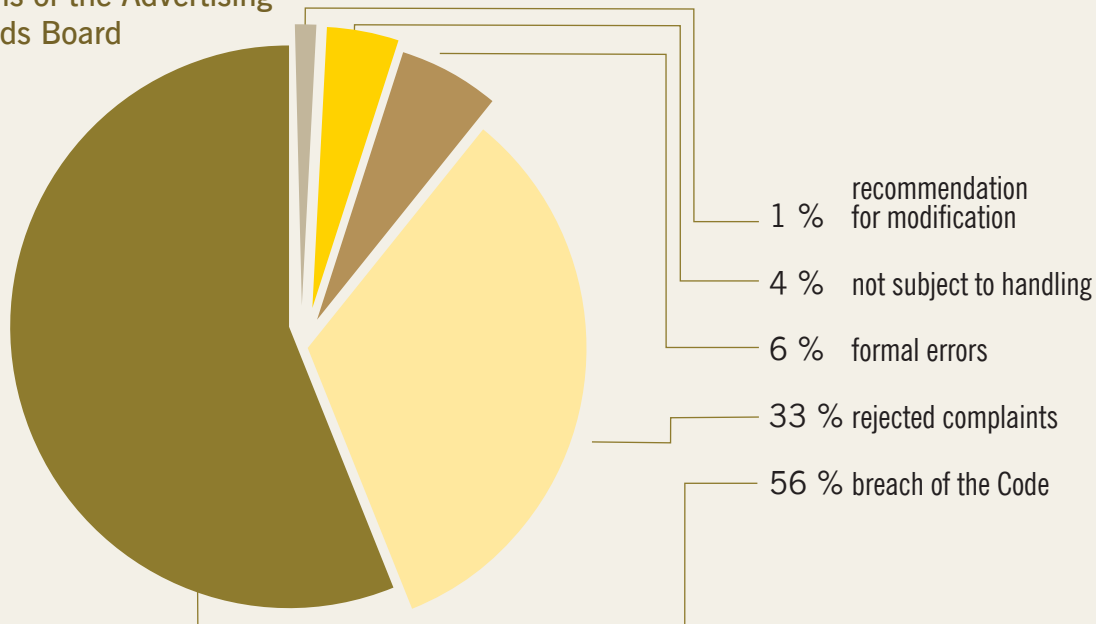


In the case of 317 complaints, the Advertising Standards Board did not support the accusations, in 133 cases, it upheld the claims entirely or partially deciding the advertisements were in breach of the Code of Ethics in Advertising. In 14 cases, the Advertising Standards Board recommended introduction of modifications to eliminate breaches of the Code. 85 complaints filed at the end of 2009 were in the process of being investigated or waiting for decisions to be made public when these statistics were being drawn up.

Year 2010

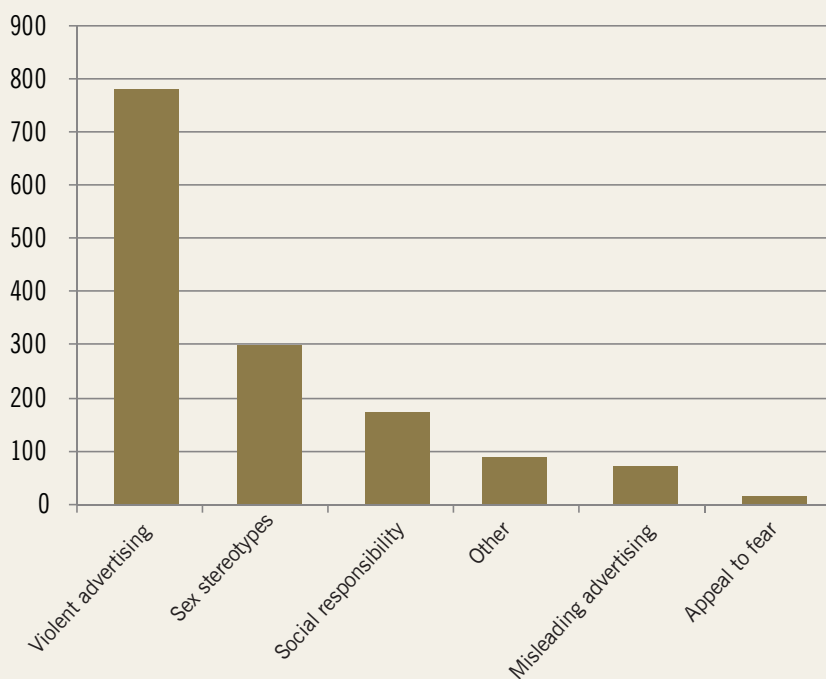
In 2010, the Advertising Council received 1429 complaints. It means that there were two times more complaints than in the year 2009 (627 complaints). 1422 complaints were filed by consumers, 6 by businesses, one as a matter of urgency by the management of the Union. The Advertising Council dealt with complaints referring to 180 different advertising messages. The Advertising Standards Board, a body adjudicating on compliance of an advertisement with the Code of Ethics in Advertising, took 94 decisions in total.

Decisions of the Advertising Standards Board



Decisions of the Advertising Standards Board

In the case of 798 complaints, the Advertising Standards Board decided that there was a breach of the Code of Ethics in Advertising upholding the claims, whereas 468 complaints were rejected. In the case of 14 advertisements, the Advertising Standards Board recommended introduction of modifications with a view to eliminating the breaches. 92 complaints contained formal errors making it impossible to identify the advertisement message they referred to or the claims themselves.



20

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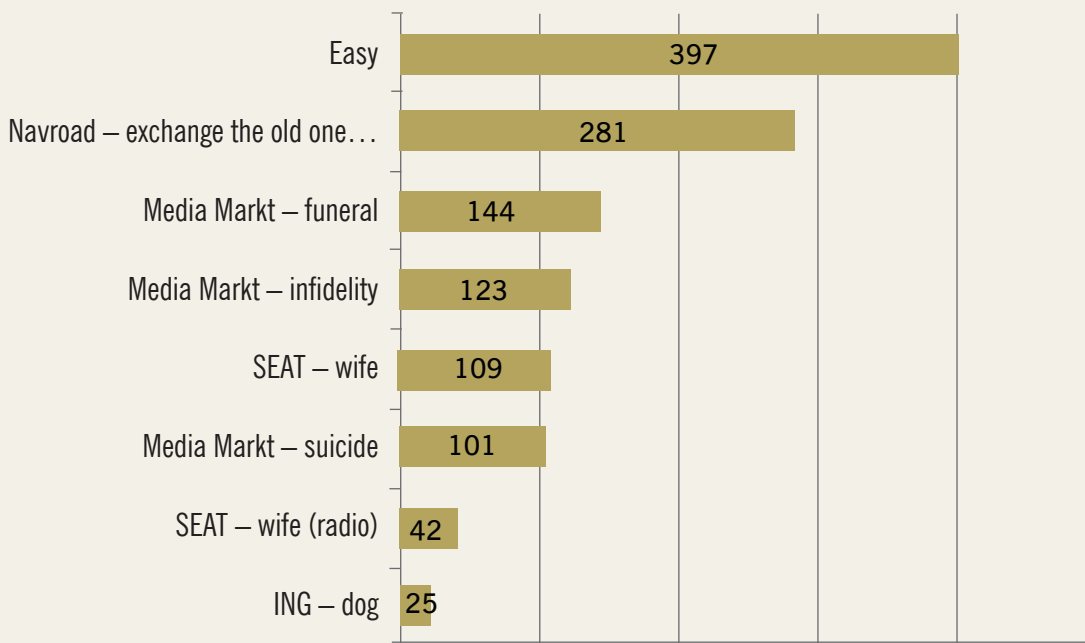


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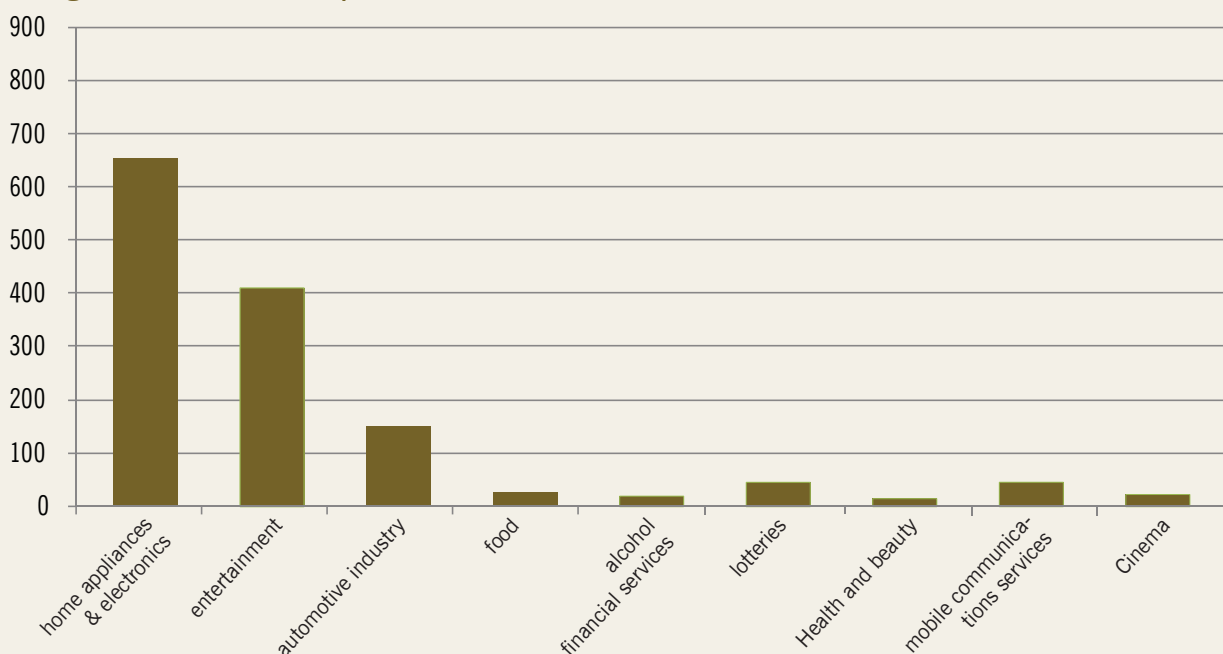
In 2010, most of the complaints – 787 concerned violent advertisements, which, according to consumers filing the complaints, distort their vision of the world or violate the commonly accepted standards. As many as 293 complaints involved sex stereotypes, mainly the image of women in advertising. 187 complainst raised the issue of social responsibility, among others, undermining family values.

An advertisement the greatest number of complaints were filed against was a poster promoting the film “Easy”. 397 people complained about, among others, the use of bad language, sex discrimination and promoting negative role models. The Advertising Standards Board upheld

The most often complained about advertisements



Categories of advertised products

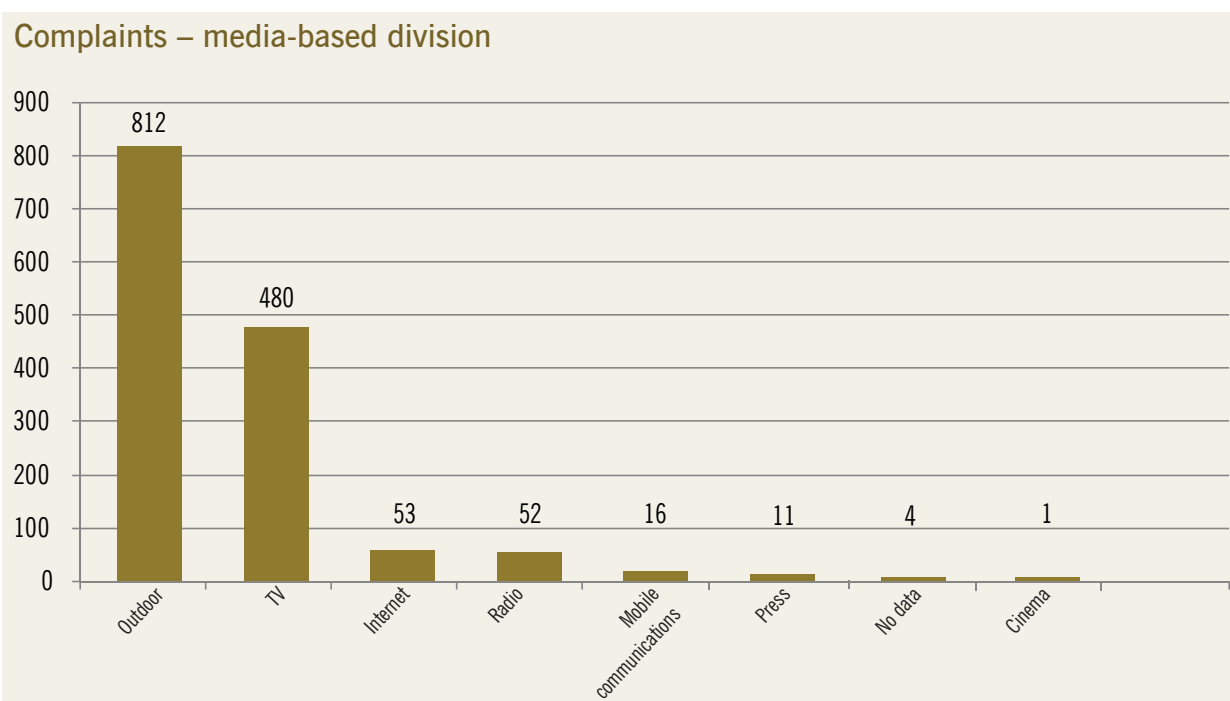


these complaints and decided that the poster was in breach of the Code of Ethics in Advertising. As for the campaign of Navroad car navigation, 281 people believed that the slogan “exchange the old one for the new one” implied exchanging the present female partner for a new one. In this case, the Advertising Standards Board did not find the advertisement in breach of the Code of Advertising. Three episodes of Media Markt advertising campaign with the leading slogan “Don’t make a scene...” made more than 300 consumers lodge their complaints.

Most of the complaints in 2010 concerned household appliances and electronics. This was mainly due to the highly contested advertising campaigns of Media Markt chain and Navroad car navigation system. The second position on the bar graph of entertainment resulted mostly from an inflow of complaints about the advertisement of the film “Easy.” Complaints under the heading automotive industry were provoked by TV and radio advertising campaigns of Seat.

Media share

In 2010 similarly as in the previous years, most of the complaints, namely 802, received by the Advertising Council concerned outdoor advertising. 480 people questioned conformity of TV commercials with the Code, 53 people complained about online advertising and 52 on radio advertising. Direct marketing actions were criticised in 16 complaints and press advertisements in 11 ones. In the case of 4 complaints, information presented was not sufficient to identify the place of broadcasting. There was one complaint filed about cinema advertising.



Experience gained during the five years of self-regulation in Poland proves that it complements effectively the legal framework of regulations governing advertising and, in many cases, it offers the only extrajudicial possibility of acting against dissemination of advertising that is misleading or does not comply with the accepted ethical standards. It should also be highlighted that the speed of decision is high – complaints are handled in a few weeks at the most, whereas court proceedings may last even a few years.

Self-regulation is a voluntary and grassroots initiative. Since self-regulation is established by market players themselves, it is based on good knowledge of the situation in a given sector and therefore the chance of excluding irrelevant solutions is greater. Self-regulation consists of a list of standards which are to be met by individual industries on a voluntary basis, yet once accepted they should be applied consistently.



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