



On 7 July 2016, the CPME Executive Committee adopted the 'CPME Position on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities (COM(2016)287)' (CPME 2016/062 FINAL).

CPME Position on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities (COM(2016)287)

The Standing Committee of European Doctors (CPME) represents national medical associations across Europe. We are committed to contributing the medical profession's point of view to EU institutions and European policy-making through pro-active cooperation on a wide range of health and healthcare related issues.¹

CPME welcomes the opportunity to comment on the Commission proposal for a Directive amending Directive 2010/13/EU on audio-visual media services.

Building on the 'CPME Response to Consultation on Directive 2010/13/EU on audiovisual media services (AVMSD) – A media framework for the 21st century'², CPME proposes the following amendments:

Recital 10

Commission proposal	CPME amendment
(10) Certain widely recognised nutritional guidelines exist at national and international level, such as the WHO Regional Office for Europe's nutrient profile model, in order to differentiate foods on the basis of their nutritional composition in the context of foods television advertising to children. Member States should be encouraged to ensure that self-and co-	(10) Certain widely recognised nutritional guidelines exist at national and international level, such as the WHO Regional Office for Europe's nutrient profile model, in order to differentiate foods on the basis of their nutritional composition in the context of foods television advertising to children. To effectively reduce the exposure of children and minors to

¹ CPME is registered in the Transparency Register with the ID number 9276943405-41.

² Please find the full consultation response [here](#).



<p>regulatory codes of conduct are used to effectively reduce the exposure of children and minors to audiovisual commercial communications regarding foods and beverages that are high in salt, sugars or fat or that otherwise do not fit these national or international nutritional guidelines.</p>	<p>audiovisual commercial communications regarding foods and beverages that are high in salt, sugars or fat or that otherwise do not fit these national or international nutritional guidelines Member States shall take legislative action.</p>
<p style="text-align: center;"><i>Justification</i></p> <p style="text-align: center;"><i>There is a significant body of evidence showing that self- and co-regulation is less effective in reducing the exposure of children and minors to the advertising of unhealthy products than legislation.</i></p>	

Recital 11

Commission proposal	CPME amendment
<p>(11) Similarly, Member States should be encouraged to ensure that self-and co-regulatory codes of conduct are used to effectively limit the exposure of children and minors to audiovisual commercial communications for alcoholic beverages. Certain co- regulatory or self-regulatory systems exist at Union and national level in order to market responsibly alcoholic beverages, including in audiovisual commercial communications. Those systems should be further encouraged, in particular those aiming at ensuring that responsible drinking messages accompany audiovisual commercial communications for alcoholic beverages.</p>	<p>(11) Similarly, to effectively prevent the exposure of children and minors to audiovisual commercial communications for alcoholic beverages, Member States shall take legislative action. Certain co- regulatory or self-regulatory systems exist at Union and national level in order to market responsibly alcoholic beverages, including in audiovisual commercial communications, however these systems have not proven successful in eliminating exposure meaningfully. Those systems should therefore be succeded by the provisions of this Directive, including those aiming at ensuring that responsible drinking messages accompany audiovisual commercial communications for alcoholic beverages.</p>
<p style="text-align: center;"><i>Justification</i></p> <p style="text-align: center;"><i>There is a significant body of evidence showing that self- and co-regulation is less effective in reducing the exposure of children and minors to the advertising of unhealthy products than legislation.</i></p>	

Article 9, paragraph 2

Commission proposal	CPME amendment
<p>2. Member States and the Commission shall</p>	<p>2. Member States shall take legislative action</p>



<p>encourage the development of self- and co-regulatory codes of conduct regarding inappropriate audiovisual commercial communications, accompanying or included in programmes with a significant children’s audience, of foods and beverages containing nutrients and substances with a nutritional or physiological effect, excessive intakes of which in the overall diet are not recommended, in particular fat, trans-fatty acids, salt or sodium and sugars.</p> <p>Those codes should be used to effectively reduce the exposure of minors to audiovisual commercial communications of foods and beverages that are high in salt, sugars or fat or that otherwise do not fit national or international nutritional guidelines. Those codes should provide that the audiovisual commercial communications are not to emphasise the positive quality of the nutritional aspects of such foods and beverages.</p> <p>The Commission and ERGA shall encourage the exchange of best practices on self- and co-regulatory systems across the Union. Where appropriate, the Commission shall facilitate the development of Union codes of conduct.</p>	<p>regarding inappropriate audiovisual commercial communications, accompanying or included in programmes with a significant children’s audience, of foods and beverages containing nutrients and substances with a nutritional or physiological effect, excessive intakes of which in the overall diet are not recommended, in particular fat, trans-fatty acids, salt or sodium and sugars.</p> <p>Member States shall effectively reduce the exposure of minors to audiovisual commercial communications of foods and beverages that are high in salt, sugars or fat or that otherwise do not fit national or international nutritional guidelines and provide that the audiovisual commercial communications are not to emphasise the positive quality of the nutritional aspects of such foods and beverages.</p> <p>The Commission and ERGA shall encourage the exchange of best practices on self- and co-regulatory systems across the Union. Where appropriate, the Commission shall facilitate the development of Union codes of conduct.</p>
<p><i>Justification</i></p> <p><i>There is a significant body of evidence showing that self- and co-regulation is less effective in reducing the exposure of children and minors to the advertising of unhealthy products than legislation.</i></p>	

Article 9, paragraphs 3 and 4

Commission proposal	CPME amendment
<p>3. Member States and the Commission shall encourage the development of self- and co-regulatory codes of conduct regarding inappropriate audiovisual commercial communications for alcoholic beverages. Those codes should be used to effectively limit the</p>	<p>3. Member States shall prohibit commercial communications for alcoholic beverages to effectively limit the exposure of children and minors.</p>



<p>exposure of minors to audiovisual commercial communications for alcoholic beverages.</p> <p>4. The Commission and ERGA shall encourage the exchange of best practices on self- and co-regulatory systems across the Union. If considered appropriate, the Commission shall facilitate the development of Union codes of conduct</p>	<p>4. The Commission and ERGA shall encourage the exchange of best practices on self- and co-regulatory systems across the Union. If considered appropriate, the Commission shall facilitate the development of Union codes of conduct</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>There is a significant body of evidence showing that self- and co-regulation is less effective in reducing the exposure of children and minors to the advertising of unhealthy products than legislation. As a consequence, Article 22 of the Directive should be deleted.</i></p>	

Article 10, paragraph 1, point (b)

Commission proposal	CPME amendment
(b) they shall not directly encourage the purchase or rental of goods or services	(b) they shall not directly encourage the purchase or rental of goods or services or contravene the provisions of this Directive
<p style="text-align: center;"><i>Justification</i></p> <p><i>Sponsorships shall not undermine the Directive's provisions.</i></p>	