



Stricter and more detailed national rules for audiovisual commercial communications

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Foreword

In his 1917 novel *South Wind*, British author Norman Douglas wrote: “You can tell the ideals of a nation by its advertisements.” Indeed, while advertisements are a reflection of the market's supply side, they also tend to reflect the public's demand, thereby mirroring the prevailing zeitgeist of the day and era. But even more importantly, one could say that the values and principles of a nation are reflected in the types of advertising that are permitted (or not permitted) and the manner in which they can be presented.

The Audiovisual Media Services Directive¹ (AVMSD) coordinates national rules on audiovisual commercial communications (ACCs) – that is, advertising distributed on television, on-demand services and video-sharing platforms. The protection of the general public, but also minors, is the key concern underpinning a series of specific rules aiming to ensure a high level of protection. General principles include the requirement for advertising not to be surreptitious or to rely on subliminal techniques, and to be clearly identifiable. It also tightly regulates product placement, for instance prohibiting the practice in children's programmes.

In addition to those principles, the AVMSD imposes outright bans on ACCs for tobacco products and prescription-only medicines and sets strict conditions for ACCs for alcoholic beverages.

With the help of national experts, we have looked into national advertising rules with regard to certain categories of products and services, looking simultaneously at national transpositions of the AVMSD and rules stemming from non-media legal frameworks.

The products and services studied were grouped into five main categories: alcoholic beverages, gambling products, financial products, health products without prescription (over-the-counter medicines)², and alternative and other medicinal products. The case of national bans on certain categories of products was also explored, when relevant.

For each category of products and services, we have also looked at how the rules applied to the different actors of the audiovisual sector.

Enjoy the read!

Maja Cappello

Head of the Department for Legal Information

European Audiovisual Observatory

¹ [Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services \(Audiovisual Media Services Directive\).](#)

² “Over-the-counter medicines” also referred to as “OTC medicines” are medicines that can be purchased without a prescription.

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Executive summary

The purpose of this report is to identify and analyse existing rules that regulate audiovisual commercial communications (ACCs) in greater detail or more strictly for several categories of products and services, namely:

- Alcoholic beverages
- Gambling products
- Financial products
- Health products without prescription (over-the-counter medicines, hereinafter “OTC medicines”)
- Alternative and other medicinal products (hereinafter, “alternative medicines”)

In addition to these categories of products and services, this study also examines the existence of general prohibitions for certain other categories of products or services. The objective is to provide an overview of the types of rules governing these categories of products and services that are specific to the media, with an emphasis on the types of rules, their scope of application by type of service provider and the origin of these rules. In terms of applicability, all rules applicable to service providers, covering audiovisual media services (broadcasters and VOD services), video-sharing platforms (VSPs) and influencers, are taken into consideration.

In terms of the origin of these rules, the scope of the study covers all legislative or regulatory texts relating to the media and advertising, but also any other relevant legislative areas, in particular those relating to the sectors and industries to which the product or service categories under study belong. In addition, any relevant rules resulting from self-regulation are also included. The geographical scope covers all 27 EU member states as well as Norway.

The subject of this study, and its various angles of analysis, are therefore very rich and aim to identify common trends and frequent regulatory orientations among all the rules identified for the different product and service categories. A high degree of harmonisation in the origin of the rules identified was found in the case of alcoholic beverages, which is the only product or service category studied in this report that explicitly falls within the scope of the Audiovisual Media Service Directive (AVMSD).³ For other product and service categories not explicitly covered by the AVMSD, the scope of the rules identified focuses mainly on what will be referred to in this report as “media-specific rules”, i.e. rules applying

³ While not explicitly covered by the AVMSD, the general ACC rules (e.g. on transparency) of the directive do apply.



directly to service providers, as opposed to a category of rules very often identified in this report, namely more sector-specific rules applying directly to producers of ACCs (i.e. producers of the advertised product or service, advertisers) and therefore not to the media that disseminate them.

A first angle of analysis focuses on trends in regulatory approaches and the applicability of the specific media rules identified for all product and service categories. An initial observation is that there are different trends in terms of the proportion of specific media rules depending on the category of products and services not explicitly subject to the AVMSD, as follows:

- **Gambling products:** media-specific rules identified in 18 jurisdictions (BE [FR], BG, CY, EE, ES, FI, FR, HR, HU, IE, IT, LT, MT, NL, NO, PL, PT, RO).
- **OTC medicines:** media-specific rules identified in eight jurisdictions (AT, EE, HR, HU, IE, IT, LV, RO).
- **Financial products:** media-specific rules identified in seven jurisdictions (EE, ES, FR, IE, PT, RO, SK).
- **Alternative medicines:** media-specific rules identified in one jurisdiction (IE).

The media-specific rules identified were then categorised according to their common characteristics. The three most common categories of rules, across all product categories, were as follows:

- **Minor protection specific rules:** rules relating to the protection of minors, which often take the form of a ban on making available ACCs for certain products or services in or near programmes intended for children (BE (VL), EE, ES, FI, FR, HR, HU, IE, IT, MT, PT, RO).
- **Content requirements:** standards applicable to the ACCs themselves (they must be clear, non-misleading and identifiable as such (AT, EE, HU, IE, LV, MT, NO, RO).
- **Scheduling rules:** obligations, often specific to broadcasters, but not exclusively, which prohibit the dissemination of ACCs for certain types of products or services during certain time slots (BE (FR), CY, EE, ES, FI, HR, IE, IT, MT, NL, PL, PT, RO, SI, SK).

An analysis of the applicability of these rules by type of service provider reveals that **a large proportion of them apply exclusively to broadcasters**. Certain rules specific to VOD services, VSPs and influencers have also been identified.

The comparative review then shifts focus to each product and service category. The first angle focuses on whether or not there is a general definition for these categories, and what trends exist in terms of approaches to definitions. The issue of the rules applicable to these different categories is then examined. An initial distinction is made for products and services not explicitly covered by the AVMSD, analysing the type of non-specific rules generally identified. This is followed by a more detailed analysis of the rules specific to the media identified according to their categories, applicability, and area of law. The various



trends in terms of media-specific rules, identified according to the relevant product or service categories, are presented below::

- **Alcoholic beverages:** scheduling rules in 12 jurisdictions (EE, ES, ES, FI, IE, IT, MT, NL, PL, PT, RO, SI, SK); general bans (for all alcoholic beverages, or only certain types of beverages) in 10 jurisdictions (AT, BE [FR], FI, FR, IE, LV, NO, PL, SE, SI); minor protection specific rules in seven jurisdictions (BE [VL], FI, HU, IE, IT, PT, RO); content requirement rules in five jurisdictions (HU, LV, MT, NO, RO); specific media restriction rules in three jurisdictions (EE, IE, SE); warning rules in three jurisdictions (EE, RO, SI).
- **Gambling products:** minor protection specific rules in 10 jurisdictions (EE, ES, FI, FR, HR, HU, IE, MT, PT, RO); scheduling rules in nine jurisdictions (BE [FR], CY, ES, HR, IE, MT, NL, PL, RO); general ban for certain gambling products in six jurisdictions (BE [FR], BG, EE, IT, LT, PL); license verification obligations in five jurisdictions (ES, HU, IE, NO, RO); content requirement rules in three jurisdictions (IE, NO, RO); specific media restriction rules in four jurisdictions (HU, HR, MT, NO) and one warning rule in one jurisdiction (RO).
- **Financial products:** content requirement rules in three jurisdictions (IE, RO, SK); general ban for certain financial products in two jurisdictions (EE, FR); license verification obligations in two jurisdictions (ES, PT); and one warning rule in one jurisdiction (RO).
- **OTC medicines:** content requirement rules in four jurisdictions (AT, EE, IE, RO); minor protection specific rules in three jurisdictions (EE, HU, RO); warning rules in two jurisdictions (HR, RO), one specific media restriction rule in one jurisdiction (IT) and one general ban in one jurisdiction (LV).
- **Alternative medicines:** one warning rule identified in one jurisdiction (IE)

Particular attention is also paid to the existence of rules for each of these categories derived from self-regulation. It was observed that when these rules were identified, they came either from self-regulatory bodies specialising in advertising (for alcoholic beverages and OTC medicines) or from self-regulatory bodies specific to the product or service sector concerned (particularly for financial products and gambling products).

Finally, the comparative analysis focuses on the existence of general bans on certain categories of products or services. The first of these is already explicitly covered by the AVMSD, namely tobacco products. This ban was found in all of the jurisdictions studied, with certain additional restrictions identified in four jurisdictions (BG, ES, LV, SE). General bans on other categories of products or services were also identified. It should be noted that these are not exhaustive, given that such bans may stem from many different areas of law, and that products or services considered illegal in each jurisdiction are obviously also prohibited from being advertised. Nevertheless, it is interesting to note that the most frequent categories identified in this report are the following:

- Weapons and ammunitions (with some exceptions in certain jurisdiction for ACCs disclosed in specialised media): BE [VL], CY, CZ, EE, FR, GR, HR, HU, LU, MT, NO, PL, PT, SE, SK

- Infant formula: EE, IE, LT, LV, MT, SE, SK
- Sexuality-related products or services: CY, EE, HU, PL, PT, RO
- Narcotics substances: BG, CZ, DE, EE, IT

The report concludes with a detailed overview of all these rules by different categories for each of the jurisdictions analysed.

1. Introduction

The regulation of audiovisual commercial communications (ACCs) for certain product categories, such as alcoholic beverages, gambling products, financial products or OTC medicines, represents a complex and evolving issue in the European Union's audiovisual media landscape.

According to Article 1(1)(h) of the Audiovisual Media Service Directive (AVMSD), ACCs are defined as “images with or without sound which are designed to promote, directly or indirectly, the goods, services or image of a natural or legal person pursuing an economic activity; such images accompany, or are included in, a programme or user-generated video in return for payment or for similar consideration or for self-promotional purposes. Forms of audiovisual commercial communication include, inter alia, television advertising, sponsorship, teleshopping and product placement”.

The Directive further lays down general qualitative minimum rules in Article 9 that all ACCs must comply with, as well as additional specific rules for alcoholic beverages in Article 22. It also allows EU member states some leeway to adopt more restrictive rules at national level for commercial communications promoting certain categories of products or services.

The objective of this study is to examine the stricter or more detailed rules in place at national level for the following categories:

- alcohol beverages
- gambling products
- financial products
- OTC medicines
- alternative medicines

Other categories are excluded from the scope of this study. General rules applicable to ACCs, such as those related to subliminal techniques, discrimination, human dignity or environmental concerns, are also not covered, unless they fall under the specific scope of stricter rules applicable to the aforementioned categories.

The study consists of an analysis of the national rules applicable to the product and service categories specified above. It includes the national definitions of these categories as well as the rules applicable to service providers when advertising these products and services.

The applicability of these rules to different types of service providers is also considered. For the sake of simplicity, this study refers to “service providers” as a unified notion covering audiovisual media services (broadcasters and VOD services), video-sharing platforms (VSPs) and influencers.



The applicable rules referred to are those derived from national media legislation and other relevant areas of legislation such as national legislation relating to the sectors of the categories under consideration, for example financial or medicinal legislation. They also include co-regulation and self-regulation initiatives where relevant to the subject.

The geographical scope covers the 27 EU member states (including, for Belgium, the French-speaking community and the Flemish-speaking community) and Norway.



2. Methodology

2.1. Scope and objectives

The methodology followed in preparing this report consisted of the following main steps:

- Desk research
- Collection of data by means of a questionnaire to national experts.
- Production of national summaries
- Checking rounds with competent national media regulatory authorities (NRAs)
- Drafting of a comparative study by an international co-ordinating expert

Throughout the report, the Flemish and the French Communities of Belgium are treated as separate entities, and as separate jurisdictions for the purpose of clarity, since although certain aspects of advertising are governed by sector-specific legislation at national level, other aspects are governed by media laws specific to each of the communities..

With regards to the categories that fall under the scope of this study, the following indications and examples were given to the national experts to clarify how each category can be interpreted:

- “gambling products” relate to e.g. lotteries, casino games, sports betting, horse racing, poker and online gambling.
- “financial products” relate to e.g. banking products, financial securities, insurance, etc.
- “OTC medicines” relate to products or services the public can buy in parapharmacy shops such as supplementary products (vitamins, probiotics, prebiotics, herbal supplements, etc).
- “alternative medicines” relate to herbal smoking products (e.g. cannabidiol [CBD]) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like the so-called TENS devices), and sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

The research scope was not limited to media-specific legislation, but also extended to other potentially relevant legal frameworks that may contain provisions applicable to ACCs for the products or services concerned. The process of collecting and analysing data revealed that a number of rules governing ACCs for specific products or services not explicitly covered by the AVMSD tend to be regulated by other areas of legislation, such as product-specific law, consumer protection, competition, financial or medical legislation, among



others. While every effort was made to identify the relevant provisions, it is possible that additional rules may exist in certain jurisdictions.

Due to this wide variety of areas of legislation, emphasis has been placed on identifying the main trends and patterns in national legislation, by focusing on significant national specificities, particularly when related to the media, rather than providing an exhaustive and comprehensive inventory of all rules currently in force across the jurisdictions studied. The primary objective was to provide an overview of the main European trends in the regulation of ACCs for these categories. In this vein, particular attention has been given to what will be referred to in this report as “media-specific rules”, i.e. the stricter or more detailed rules that apply directly to the various service providers: broadcasters, VOD services, VSPs and influencers. Other rules, derived from sectoral legislation, are also applicable to ACCs, but to the producers of the ACCs rather than the service providers displaying them. Particular attention was also paid to the types of service providers to which the stricter or more detailed rules apply, specifically in cases where rules applied exclusively to one type.

2.2. Production of national summaries

A standardised questionnaire was elaborated by the European Audiovisual Observatory (EAO) and sent to a selection of national experts from all EU-27 member states (including the two Flemish-speaking and the French-speaking communities of Belgium) and Norway. The national experts were tasked with providing an overview of stricter or more detailed national rules applying to the five specified categories listed above and were asked to explore possibilities outside media law such as the variety of national legislations linked to the five specified categories, and from self- and co-regulatory codes as well. They were also asked to specify for each rule identified the type of service provider to which it applies.

The list of national experts involved in the drafting and review of the national summaries is provided in the Acknowledgement section. Based upon their replies, and further exchanges with the national experts, the EAO prepared national summaries for all jurisdictions within the scope of the study, with the aim of constituting accurate overviews of the situation in each jurisdiction.

Each national summary was sent back to the corresponding national expert for review. Once validated by the expert, each national summary was submitted to the relevant media NRAs for further verification of the content.

2.3. Production of the comparative analysis

The comparative analysis was conducted based on the national summaries checked by national media NRAs. The first step focused on the analysis of trends and national particularities among jurisdictions within the scope of the study. These elements



constituted the preliminary steps towards the drafting of the comparative analysis which, along with the national summaries, forms the basis of the study.

Considering the identified trends and national characteristics, as well as the type of data collected and presented in the national summaries, a dual approach was adopted to structure the comparative analysis.

The first angle of analysis focuses on trends in regulatory approaches to ACCs for different categories across jurisdictions. Attention was paid to the areas of law most often identified and whether trends could be observed across different categories. The same approach was then adopted to observe trends in the applicability of these rules to different types of service providers, assessing the existence of a level playing field between them and whether there was a particular trend in the regulatory approach depending on the type of service provider. Finally, there was examination of the role of self-regulation and co-regulation in the regulation of these ACCs in general.

The second angle of analysis focused specifically on national trends and characteristics observable for each product or service category. The analysis starts with an overview of the relevant definitions in place for each of these categories. It then focuses on the various applicable rules, first outlining the relevant European legal framework, then distinguishing in particular between media-specific rules and other sectoral legislation that is more product-specific. Particular attention was also paid to identifying co- and self-regulation in jurisdictions for each of these categories, as well as analysing more specific cases of complaints handled by media NRAs where relevant. The comparative analysis concludes with a review of existing general prohibitions for different types of products and categories of services identified by national experts.

3. Regulatory trends and scope of more detailed or stricter ACC rules for certain products and services

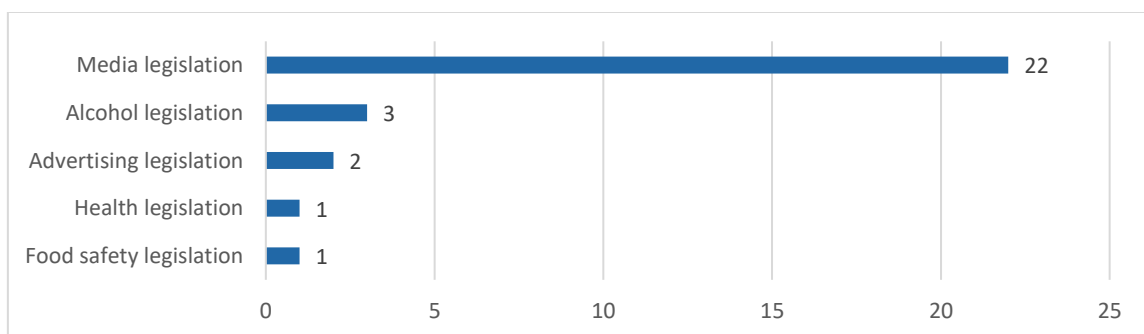
3.1. Trends in the regulatory approaches

3.1.1. Regulatory approaches by areas of law

As explained, the national legal framework of the jurisdictions studied was not limited to media or advertising legislation but also included any specific legislation applicable to the product or service categories studied.

Among the five categories of products and services covered by this study, only alcoholic beverages are subject to specific rules under the AVMSD, which contains specific provisions on alcoholic beverages in Articles 9 and 22. These provisions are detailed in section 6.1.2. of this report. An analysis of the origin of the area of law from which the rules transposing these provisions derive shows that the vast majority (AT, BE [FR], BE [VL], BG, CY, CZ, DE, DK, ES, GR, HR, HU, IE, IT, LU, LV, MT, NL, PL, RO, SE, SK) come from media legislation. Other areas of legislation identified in this report are alcohol legislation (FI, LT, NO), advertising legislation (EE, PT), health legislation (FR) and food safety legislation (SI).

Figure 1. Main areas of legislation implementing the requirements of Article 9 (1) (g) and 22 of the AVMSD for ACCs for alcoholic beverages



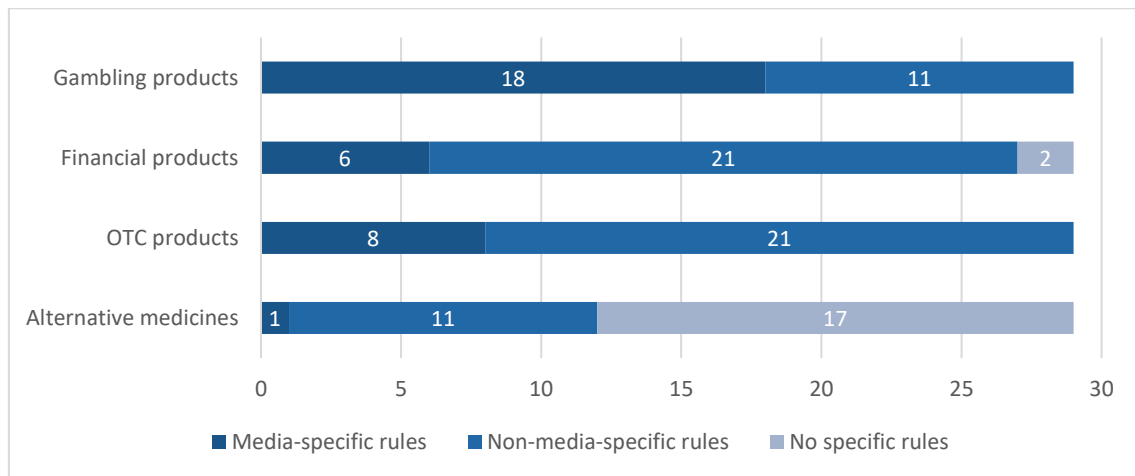
Source: Analysis of the responses to the EAO standardised questionnaire

Gambling and financial products are not subject to any specific rules within the AVMSD. The same applies to OTC medicines and alternative medicines, considering that the only

provisions relating to medical products in the AVMSD concern prescription products. Consequently, as will be explained in more detail in the sections dedicated to each of these categories, the areas of law containing rules applicable to ACCs for these categories come from different sources, with the exception of alcoholic beverages. These may include financial and consumer protection laws for financial products, medical and health laws for OTC medicines and alternative and other medicinal products, or specific gambling legislation.

As the focus of this study is on ACCs disseminated via certain types of service provider, in particular broadcasters, VOD services, VSPs and influencers, the emphasis has been placed on the rules that apply specifically to these providers. Thus, regardless of their origin, only rules that apply directly to service providers or contain requirements that more directly concern them were subject to specific and exhaustive analysis. An initial distinction was therefore made on this basis for all categories except alcoholic beverages. The figure below reflects these findings, illustrating for all 29 jurisdictions studied the proportion of jurisdictions where media-specific rules were identified by the experts, and the proportion of jurisdictions where non-specific rules were identified for each category.

Figure 2. Proportion of media-specific rules identified by category in number of jurisdictions



Source: Analysis of the responses to the EAO standardised questionnaire

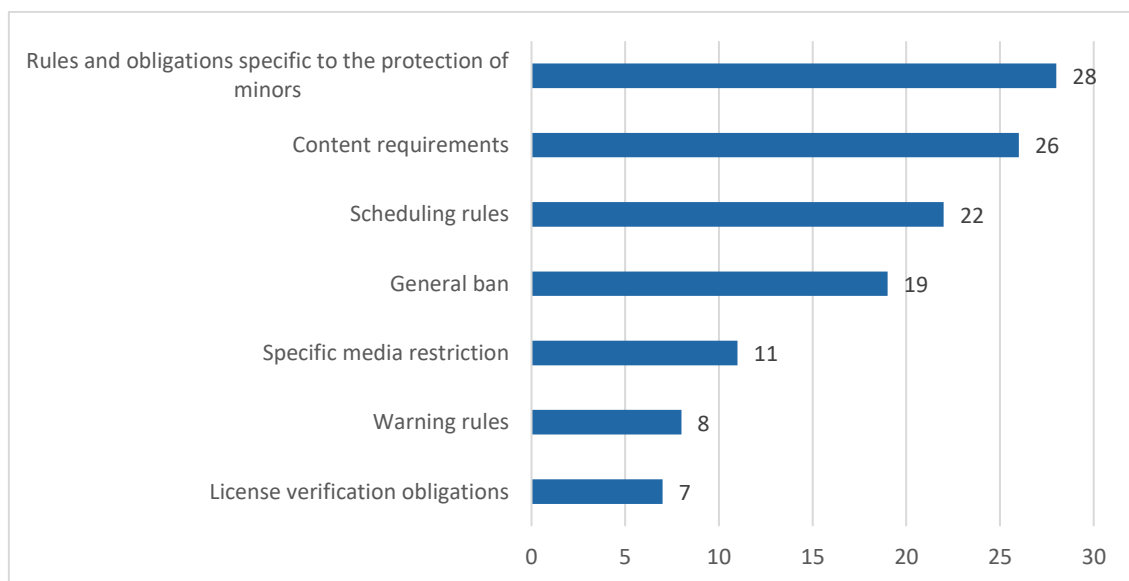
As can be seen, the existence of media-specific rules varies greatly depending on the category of products or services designated. Gambling products, for example, are subject to numerous media-specific rules (identified in BE [FR], BG, CY, EE, ES, FI, FR, HR, HU, IE, IT, LT, MT, NL, NO, PL, PT, RO). This is less the case for financial products (identified in EE, ES, FR, IE, PT, RO) and OTC medicines (identified in AT, EE, HR, HU, IE, IT, LV, RO), whose advertising and marketing are often subject to dedicated legislation (particularly for advertising of OTC medicines) or are directly regulated by the industry to which they belong. In addition, these two categories are subject to certain rules applicable to advertising under a number of European directives, and a certain degree of harmonisation of the rules was observed. The rules that were not specific to the media mainly concerned the content of

the advertising itself, i.e. the information that had to be included in the ACC, the way in which this information was presented and, in many cases, the specific requirements relating to the warning messages that had to accompany these ACCs.

As regards alternative medicine, as further detailed in the dedicated section, only one media-specific rule was identified (IE). The concept of alternative medicine is a very broad one with no agreed definition, and the rules applicable to this type of product vary considerably from one jurisdiction to another, especially as there is no consensus at European level on what constitutes alternative medicine.

Among all the legislation analysed by national experts, 121 media-specific rules that constitute stricter or more detailed rules were identified for all categories combined.⁴ An initial comparative analysis reveals the different categories of rules identified, as shown in the figure below:

Figure 3. Most frequently identified types of media-specific ACC rules for all categories of products and services



Source: Analysis of the responses to the EAO standardised questionnaire

Details of the types of rules, accompanied by more specific examples, including from which jurisdiction they originate and the area of legislation, are provided in Section 6 of this report for each category. In general, these categories correspond to:

- Rules and obligations specific to the protection of minors (hereinafter, ‘Minor protection specific rules’):⁵ rules relating to the protection of minors, children

⁴ In the case of alcoholic beverages, only rules that go beyond the requirements of the AVMSD were included in this calculation.

⁵ This category of rules encompasses various types of rules that share the same objective related to the protection of minors.



and young people, which often take the form of a ban on making available ACCs for certain products in or near programmes intended for children (BE [VL], EE, ES, FI, FR, HR, HU, IE, IT, MT, PT, RO).

- Content requirements: rules relating to standards applicable to the advertising itself, which must be complied with by service providers and often concern the obligation to be clear, non-misleading and identifiable as such. Depending on the products or services, specific rules apply (AT, EE, HU, IE, LV, MT, NO, RO, SK).
- Scheduling rules: obligations often specific to broadcasters, but not exclusively, which prohibit the dissemination of ACCs for certain types of products or services during certain time slots (BE [FR], CY, EE, ES, FI, HR, IE, IT, MT, NL, PL, PT, RO, SI, SK).
- General ban: general ban on certain categories or sub-categories of products or services (AT, BE [FR], BG, EE, FI, FR, IE, IT, LT, LV, NO, PL, SE, SI).
- Media-specific restriction: restrictions specific to a particular type of service provider (EE, HR, IE, IT, MT, NO, SE).
- Warning rules: obligation to accompany advertising with a specific warning message depending on the product or service concerned (EE, HR, IE, RO, SI).
- Licence verification obligations: obligation for service providers to verify that the ACCs come from an entity with a specific licence (ES, HU, IE, NO, PT, RO).

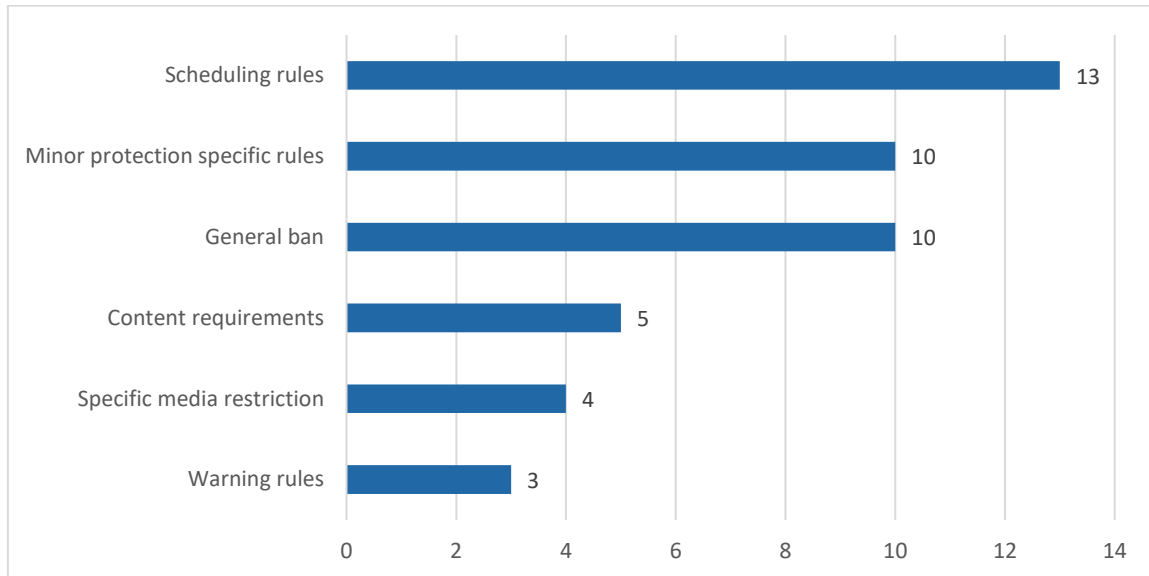
3.1.2. Trends by product or service category

3.1.2.1. Alcoholic beverages

The provisions of Articles 9 and 22 of the AVMSD setting out the requirements that ACCs for alcoholic beverages must comply with have been transposed in all of the jurisdictions studied. However, it should be noted that four jurisdictions (FR, NO, LT, SE) have chosen to introduce a general ban on this type of advertising, with certain exceptions.⁶ Among those that have transposed the provisions, numerous rules going beyond the requirements of the AVMSD were identified. The trends in terms of different types of rules are presented in the figure below.

⁶ Detailed in Section 4.6. of this report.

Figure 4. Media-specific rules for ACCs for alcoholic beverages per type of rules



Source: Analysis of the responses to the EAO standardised questionnaire

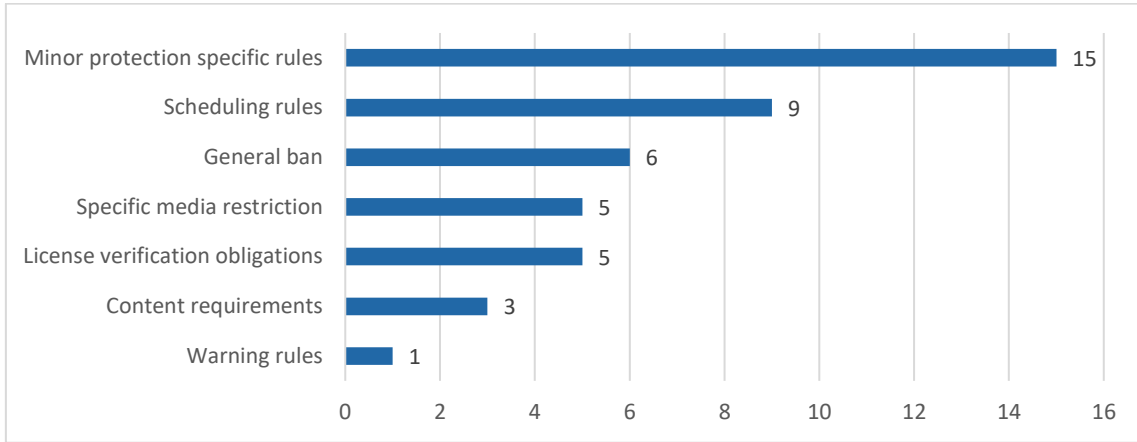
Overall, the rules most frequently identified are:

- No ACCs made available within a specified time period (generally the time period between 6am and 9pm, but great variance depending on the jurisdictions, EE, ES, ES, FI, IE, IT, MT, NL, PL, PT, RO, SI, SK).
- Prohibition of ACCs for alcoholic beverages in or around children’s programmes (BE [VL], IE, HU, IT).
- Prohibition of ACCs for alcoholic beverages with high alcohol content by volume (AT, BE [FR], FI, IE, SI).
- Prohibition of ACCs for all alcoholic beverages (FR, SE, NO, LT).

3.1.2.2. Gambling products

Although they are not explicitly regulated by the AVMSD, many media-specific rules were identified with regards to ACCs for gambling products. The trends in terms of different types of rules are presented in the figure below, which shows the number of media-specific rules identified according to different categories.

Figure 5. Media-specific ACC rules for gambling products per type of rules



Source: Analysis of the responses to the EAO standardised questionnaire

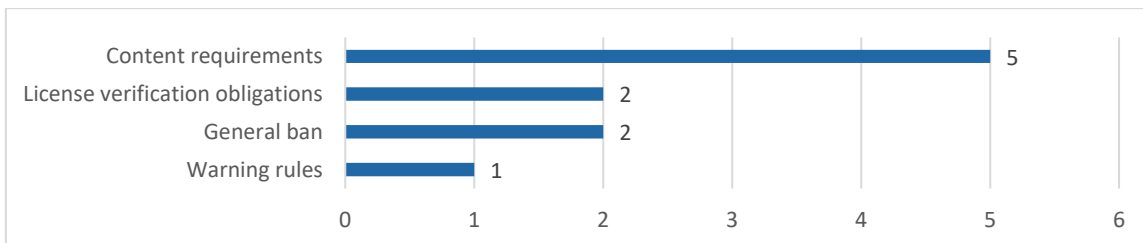
Overall, the rules most frequently identified are:

- No ACCs for gambling products in or around children’s programme (EE, ES, FI, FR, MT).
- No ACCs for gambling products made available within a specified time period (generally within the time period between 6am and 9pm, but with great variance depending on the jurisdictions, BE [FR], CY, ES, HR, IE, MT, NL, PL, RO).
- General ban on ACCs for gambling products (BG, EE, IT, LT, PL).

3.1.2.3. Financial products

Generally, there are very few media-specific ACC rules targeting broadcasters, VOD services, VSPs, or influencers. Instead, the rules are directed at the companies producing or selling the products or services themselves, not the media platforms. Among the media-specific ACC rules identified, the most frequent types of rules are presented in the figure below.

Figure 6. Media-specific ACC rules for financial products per type of rules



Source: Analysis of the responses to the EAO standardised questionnaire

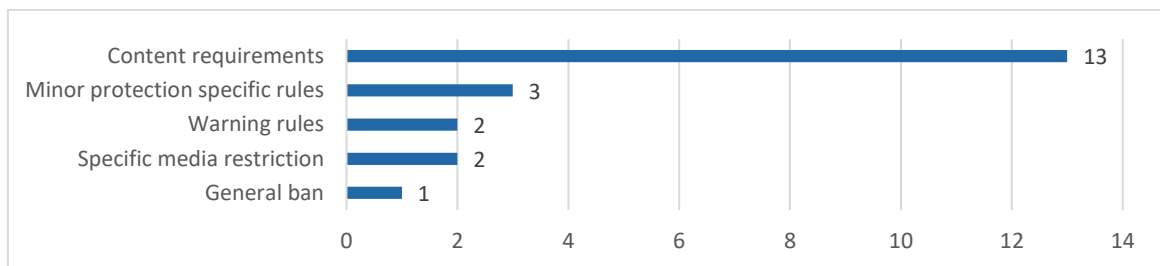
Overall, the rules most frequently identified are:

- ACCs must display standardised information in a clear way (IE, RO).
- General ban for ACCs for certain types of financial products (EE, FR).
- Service providers must verify financial products and authorisations before dissemination of the ACC (PT, ES).

3.1.2.4. OTC medicines

There are very few media-specific ACC rules targeting broadcasters, VOD services, VSPs, or influencers. As with financial products, advertising rules usually apply directly to the manufacturers of medicines through product-related or service-related legislation. A significant proportion of the non-media-specific rules identified reflect a degree of harmonisation, due in particular to the existence of European directives setting out certain requirements for the advertising of these products or services. Among the few media-specific ACC rules identified, the most frequent types of rules are presented in the figure below.

Figure 7. Media-specific ACC rules for OTC medicines per type of rules



Source: Analysis of the responses to the EAO standardised questionnaire

Overall, the rules most frequently identified are:

- ACCs must be clear and not contain misleading or exaggerated or harmful claims (AT, IE, RO).
- ACCs must contain certain standardised information (IE, RO, EE).
- No ACCs for OTC medicines in or around children’s programmes (RO, EE).

3.1.2.5. Alternative medicines

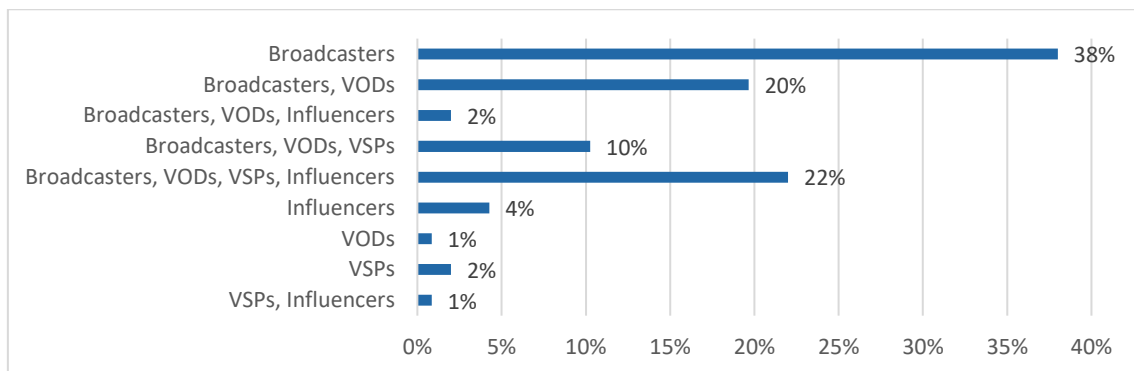
National legislations rarely contain specific rules for service providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products or services offering alternative medicine options to the public (identified in BG, CY, DE, EE, IT, NL). Only one media-specific rule concerning ACCs for substitute products was identified (IE). This rule stems from media legislation and requires that ACCs for certain specific products be accompanied by a health warning message.

3.2. Trends in the regulatory scope by type of service provider

3.2.1. Applicability of rules by type of service providers

This section examines the trends emerging regarding the applicability of media-specific rules identified in this report across the different types of service providers to which they apply. The first figure below illustrates these trends, across all categories of products and services. Each rule identified has a scope of application that varies, potentially covering one or more types of service providers.

Figure 8. Trends in the diverse scope of application of media-specific ACC rules

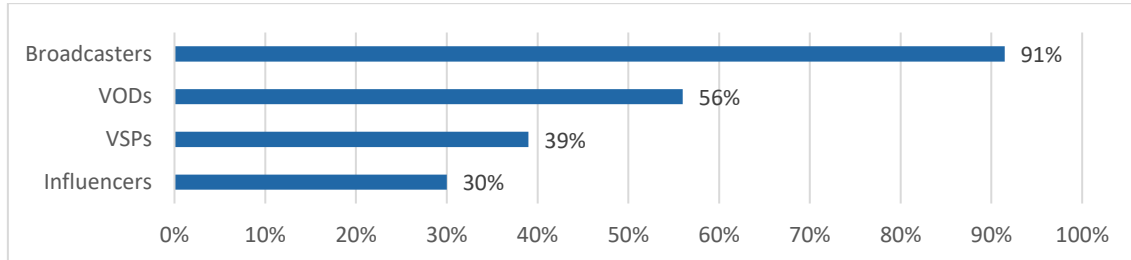


Source: Analysis of the responses to the EAO standardised questionnaire

It can be observed that the first tendency in terms of applicability for these media-specific rules is that 38% of the rules identified apply exclusively to broadcasters. Then, 22% of the rules identified are applicable to all service providers, including broadcasters, VOD services, VSPs and influencers. Third place remains occupied by broadcasters and VOD services, to which 20% of the identified rules are exclusively applicable.

In contrast to Figure 8, which shows trends in the different scopes of application of media-specific ACC rules (with one or more categories of service providers), Figure 9 highlights the proportion of all identified regulations that apply to each type of service provider, thereby allowing a direct comparison of the extent of regulation affecting each type of service provider. This shift in perspective reveals new trends regarding the number of rules applying to each type of service provider individually. The figure below shows, among the media-specific rules identified, how many apply to broadcasters, VOD services, VSPs and influencers.

Figure 9. Trends in terms of applicability of media-specific ACC rules for each type of service provider

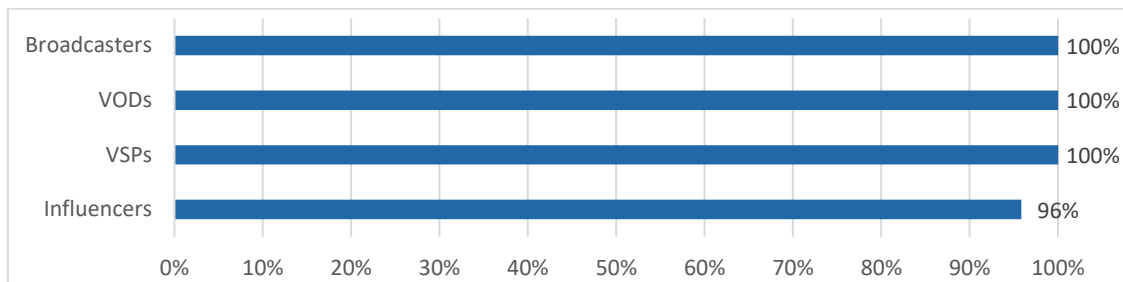


Source: Analysis of the responses to the EAO standardised questionnaire

It appears that 91% of the media-specific rules identified apply to broadcasters. Over half of these, 56%, apply to VOD services. As for VSPs, 39% of the identified rules apply to them. Finally, 30% of the identified rules apply to influencers.

Trends change when focusing on a category specifically subject to the scope of the AVMSD, namely alcoholic beverages. Broadcasters, VODs and VSPs are all subject to the same rules under the AVMSD with regards to this category. Although influencers are not specifically targeted by the AVMSD, they may be subject to it in their capacity as AVMS services if they meet the definition criteria.⁷ The figure above shows the applicability of the rules resulting from the transposition of Articles 9, 22 and 28b of the AVMSD, by category of service provider individually.

Figure 10. Trends in terms of applicability of the transposition of Articles 9 (1) (g), 22 and 28b of the AVMSD for alcoholic beverages for each type of service provider



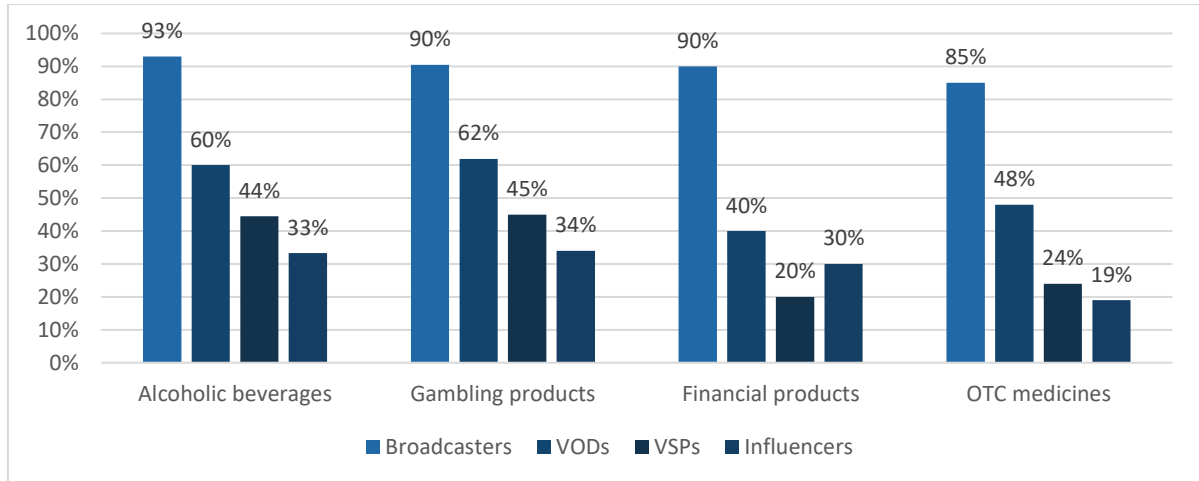
Source: Analysis of the responses to the EAO standardised questionnaire

As observed, 100% of the rules identified in this report apply to broadcasters, VOD services and VSPs, across all countries, and 96% apply to influencers.

⁷ More information on the concept and definition of influencers in Europe is available in the report [National rules applicable to influencers, European Audiovisual Observatory, Strasbourg, 2024](#).

The figure below now shows the different trends in terms of applicability for each type of service provider individually, for the stricter and more detailed media-specific rules for each product or service category.⁸

Figure 11. Trends in terms of applicability of media-specific ACC rules per category of products and services and type of service provider



Source: Analysis of the responses to the EAO standardised questionnaire

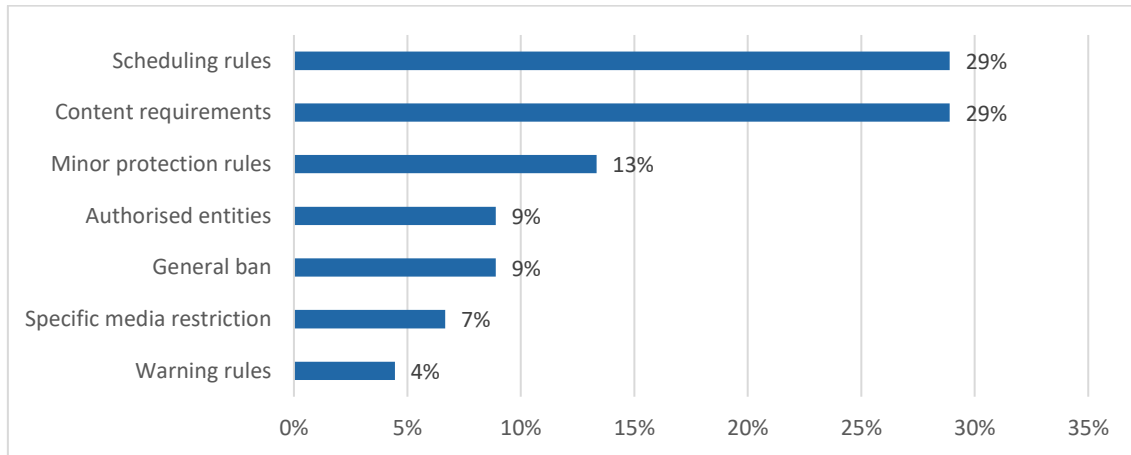
The following sections focus on the types of media-specific rules that apply to each type of service provider, across all product and service categories.

3.2.2. Rules applicable only to broadcasters

Among the media-specific rules identified for all categories, some are exclusively applicable to broadcasters. The figure below shows the trends in terms of the categories into which the identified rules can be classified.

⁸ The category of alternative medicine has not been included here as only one media-specific rule was identified, and was exclusively applicable to broadcasters. More information on this subject can be found in section 4.5.2. of this report.

Figure 12. Media-specific ACC rules applicable exclusively to broadcasters per type of rules



Source: Analysis of the responses to the EAO standardised questionnaire

One of the most common categories of rules applicable exclusively to broadcasters identified in this report concerns content requirements, i.e., the obligations that broadcasters must comply with regarding the content of the advertisements they broadcast. These types of rules were identified in three jurisdictions (AT, IE, RO) and apply to various categories of products and services, mainly OTC medicines and financial products.

An equally frequent category of rules concerns the scheduling of advertising during certain time slots. Identified in 12 jurisdictions (BE [FR], CY, EE, ES, FI, IE, NL, PL, PT, RO, SI, SK), they mainly apply to alcoholic beverages and gambling products.

The third category of rules that are most frequently applicable exclusively to broadcasters are those relating to the protection of minors. Identified in five jurisdictions (BE [VL], FI, IE, FR, RO), they mainly apply to alcoholic beverages and gambling products.

3.2.3. Rules applicable only to VOD services

Only one case of rules exclusively applicable to VOD services was identified. This is a content obligation rule imposed on VOD services in Romania in the case of ACCs for gambling. This rule stems from the National Audiovisual Code⁹ and provides that VOD services must ensure that ACCs broadcast on their platforms comply with rules relating to the protection of minors. This rule appears to be based on an existing rule for broadcasters in the same code, which sets out other rules relating to the protection of minors for broadcasters. However, this rule specifically targets VOD services.

⁹ [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).

3.2.4. Rules applicable only to VSPs

Only three cases of rules specifically applicable to VSPs were identified, as presented in the table below.

Table 1. Media-specific ACC rules applicable exclusively to VSPs

Product	Category of rules	Rule	Jurisdiction	Area of law
Gambling product	Minor protection specific rules	ACCs by VSPs authorised on gambling products they do not organise or sell, only on mainly gambling channels, with measures in place to prevent minors from accessing the platform and sharing messages promoting responsible gambling..	ES	Media legislation ¹⁰
Alcoholic beverages	Specific media restriction	No ACCs for alcoholic beverages before, during or after user-generated videos or television programmes on the platform	SE	Alcohol legislation ¹¹
OTC medicines	Specific media restriction	Italian Ministry of Health's Guidelines on the advertising of non-prescription medicines regulate promotional activities on VSPs	IT	Health/ medicines legislation ¹²

Source: Analysis of the responses to the EAO standardised questionnaire

3.2.5. Rules applicable only to influencers

Only five cases of rules specifically applicable to influencers have been identified, as presented in the table below.

¹⁰ Art. 91 (2)(c) of [Law 13/2022 of 7 July on General Audiovisual Communication](#) (Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual).

¹¹ Chapter 7, Section 3 of the [Swedish Alcohol Act](#) (Alkohollag).

¹² [Ministry of Health's Guidelines on the advertising of non-prescription medicines](#) (Ministero della Salute - Linee guida sulla pubblicità sanitaria dei medicinali di automedicazione (OTC) e dei medicinali senza obbligo di prescrizione (SOP) e dei medicinali senza obbligo di prescrizione (SOP)).

Table 2. Media-specific ACC rules applicable exclusively to influencers

Product	Category of rules	Rule	Jurisdiction	Area of law
Financial products	General ban	No ACCs for financial products (financial contracts, provision of service, digital assets, etc.).	FR	Media legislation ¹³
Alcoholic beverages	Minor specific protection rules	Influencers must use the tools currently made available by video-sharing platforms and social media to restrict access to advertising for alcoholic beverages by minors at least for the period immediately following publication (meaning at least seven days from the end of the campaign).	IT	Media legislation ¹⁴
Gambling product	Minor protection specific rules	ACCs for gambling may be disseminated by influencers on online platforms only if these platforms offer the technical possibility of excluding all users under the age of 18 from viewing such content and if this exclusion mechanism is effectively activated by these individuals.	FR	Media legislation ¹⁵
Gambling products	Specific media restriction	Content creators are forbidden from promoting, advertising, or live-streaming games of chance on social networks. Additionally, celebrities and influencers cannot appear in gambling advertisements on the internet, in audiovisual and radio programmes, and in electronic publications.	HR	Gambling legislation ¹⁶
OTC medicines	Specific media restriction	Influencers should not use testimonials in promotional videos implying any form of recommendation or preference.	IT	Health/ medicines legislation ¹⁷

Source: Analysis of the responses to the EAO standardised questionnaire

¹³ Art. 4 of [Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks](#) (LOI n° 2023-451 du 9 juin 2023 visant à encadrer l'influence commerciale et à lutter contre les dérives des influenceurs sur les réseaux sociaux).

¹⁴ [Code of conduct for influencers](#) introduced with Resolution No. 197/25/CONS (Codice di condotta per gli influencer).

¹⁵ Art. 4 of [Law No. 2023-451 of 9 June 2023](#) aimed at regulating commercial influence and combating abuses by influencers on social networks (LOI n° 2023-451 du 9 juin 2023 visant à encadrer l'influence commerciale et à lutter contre les dérives des influenceurs sur les réseaux sociaux).

¹⁶ [zakona o elektroničkim medijima](#); Art. 67.d of [Act on Games of Chance](#) (zakona o igrama na sreću).

¹⁷ Art. 117 of [Legislative Decree No. 219/2006 relating to medicinal products](#) (DECRETO LEGISLATIVO 24 aprile 2006, n. 219 Attuazione della direttiva 2001/83/CE (e successive direttive di modifica) relativa ad un codice comunitario concernente i medicinali per uso umano).

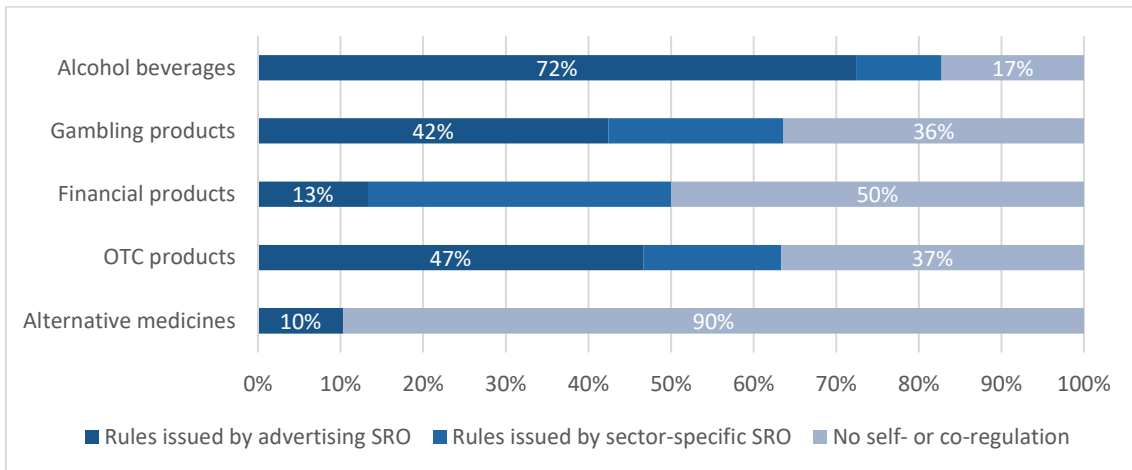
3.3. Role of self- and co-regulation and key trends

Self-regulation organisations (SROs) play an important role in regulating ACCs. Numerous codes of conduct and rules were identified and are presented in more detail in Section 6 of this report and in the national summaries in Section 7 of this report.

An interesting trend to note is the difference in the areas of specialisation of SROs. As the figure below shows, many of the self-regulation rules identified do not originate from SROs specialising in advertising, but from SROs specifically linked to the sector of the product category covered by the ACCs.

Trends vary greatly depending on the product category concerned, as shown in the figure below.

Figure 13. Origin of self-regulation rules per product category



Source: Analysis of the responses to the EAO standardised questionnaire

The categories of alcoholic beverages, OTC medicines and gambling products are the categories where the highest proportion of self-regulatory rules originating from advertising self-regulatory bodies were identified.

There is also a strong presence of SRO rules for gambling products, financial products and OTC medicines. For financial products, the share rises to 50%, meaning that half of the rules identified tend to come from this type of SRO. This is most likely due to the specific characteristics of these types of products and the existence of specific financial legislation, which is also very important. This is confirmed by the analysis of trends in specific types of media legislation in Figure 2, which shows that financial products are the category with the most non-media-specific rules.



4. Comparative review by product and service category

4.1. Alcoholic beverages

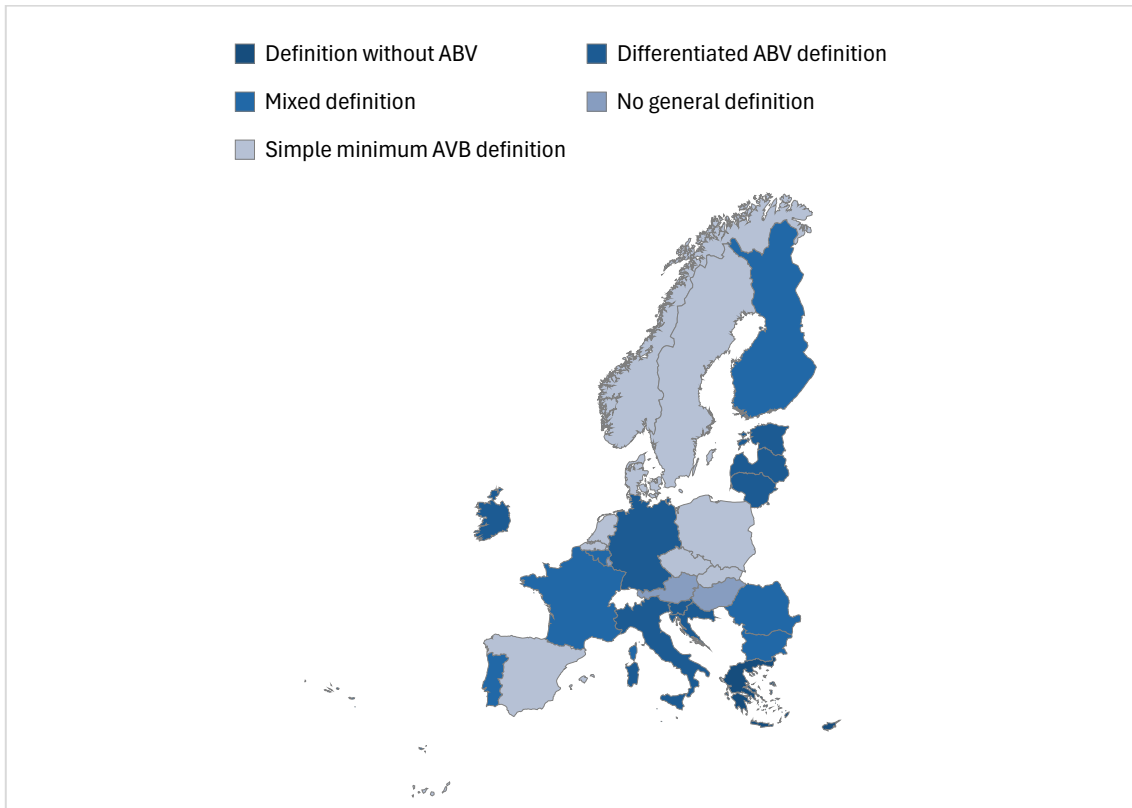
4.1.1. Definition and scope

For the purpose of regulating ACCs, different approaches have been taken by national jurisdictions in establishing a definition of the term 'alcoholic beverages'. These definitions are often accompanied by a reference to a minimum alcohol by volume (ABV¹⁸) percentage, but the thresholds applied vary from one jurisdiction to another.

Overall, the main approaches observed in the definition of alcoholic beverages at national levels are shown in the figure below.

¹⁸ ABV stands for alcohol by volume, a measure which represents the percentage of a liquid's volume that is pure alcohol.

Figure 14. Trends observed in the definition of alcoholic beverages



Source: Analysis of the responses to the EAO standardised questionnaire

Four of the jurisdictions analysed have not established a definition of alcoholic beverages (AT, HU, LU, MT). AT, HU and LU instead refer to European regulations¹⁹ and directives²⁰ to determine the scope of their rules, particularly for rules specific to spirits with an alcohol content of at least 15% ABV (AT). Malta also has no specific definition, but its law specifies that the rules apply to beverages containing at least 1.2% ABV.

Only two jurisdictions (CY, GR) do not refer to any ABV percentage and instead outline a general definition of alcoholic beverages as any beverage containing any volume of alcohol (except methylated spirits, in CY) or containing ethyl alcohol in any percentage (GR).

¹⁹ Such as [Regulation \(EU\) No 1169/2011](#) of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and [Regulation \(EU\) 2019/787](#) of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008.

²⁰ Such as [Council Directive 92/83/EEC of 19 October 1992](#) on the harmonization of the structures of excise duties on alcohol and alcoholic beverages.



Nine jurisdictions (BE [VL], CZ, DK, ES, NL, NO, PL, SE, SK) have implemented a single, simple definition defining alcoholic beverages as any beverage with a minimum percentage ABV specified, usually ranging from 0.5% ABV in most cases up to 2.5% ABV as the minimum percentage for classification as an alcoholic beverage.

Eight jurisdictions have adopted several definitions depending on the type of beverage, based on different minimum ABV thresholds (DE, EE, HR, IE, IT, LT, LV, SI). In general, they apply different minimum ABV percentages to different types of beverages, namely 0.5% for beers, 1.2% for wines and 15% for spirits. In most cases, the minimum threshold is set at 0.5%, and for beverages considered to be the most alcoholic, the highest minimum alcohol content observed is generally 20% ABV.

Six jurisdictions (BE [FR], BG, FI, FR, PT, RO) have chosen to adopt more detailed and broader definitions, based on various defining elements that may include a description of the fermentation process or a minimum alcohol content threshold. As a general rule, these definitions refer to several types of alcoholic beverages, such as beer, wine and spirits, for which they provide separate definitions, but that are not systematically associated with a minimum ABV threshold (BE[FR], PT, RO). Others also add definitions of different types of terms, such as “actual alcoholic strength” and “strong alcoholic beverage” (BG).

The table below sets out the different definitions identified in each jurisdiction, together with the relevant legislative references.

Table 3. Definition of alcoholic beverages in national legislations

Jurisdiction	Definition	Source
AT	No legal definition.	
BE (FR)	<p>Beer: the beverage obtained after alcoholic fermentation of a wort prepared mainly from starchy and sugary raw materials, of which at least 60% is barley or wheat malt, as well as hops, possibly in a processed form, and brewing water.</p> <p>Wine: the beverage resulting from the alcoholic fermentation of grapes (or possibly other fruits) with a maximum alcohol content of 15% to which no alcohol has been added.</p> <p>Spirit drink: the alcoholic beverage intended for human consumption and produced directly either:</p> <ul style="list-style-type: none"> a) by distillation, with or without flavourings, of naturally fermented products; b) maceration or similar treatment of plant materials in ethyl alcohol; c) the addition of flavourings, sugars or other sweetening products, and/or other agricultural products and/or foodstuffs to ethyl alcohol. 	<i>Law of 24 January 1977 on the protection of consumer health with regard to foodstuffs and other products</i>
BE (VL)	Beverages with more than 0.5% ABV.	<i>Covenant on the advertising and marketing of alcoholic beverages</i> (Article 1.2)



Jurisdiction	Definition	Source
		Law on the Structure and Excise Duties on Alcohol and Alcoholic Beverages (Art. 4)
BG	Alcoholic beverages according to the Health Act are spirits, wines and beers. Spirits are liquids intended for consumption that contain at least 15% ABV	Law on Wine and Spirit Beverages , Health Act (Additional provisions of the Health Act, additional provision, Art. 17-18)
CY	Beverages containing any volume of alcohol (except methylated spirits)	Sale of intoxicating liquors law , Section 2
CZ	Beverages with more than 0.5% ABV.	Act on the Protection of Health against the Harmful Effects of Addictive Substances (Section 2(f))
DE	No general definition but the Alcohol Tax Act provides for minimum alcohol percentage requirements for taxation Minimum requirement: >1.2% ABV Spirit >15% ABV	Alcohol Tax Act
DK	Beverages with more than 0.5% ABV.	Guidelines for the Marketing of Alcohol (notes of section 2 of the guidelines)
EE	Beer with more than 0.5% ABV and any other drink with an ethanol content of more than 1.2% ABV	Alcohol act (Art. 2(3))
ES	No general definition of alcoholic beverages	
FI	Beverages with more than 1.2% ABV (and under 80%).	Alcohol Law (Art. 3)
FR	Beverage with more than 1.2% ABV Non-distilled fermented beverages and natural sweet wines: wine, beer, cider, perry, mead, to which are added natural sweet wines, as well as crème de cassis and fermented fruit or vegetable juices containing between 1.2 and 3 degrees of alcohol, liqueur wines, wine-based aperitifs and liqueurs made from strawberries, raspberries, blackcurrants or cherries, containing no more than 18 degrees of pure alcohol; Rums, tafias, spirits obtained from the distillation of wines, ciders, perry or fruit, without any added essence, as well as liqueurs sweetened with sugar, glucose or honey at a rate of at least 400 grams per litre for aniseed liqueurs and at least 200 grams per litre for other liqueurs, and containing no more than half a gram of essence per litre;	Code of Public Health (Article L. 3321-1)
GR	Beverages containing ethyl alcohol in any percentage	Code of Food and Beverage
HR	Beers (>0,5% ABV), wines (>1,2% ABV, <15% ABV and >15% ABV <18% ABV)), other beverages obtained by fermentation other than	Excise Duty Act Art. 61-66)



Jurisdiction	Definition	Source
	beer and wine (>1,2% ABV, <10% ABV and >10% , <15% ABV), intermediate product and ethyl alcohol (>22% ABV).	
HU	No legal definition	
IE	Beer made from malt and any beverage containing a mixture of such beer with any non-alcoholic beverage where >0.5% ABV Cider and perry: >1.2%ABV <15%ABV (fermentation of apple or pear juice) Intermediate beverage: other than beer, wine or other fermented beverages, where part of the alcohol content is fermented and >10% ABV (still beverage) or >13% ABV (sparkling beverage) and is under 22% ABV Spirit: >1.2% ABV and containing partly distilled alcohol	Finance Act (Art. 73)
IT	Beverages with edible alcohol with more than 1.2% ABV “Super alcoholic beverages” are any product with more than 21% ABV.	Law No. 125/2001 on alcohol and alcohol-related problems (Art. 1(2))
LT	Alcoholic beverage – a beverage with an ethyl alcohol concentration of more than 1.2% by volume (beer – more than 0.5%).	Law on Alcohol Control of the Republic of Lithuania (Official Gazette, 1995, No. 44-1073; 2004, No. 47-1548 (Article 2(1))
LU	No specific definition; the Customs and Excise Agency refers to the Directive on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages	Customs and Excise Agency
LV	Beer > 0.5% ABV Wine > 1.2% ABV < 18% (still) or <15% (sparkling) Fermented drinks > 1.2% ABV, < 15% ABV Intermediate (basic raw material is wine or fermented beverage) >1.2% ABV < 22% ABV Other beverages containing exceeding 1.2% ABV.	Law on Excise Goods (Art. 3)
MT	No definition in the Broadcasting Act, though it applies rules on alcoholic beverages which contain min. 1.2% ABV.	Broadcasting Act (16M(4)(d))
NL	Beverages with more than 0.5% ABV	Alcohol Act (Art. 1)
NO	Beverages containing >2.5% ABV	Act on the Sale of Alcoholic Beverages (Alcohol Act) (Section. 1.3)
PL	Product intended for consumption exceeding 0.5% ABV.	Act of 26 October 1982 on Sobriety education and Counteracting Alcoholism (Art. 46(1))
PT	Beer, wines, other fermented beverages, intermediate products, spirituous or similar beverages and non-spirituous beverages (through fermentation, distillation or addition, containing an alcoholic strength greater than 0.5% ABV)	Law-Decree No. 50/2013, New regime for the provision, sale and consumption of alcoholic beverages in public places



Jurisdiction	Definition	Source
		and in places open to the public (Art. 2)
RO	<p>Beverages containing a minimum 1.2% ABV</p> <p>Beer: any product obtained by fermentation of malt mash, with or without the addition of cereals or other sugars</p> <p>Wines: products obtained exclusively by total or partial alcoholic fermentation of fresh grapes (crushed or uncrushed)</p> <p>Intermediate products: fermented beverages with added ethyl alcohol, or distilled</p> <p>Ethyl alcohol: all products containing alcohol and not falling into the other categories, with an alcoholic strength exceeding 1.2% ABV and which are classified under CN codes 2207 and 2208, even when these products are part of a product classified under another chapter of the combined nomenclature</p>	Law No. 227/2015 on the Fiscal Code (Art. 349, 350, 352, 353)
SE	Beverages containing more than 2.25% ABV	Swedish Alcohol Act (Chapter 1, Section 5)
SI	<p>Any beverage with >1.2% ABV</p> <p>A spirit drink contains more than 15% ABV</p>	Restrictions on the Use of Alcohol Act (Art. 2)
SK	Spirits, distillates, wine, beer, and other beverages containing more than 0.75% ABV.	Law of 1 July 1996 on Protection against the Abuse of Alcoholic Beverages and on the Establishment and Operation of Alcohol Sobering-up Centres (Art. 1)

Source: Analysis of the responses to the EAO standardised questionnaire

4.1.2. Applicable rules

Articles 9 and 22 of the AVMSD provide for rules on ACCs for alcoholic beverages. They shall not be aimed specifically at minors and shall not encourage immoderate consumption of such beverages. Furthermore, ACCs shall not link the consumption of alcohol to enhanced physical performance or driving. They shall not create the impression that the consumption of alcohol contributes towards social or sexual success. Alcohol shall not be advertised as having therapeutic qualities or as a stimulant, a sedative or a means of resolving personal conflicts, and ACCs shall not present abstinence or moderation in a negative light. Finally, ACCs shall not place emphasis on high alcoholic content as being a positive quality of the beverages.



These rules are to be respected by broadcasters and by VOD services²¹ (Article 9 (2)), and by VSPs (Article 28b (2)) as well for ACCs that are marketed, sold or arranged by VSP providers.

Twenty-five of the jurisdictions analysed have transposed these rules into their domestic law and applied them to ACCs for alcoholic beverages. Among these jurisdictions, it should be noted that one jurisdiction (BG) has adopted a mixed approach, whereby the rules from the AVMSD only apply to advertising considered as indirect advertising.²² Direct advertising²³ for alcoholic beverages, regardless of their minimum ABV threshold, is prohibited.²⁴

In the case of four jurisdictions (FR, LT, NO and SE), the rules have not been transposed because these jurisdictions have a general ban on all advertising of alcoholic beverages. Lithuania²⁵ and Norway²⁶ have introduced a general ban applicable to broadcasters, VOD services and VSPs, while France and Sweden have adopted the same prohibition, but with certain exceptions:

- In France, the general ban is applicable to broadcasters and VOD services, but ACCs are allowed on online communications services,²⁷ with the exception of

²¹ For VOD services, except in the case of sponsorship and product placement. See Recital 27 of the AVMSD which reads: *With the exception of sponsorship and product placement, audiovisual commercial communications for alcoholic beverages in on-demand audiovisual media services should comply with the criteria applicable to television advertising and teleshopping for alcoholic beverages laid down in Directive 2010/13/EU. The more detailed criteria applicable to television advertising and teleshopping for alcoholic beverages are limited to spot advertising, which is by its nature separated from the programme, and therefore excludes other commercial communications which are linked to the programme or are an integral part of the programme, such as sponsorship and product placement. Consequently, those criteria should not apply to sponsorship and product placement in on-demand audiovisual media services.*

²² Defined as “any form of commercial message, communication, recommendation or action that uses the name or brand of an alcoholic beverage, as well as the company or brand of a producer of alcoholic beverages on products and goods that are not alcoholic beverages” as per Section 20 of additional provisions of the [Health Act](#) (Закон за здравето).

²³ Defined as “any form of commercial message, communication or recommendation that aims to promote alcoholic beverages and/or their consumption, through the use of the beverages themselves or of actions related to their consumption, production and distribution” as per Section 19 of Additional provisions of the [Health Act](#).

²⁴ Art. 55 of the [Health Act](#).

²⁵ Art. 29 (1) of the [Law on Alcohol Control of the Republic of Lithuania](#) (Lietuvos Respublikos Alkoholio Kontrolės Įstatymas). The applicability to VSPs was confirmed by a [Decision of the Supreme Administrative Court, case No. eA-2251-822/2020](#).

²⁶ Section 9.2 of the [Act on the Sale of Alcoholic Beverages](#) (Lov om omsetning av alkoholholdig drikk) and Art. 3.4 of the [Regulation relating to Broadcasting and Audiovisual On-demand Services](#) (Forskrift om kringkasting og audiovisuelle bestillingstjenester) (extension of the rules of Art. 3.4 to VSPs via Art. 5A-6 of the Broadcasting Regulation).

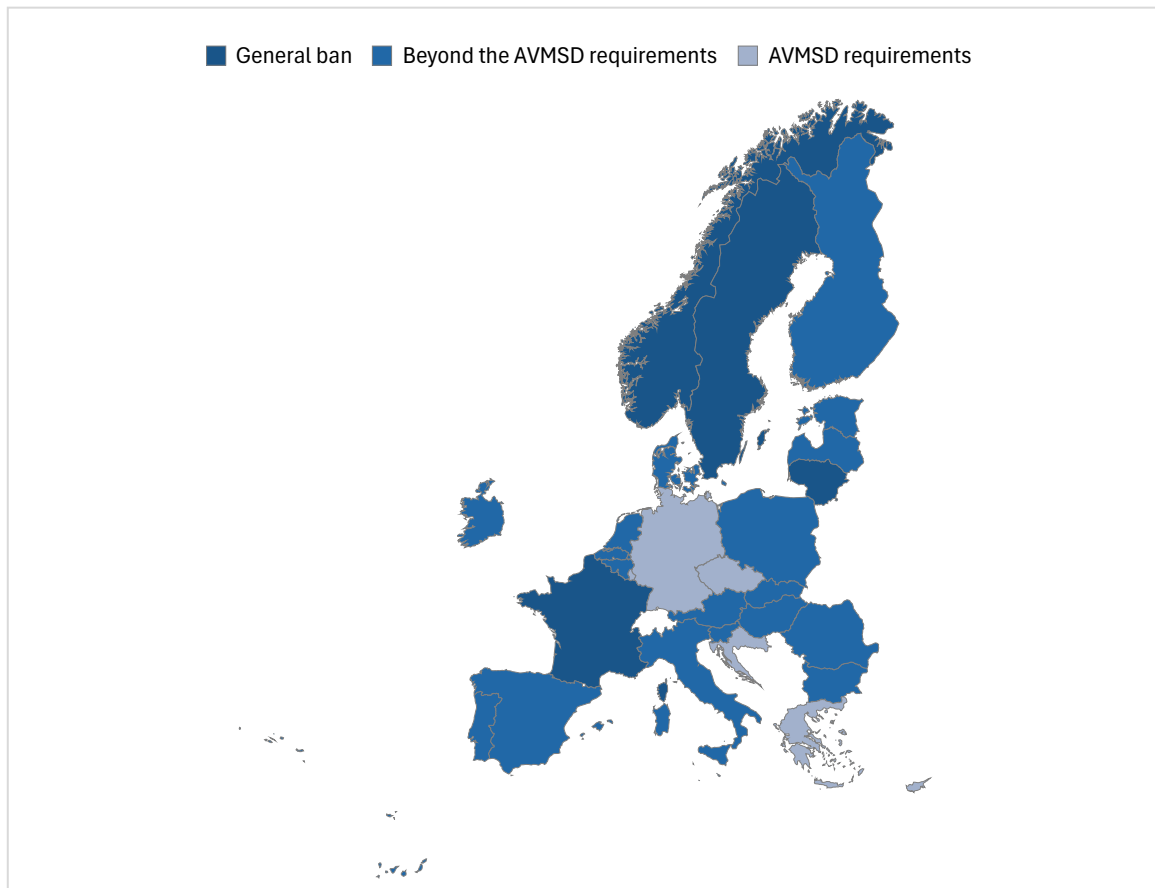
²⁷ Online public communication is understood, in accordance with Article 1 of [Law No. 2004-575 of 21 June 2004 on confidence in the digital economy](#) (Loi n° 2004-575 du 21 juin 2004 pour la confiance dans l'économie numérique), as any transmission, upon individual request, of digital data that does not constitute private correspondence, via an electronic communication method enabling a reciprocal exchange of information between the sender and the recipient.

those that appear to be primarily aimed at young people, as well as those of sports organisations.²⁸

- In Sweden, there is a general ban applicable to broadcasters and VOD services, but limited with regard to VSPs.²⁹ For VSPs, they are prohibited before, during or after user-generated videos or television programmes on the platform.

Among the jurisdictions that have implemented the obligations of the AVMSD arising from Articles 9 and 22, some have imposed additional restrictions, in accordance with the option provided for in Article 4(1) of the AVMSD. Only seven jurisdictions have strictly complied with the provisions of the AVMSD, without going any further: BG, CY, CZ, DE, DK, HR, LU. The map below shows the different trends in terms of regulatory approaches adopted by jurisdictions in relation to the requirements of the AVMSD.

Figure 15. Level of transposition of AVMSD requirements regarding ACCs for alcoholic beverages



beverages

Source: Analysis of the responses to the EAO standardised questionnaire

²⁸ Art. L.3323-2 of the [Code of Public Health \(Code de la Santé Publique\)](#).

²⁹ Chapter 7, Section 3 of the [Swedish Alcohol Act \(Alkohollag\)](#).



As illustrated on the map, 18 jurisdictions have adopted rules that go beyond the requirements of the AVMSD (AT, BE [FR], BE [VL], DK, EE, ES, FI, HU, IE, IT, LV, MT, NL, PL, PT, RO, SI, SK). These rules are diverse but can nevertheless be grouped into certain categories:

- Content requirements for the ACC itself
- General ban
- Minor protection specific rules
- Scheduling rules
- Specific media restriction
- Warning rules

The most frequently identified rules relate, in particular, to ACC scheduling rules prohibiting this type of advertising during certain hours. It is interesting to note that these rules are often not limited to broadcasters but also apply to other types of providers such as VOD services and VSPs. Another very common rule is the prohibition of ACCs for alcoholic beverages in or around children's programmes. Also of interest is that the sources of the areas of laws from which these rules originate are very diverse and not all are specifically media laws, but they nevertheless provide specific rules for the media.

The table below provides an overview of these rules classified according to their respective categories, indicating in particular the type of service provider to which they apply and the area of law from which they originate.

Table 4. Media-specific ACC rules relating to alcoholic beverages, by type of rules, service provider and area of law

Category	Rule	Service provider	Jurisdiction	Area of law
Content requirements	ACCs must not give the impression that immoderate alcohol consumption may be avoided by consuming beverages with low alcohol content.	Broadcasters, VOD services	HU	Media legislation ³⁰
	ACCs must not include any advertising of prices or discounts.	Broadcasters, VOD services, VSPs and influencers	LV	Media legislation ³¹

³⁰ Art. § 24 (2) (h) of [Act CLXXXV of 2010 on Media Services and Mass Communication](#) (2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról).

³¹ Art. 36 (2) (7) of [Electronic Mass Media Law](#) (Elektronisko plašsaziņas līdzekļu likums).



Category	Rule	Service provider	Jurisdiction	Area of law
	ACCs must not include direct and implied messaging, and cover additional themes such as solitary drinking, mood alteration, gender stereotypes, and irresponsible behaviour.	Broadcasters, VOD services and VSPs	MT	Advertising legislation ³²
	ACCs must not include a trademark or logo that is used in the promotion of an alcoholic beverage.	Broadcasters, VOD services, VSPs and influencers	NO	Media legislation ³³
	ACCs must not include the name or brand of a spirit drink, and spirits may not be offered as competition prizes.	Broadcasters, VOD services	RO	Media legislation ³⁴
General ban	No ACCs for spirits (>15% ABV).	Broadcasters	AT	Media legislation ³⁵
	No ACCs for alcoholic beverages exceeding 20% ABV.	PSM (RTBF)	BE (FR)	Media legislation ³⁶
	No ACCs for strong alcoholic beverages (>22% ABV).	Broadcasters, VOD services, VSPs and influencers	FI	Alcohol legislation ³⁷
	No ACCs for alcoholic beverages.	Broadcasters, VOD services	FR	Health/medicines legislation ³⁸
	No ACCs for alcoholic beverages exceeding 25% ABV.	Broadcasters	IE	Media legislation ³⁹
	No ACCs for alcoholic beverages other than beer and wine.	Broadcasters, VOD services, VSPs and influencers	LV	Media legislation ⁴⁰

³² Art. 4.2. of [Subsidiary Legislation 350.24 requirements as to advertisements, methods of advertising and directions applicable to alcoholic drink advertising, sponsorship and teleshopping](#).

³³ Section 3.4. and 5A-6 of [Regulation relating to Broadcasting and Audiovisual On-demand Services \(Forskrift om kringkasting og audiovisuelle bestillingstjenester mv. \(kringkastingsforskriften\)\)](#).

³⁴ Art. 140 (1) [Audiovisual Content Regulation Code \(Codul de reglementare a conținutului audiovizual\)](#).

³⁵ Art.42 of [Audiovisual Media Services Act \(Audiovisuelle Mediendienste-Gesetz – AMD-G\)](#).

³⁶ Section 31 of [Sixth Management Contract of the RTBF 2023-2027 \(Sixième Contrat de gestion de la RTBF 2023-2027\)](#).

³⁷ Art. 50 of [Alcohol Law \(Alkoholilaki\)](#).

³⁸ Art. L.3323-2 of [Code of Public Health \(Code de la Santé Publique\)](#).

³⁹ Art. 18 (3) (a) of [General Communication Code 2024](#).

⁴⁰ Art. 36 (1) of [Electronic Mass Media Law \(Elektronisko plašsaziņas līdzekļu likums\)](#).



Category	Rule	Service provider	Jurisdiction	Area of law
	Ban on ACCs for alcoholic beverages.	Broadcasters, VOD services, VSPs and influencers	NO	Media legislation ⁴¹
	No ACCs for alcoholic beverages other than beers.	Broadcasters, VOD services, VSPs and influencers	PL	Alcohol legislation ⁴²
	No ACCs for alcoholic beverages.	Broadcasters, VOD services	SE	Alcohol legislation ⁴³
	No ACCs for alcoholic beverages containing more than 15% ABV.	Broadcasters, VOD services and VSPs	SI	Health legislation ⁴⁴
Minor protection specific rules	No ACCs in or around children's programmes.	Broadcasters	BE (VL)	Media legislation ⁴⁵
	Broadcast advertising for alcoholic beverages below 22% ABV is not allowed in connection with the public presentation of a visual programme in a cinema, the age limit for which is under 18 years.	Broadcasters	FI	Alcohol legislation ⁴⁶
	No ACCs in or around children's programmes.	Broadcasters, VOD services	HU	Advertising legislation ⁴⁷
	Broadcasters must ensure that advertisements are targeted at predominantly adult audiences (at least 75% adults) and not at minors.	Broadcasters	IE	Media legislation ⁴⁸
	No ACCs in or around children's programmes.	Broadcasters	IE	Media legislation ⁴⁹

⁴¹ Section 9.2 of the [Act on the Sale of Alcoholic Beverages](#) (*Lov om omsetning av alkoholholdig drikk*) and Art. 3.4 of the [Regulation relating to Broadcasting and Audiovisual On-demand Services](#) (*Forskrift om kringkasting og audiovisuelle bestillingstjenester*) (extension of the rules of Art. 3.4 to VSPs thanks to Art. 5A-6 of the Broadcasting Regulation).

⁴² Art. 13(1) of [Act of 26 October 1982 on Sobriety Education and Counteracting Alcoholism](#) (USTAWA z dnia 26 października 1982 r. o wychowaniu w trzeźwości i przeciwdziałaniu alkoholizmowi).

⁴³ Chapter 7, Section 3 of the [Swedish Alcohol Act](#) (*Alkohollag*).

⁴⁴ Art. 15 of [Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs](#) (*Zakon o zdravstveni ustreznosti živil in izdelkov ter snovi, ki prihajajo v stik z žvili* (ZZUZIS)).

⁴⁵ Art. 83 of the [Media Decree](#) (*Decreet betreffende radio-omroep en televisie van 27 maart 2009*).

⁴⁶ Art. 50 of [Alcohol Law](#) (*Alkoholilaki*).

⁴⁷ Art. § 18 (2) of [Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities](#) (*Grtv*) (2008. évi XLVIII. Törvény a gazdasági reklámtevékenység alapvető feltételeiről és egyes korlátairól).

⁴⁸ Art. 18 (7) (b) of [General Communication Code 2024](#).

⁴⁹ Art. 18 (7) (a) of [General Communication Code 2024](#).



Category	Rule	Service provider	Jurisdiction	Area of law
	Influencers must use the tools currently made available by video-sharing platforms and social media to restrict access to advertising for alcoholic beverages by minors at least for the period immediately following publication (meaning at least seven days from the end of the campaign).	Influencers	IT	Media legislation ⁵⁰
	No ACCs in or around children's programmes.	Broadcasters, VOD services, VSPs and influencers	IT	Alcohol legislation ⁵¹
	Advertising of alcoholic beverages is prohibited in programmes specifically aimed at minors, and ACCs in which minors participate must not display or mention brands of alcoholic drinks.	Broadcasters, VOD services, VSPs and influencers	PT	Advertising legislation ⁵²
	ACCs must not feature minors.	Broadcasters, VOD services	RO	Media legislation ⁵³
	Minors' programmes must not be sponsored by manufacturers or sellers of alcoholic beverages.	Broadcasters, VOD services	RO	Media legislation ⁵⁴
Scheduling rules	No ACCs between 7am and 10pm.	Broadcasters	EE	Advertising legislation ⁵⁵
	No ACCs for beverages equal to or above 20% ABV between 5am and 1am.	Broadcasters, VOD services and users of special relevance	ES	Media legislation ⁵⁶

⁵⁰ [Code of conduct for influencers](#) introduced with Resolution No. 197/25/CONS (*Codice di condotta per gli influencer*).

⁵¹ Art. 13 of [Law No. 125/2001 on alcohol and alcohol-related problems](#) (*LEGGE 30 marzo 2001, n. 125 - Legge quadro in materia di alcol e di problemi alcolcorrelati*).

⁵² Art. 20 of [Decree Law No 330/90 Advertising Code](#) (*Decreto-Lei n.º 330/90, de 23 de outubro - Código da Publicidade*).

⁵³ Art. 139 of [the Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁵⁴ Art. 121 of [the Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁵⁵ Art. 28 of [Advertising Act](#) (*Reklaamiseadus*).

⁵⁶ Art. 91, 94 and 123 of [Law 13/2022 of 7 July on General Audiovisual Communication](#) (*Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual*).



Category	Rule	Service provider	Jurisdiction	Area of law
	No ACCs for beverages below 20% ABV between 5am and 8:30pm, except when such ACCs form an indivisible part of the acquisition of rights and the production of the signal to be broadcast.	Broadcasters, VOD services and users of special relevance	ES	Media legislation ⁵⁷
	No ACCs for alcoholic beverages below 22% ABV between 7am and 10pm.	Broadcasters	FI	Alcohol legislation ⁵⁸
	No ACCs between 3am and 9pm.	Broadcasters	IE	Media legislation ⁵⁹
	No ACCs for super-alcoholic beverages between 4pm and 7pm.	Broadcasters, VOD services, VSPs and influencers	IT	Alcohol legislation ⁶⁰
	No ACCs between 6am and 9pm (applicable to sponsored programmes and activities).	Broadcasters, VOD services and VSPs	MT	Advertising legislation ⁶¹
	No ACCs between 6am and 9pm.	Broadcasters	NL	Media legislation ⁶²
	No ACCs for beer between 6am and 8pm.	Broadcasters, VOD services and VSPs	PL	Alcohol legislation ⁶³
	No ACCs between 7am and 10:30pm.	Broadcasters	PT	Advertising legislation ⁶⁴
	No ACCs for spirits between 6am and 10pm.	Broadcasters, VOD services	RO	Media legislation ⁶⁵
	No ACCs for alcoholic beverages below 15% ABV between 7am and 9:30pm.	Broadcasters	SI	Health/medicines legislation ⁶⁶

⁵⁷ Art. 91, 94 and 123 of [Law 13/2022 of 7 July on General Audiovisual Communication](#) (*Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual*).

⁵⁸ Art. 50 of [Alcohol Law](#) (*Alkoholilaki*).

⁵⁹ Art. 18 (7) (c) of [General Communication Code 2024](#).

⁶⁰ Art. 13 of [Law No. 125/2001 on alcohol and alcohol-related problems](#) (*LEGGE 30 marzo 2001, n. 125 - Legge quadro in materia di alcol e di problemi alcolcorrelati*).

⁶¹ Art. 2.1 of [Subsidiary Legislation 350.24 requirements as to advertisements, methods of advertising and directions applicable to alcoholic drink advertising, sponsorship and teleshopping](#).

⁶² Art. 2.94 and 3.7 of [Media Act](#) (*Mediawet*).

⁶³ Art. 13(1) of [Act of 26 October 1982 on Sobriety Education and Counteracting Alcoholism](#) (*USTAWA z dnia 26 października 1982 r. o wychowaniu w trzeźwości i przeciwdziałaniu alkoholizmowi*).

⁶⁴ Art. 17 of [Decree Law No 330/90 Advertising Code](#) (*Decreto-Lei n.º 330/90, de 23 de outubro - Código da Publicidade*).

⁶⁵ Art. 120 (3) of [Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁶⁶ Art. 15a of [Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs](#) (*Zakon o zdravstveni ustreznosti živil in izdelkov ter snovi, ki prihajajo v stik z živilii* (*ZZUZIS*)).



Category	Rule	Service provider	Jurisdiction	Area of law
	No ACCs between 6am and 8 pm (except for beer and wine).	Broadcasters	SK	Media legislation ⁶⁷
Specific media restriction	Advertising is prohibited on social media networks except for the website and social media account of the handler.	VSPs, Influencers	EE	Advertising legislation ⁶⁸
	Solus or whistle breaks during sports programmes must not feature ACCs.	Broadcasters	IE	Media legislation ⁶⁹
	No more than one ad per advertising break may be dedicated to alcohol.	Broadcasters	IE	Media legislation ⁷⁰
	No ACCs for alcoholic beverages before, during or after user-generated videos or television programmes on the platform.	VSPs	SE	Alcohol legislation ⁷¹
Warning rules	ACCs must include the following warning: "Attention! This is an alcoholic beverage. Alcohol may cause damage to your health".	Broadcasters, VOD services, VSPs and influencers	EE	Advertising legislation ⁷²
	ACCs for spirits must conclude with the warning: "Excessive drinking of alcohol seriously damages your health."	Broadcasters, VOD services	RO	Media legislation ⁷³
	ACCs must contain the following warning: "Minister for Health warning: The consumption of alcohol may damage your health!" or "Minister for Health warning: The excess consumption of alcohol will damage your health!".	Broadcasters, VOD services and VSPs	SI	Health legislation ⁷⁴

Source: Analysis of the responses to the EAO standardised questionnaire

⁶⁷ Art. 80 (a) of [Media Services Act](#) (Zákon o mediálnych službách).

⁶⁸ Art. 28 of the [Advertising Act](#) (Reklaamiseadus).

⁶⁹ Art. 18 (6) of [General Communication Code 2024](#).

⁷⁰ Art. 18 (9) of [General Communication Code 2024](#).

⁷¹ Chapter 7, Section 3 of the [Swedish Alcohol Act](#) (Alkohollag).

⁷² Art. 28 of the [Advertising Act](#) (Reklaamiseadus).

⁷³ Art. 140 of [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).

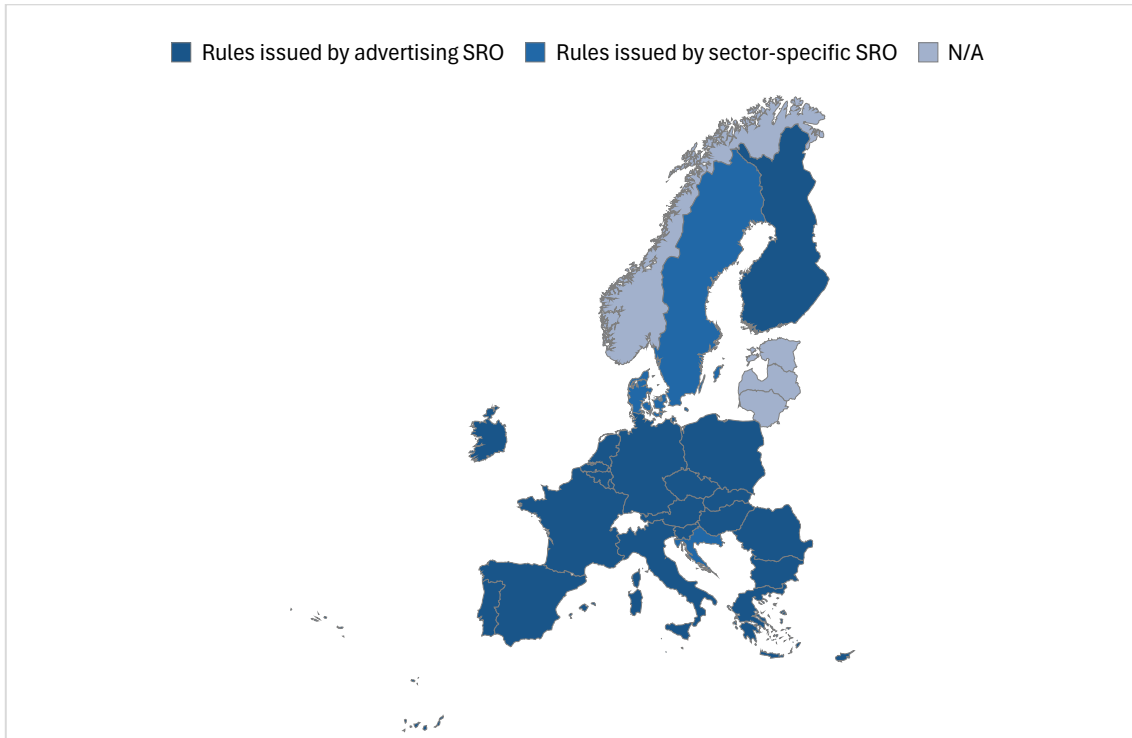
⁷⁴ Art. 15b of [Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs](#) (Zakon o zdravstveni ustreznosti živil in izdelkov ter snovi, ki prihajajo v stik z živilni (ZZUZIS)).

4.1.3. Self-/Co-regulatory body or codes and complaints

Article 4a AVMSD encourages the use of co-regulation and the fostering of self-regulation through codes of conducts adopted at national level in the fields coordinated by the AVMSD, including ACCs. In line with this objective, Article 9(3) AVMSD encourages the implementation of this type of regulation, particularly for inappropriate ACCs for alcoholic beverages, emphasising the need to effectively reduce minors' exposure to such audiovisual commercial communications.

Co- and/or self-regulation at the national level addressing ACCs for alcoholic beverages has been identified in 26 jurisdictions (AT, BE [FR], BE [VL], BG, CY, CZ, DE, DK, ES, FI, FR, GR, HU, HR, IE, IT, LU, NL, PL, PT, RO, SE, SI, SK). In these situations, self-regulation derives either from rules established by the national advertising self-regulatory body in 21 jurisdictions (AT, BE [FR], BE [VL], BG, CY, CZ, DE, ES, FI, FR, GR, HU, IE, IT, LU, NL, PL, PT, RO, SI, SK), in the form of sections, chapters or guidelines specific to alcohol advertising, or from a self-regulatory body specific to the alcohol sector or to the industry in three jurisdictions (DK, HR, SE). Only five jurisdictions (EE, LT, LV, MT, NO) do not have any specific co- and/or self-regulations in place. These trends are illustrated in the map below.

Figure 16. Existence of co- and self-regulation specific to ACCs for alcoholic beverages



Source: Analysis of the responses to the EAO standardised questionnaire



With regard to industry-specific authorities, in Croatia the self-regulation rules come from the Croatian Chamber of Commerce and are applicable to beer producers directly.⁷⁵ In the case of two jurisdictions, the rules come from the self-regulation body from the alcohol industry: in Denmark, the Alcohol Advertising Board, and in Sweden, the *Alkoholgranskningsmannen* (“Alcohol Inspector”). They both have developed specific rules for the advertising of alcoholic beverages that are applicable directly to all traders doing business in Denmark, and the whole industry in Sweden.

Additional rules stemming from self-regulation are very diverse, and mainly relate to information and content requirements for the ACCs itself. The main rules identified in this study can be summarised as follows:

- Information and content requirements, which usually repeat and complement the requirements from Article 22 of the AVMSD. They mainly relate to the way the information on the product is presented and displayed, and the type of material that can be included. This can include for example the prohibition of including people dressed as medical professionals (BE [FR], BE [VL], CZ), portraying of pregnant women (BE [FR], BE [VL], CZ, PT, SK) or people driving (BE [FR], BE [VL], CZ, DE, SK).
- Specific rules pertaining to the protection of minors, which usually include the prohibition on portraying persons under 25 years of age in ACCs for alcoholic beverages (BE [FR], BE [VL], CZ, DK, GR, SI) or under 21 years (PT).
- Specific scheduling rules, prohibiting the dissemination of ACCs in certain time periods (GR, IT, PT).
- Specific rules depending on the type of service providers with particular regard to VSPs and influencers. In Belgium for instance (French and Flemish communities), influencers sponsored by alcohol brands must be at least 25 years of age and appear so, and are required to use specific age verification tools to prevent minors from being exposed to alcoholic beverage advertising.⁷⁶ A similar rule is applied in Germany, where influencers who act on behalf of an advertising company must be, at a minimum, young adults, including in terms of their appearance.⁷⁷ With regard to VSPs, in Hungary advertisers must ensure that all social media networks or websites disseminating their advertising are equipped with age verification systems.⁷⁸

⁷⁵ [Code of responsible marketing communication for beer producers](#), Croatian Chamber of Commerce.

⁷⁶ [Covenant on the advertising and marketing of alcoholic beverages](#) (*Convenant inzake reclame voor en marketing van alcoholhoudende dranken / Convention en matière de publicité et de commercialisation des boissons contenant de l'alcool*).

⁷⁷ [Code of conduct of the German Advertising Council, including Social Media Guidelines](#) (*Verhaltensregeln des Deutschen Werberats über die kommerzielle Kommunikation für alkoholhaltige Getränke + Social-Media-Leitlinien für die Hersteller alkoholhaltiger Getränke*).

⁷⁸ [Hungarian advertising code of ethics](#).



4.1.4. Selected examples of complaints about inappropriate ACCs for alcoholic beverages

With regard to complaints submitted to the national media NRA or advertising regulatory bodies concerning inappropriate advertising messages for alcoholic beverages, most relate to a breach of programming rules during the broadcast of the advertising message in question, resulting in fines being imposed. Some examples of specific complaints handled in several jurisdictions are presented below.

In Czechia, a case analysed by the Arbitration Commission of the Advertising Council⁷⁹ clarified the scope and interpretation of the ban on including ACCs in programmes aimed at children, specifying that in this case the advertising had been included in an evening broadcast (8:15 p.m.), which was not considered to be a time slot primarily intended for a child audience, and that the proportion of children among viewers did not reach the 10% threshold.

In Germany, the German Advertising Council issued a report in 2021⁸⁰ which included a case of inappropriate advertising for alcoholic beverages, based on the prohibition of featuring children in this type of advertising, in connection with a post on the Instagram account of an alcoholic beverage manufacturer showing a family photo with two young children. After receiving several complaints and facing criticism from the council, the company removed the image from its Instagram channel.

In Lithuania, in 2021 the Department of Drugs, Tobacco, and Alcohol Control found that a website and Facebook page depicting grapes and using a trademark and an inscription associated with the wines "Beaujolais" sold in Lithuania constituted alcohol advertising. The Vilnius Chamber (Regional Administrative Court)⁸¹ examining the action against this decision concluded that the Department had essentially applied the legal norms correctly, examined the facts of the case in detail, and adopted a reasonable and lawful decision, and that there were no legal grounds for the applicant's claim based on the arguments set out in the complaint, and therefore the Department's decision was left unchanged.

⁷⁹ Case No 018/2024/STÍŽ of 29 August 2024, Arbitration Commission of the Advertising Council.

⁸⁰ [German Advertising Council](#).

⁸¹ Decision No. eI2-2186-1066/2021 of the Vilnius Chamber (Regional Administrative Court) of May 24, 2021.

4.2. Gambling products

4.2.1. Definition and scope

All the jurisdictions analysed have adopted a definition of gambling products in their legislation. Most jurisdictions have established a single definition for this type of product or service. However, some have more detailed definitions for different products and services. The figure below shows these trends.

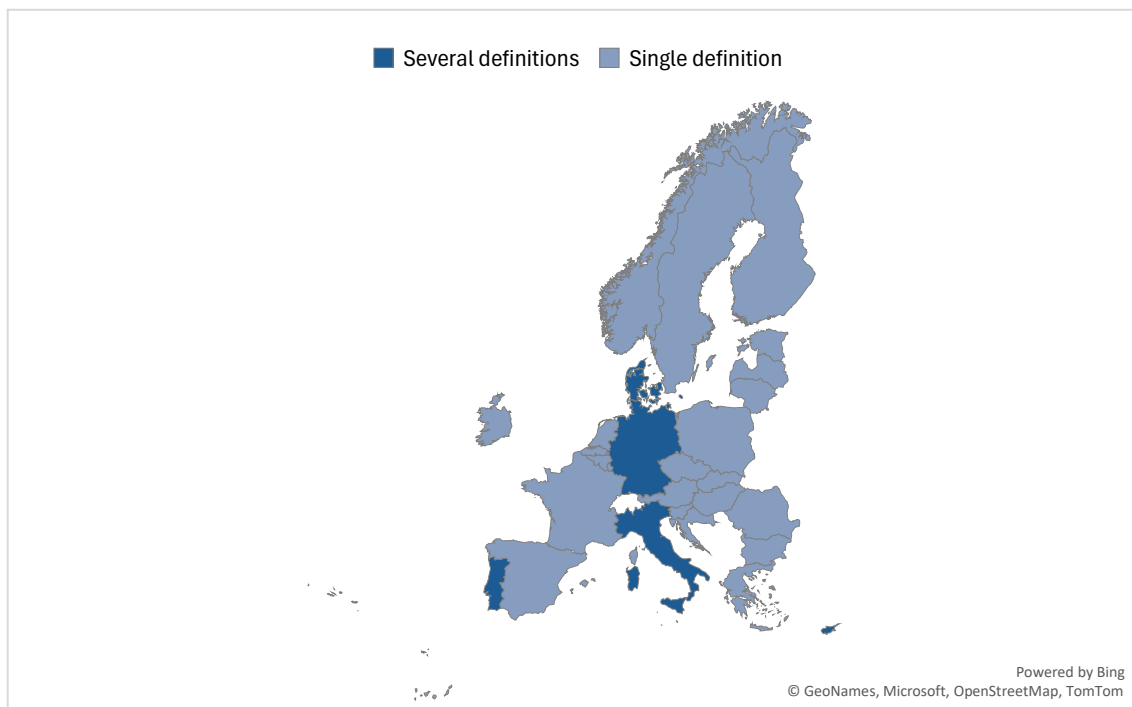


Figure 17. Trends observed in the definition of gambling products

Source: Analysis of the responses to the EAO standardised questionnaire

In jurisdictions with a single definition, there appear to be some variations in the terminology used to describe gambling products. The term “game” is the most common, as well as “games of chance”, “chance-based gambling”, “wager” and “combination games”. In general, the definitions identified are based on the following key elements:

- A game,
- The requirement of monetary participation from the player



- The outcome can be an economic gain or a loss
- The outcome is wholly or partly determined based on chance or unknown event/circumstance factors.

In the case of jurisdictions with several definitions, the terms defined are usually different types of gambling products such as: “games in the number lottery category”, “bet”, “poker machines”, “casino”, “combination bets”, “lottery”, “games with monetary winnings” and “online gambling and bets”. The table below sets out the different definitions identified in each jurisdiction, together with the relevant legislative references.

Table 5. Definition of gambling products in the EU-27 members states and Norway

Jurisdiction	Definition	Source
AT	Game in which the outcome of the game depends exclusively or predominantly on chance.	Gambling Act (“GSpG”) (Art. 1)
BE (FR)	Any game by which a stake of any kind is committed, the consequence of which is either loss of the stake by at least one of the players or a gain of any kind in favour of at least one of the players or organisers of the game and in which chance is a factor, albeit ancillary, for the conduct of the game, determination of the winner or fixing of the gain.	Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players
BE (VL)	Any game by which a stake of any kind is committed, the consequence of which is either loss of the stake by at least one of the players or a gain of any kind in favour of at least one of the players, or organisers of the game and in which chance is a factor, albeit ancillary, for the conduct of the game, determination of the winner or fixing of the gain.	Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players
BG	Gambling is any game of chance in which there is a bet and a profit can be made or the bet can be lost.	Gambling Law (Art. 2(1))
CY	Various definitions: “games of chance”, “games in the number lottery category”, “bet”, “poker machines”, “casino”, etc.	Law on Designated Games of Chance, Betting Law, Law on the Operation and Control of Casinos
CZ	A game, wager or lottery ticket in which the bettor places a wager, the return of which is not guaranteed, and in which the winning or losing is determined in whole or in part by chance or an unknown circumstance.	Gambling Act (Section 3(1))
DE	A gambling activity occurs when a fee is charged for the acquisition of a chance to win within the context of a game, and the decision regarding the win is entirely or predominantly dependent on chance.	Interstate Treaty on Gambling of 2021 (Art. 3(1))
DK	Games: Lottery, combination games and betting. Lottery: Activities where a participant has a chance of winning a prize and where the chance of winning is solely based on chance. Combination bets: Activities where a participant has a chance of winning a prize and where the chance of winning is based on a combination of skill and chance.	Gambling Act (Art. 5)



Jurisdiction	Definition	Source
	Betting: Activities where a participant has a chance to win a prize and where bets are placed on the outcome of a future event or the occurrence of a future event	
EE	Game where the precondition for participating in a game is that the player makes a bet, the player may win a price as a result of the game, the outcome of the game is partly or fully determined by an activity based on chance or depends on the occurrence of a previously unknown event.	Gambling Act (Art. 2)
ES	Any activity in which “amounts of money or economically valuable objects are risked in any way on future and uncertain results, dependent to some extent on chance, and which allow their transfer between participants, regardless of whether the degree of skill of the players predominates or whether they are exclusively or fundamentally based on luck or chance”.	Law 13/2011 on the Regulation of Gambling (Art. 3a)
FI	An activity in which participants may win a prize of monetary value based in full or in part on chance and in which there is a charge for participation.	Lottery Act (Art. 2)
FR	Any operations offered to the public, under any name whatsoever, to create the hope of a gain which would be due, even partially, to chance and for which a financial sacrifice is required from the participants are deemed to be games of chance and prohibited as such.	Code of Public Health (Art. L320-1)
GR	In order for a game to be classified as a game of chance, the following conditions must be met cumulatively: a) There must be, even partially, an influence of luck on the outcome of the game. b) There must be a financial risk (wager or bet), which as such is understood as the player's choice to take on the risk of investing in the outcome of the game, any amount of money or other asset, regardless of the value of this asset, in order to seek direct or indirect financial benefit from the outcome of the game.	Law 4002/2011 (Art. 25(b))
HR	A game of chance shall be deemed to be any game in which, in exchange for the payment of a specified amount, participants are afforded the possibility of obtaining a prize in money, goods, services, or rights, whereby the gain or loss depends predominantly on chance or another uncertain event.	Act on Games of Chance (Art. 2)
HU	Any game in which the player pays money or provides something of monetary value in exchange for the right to win money or something else of monetary value if certain conditions are met or occur.	Act XXXIV of 1991 on the organisation of gambling
IE	Gambling means, whether in-person or by remote means, betting, gaming or participating in a lottery (definition used in the Gambling regulation act).	General Communication Code 2024 (Appendix one)
IT	Gambling product: games of skill and prediction contests for which a reward of any kind is paid and for which participation requires the payment of a stake in cash. Games with monetary winnings: a game in which the aim is to make a profit and the winnings or losses are entirely or partially random,	Legislative Decree No. 496 of 14 April 1948 (Art. 1) AGCOM Resolution No. 132/19/CONS (Annex A, Art. 3(1)(A))



Jurisdiction	Definition	Source
	excluding games played purely for entertainment without monetary winnings.	
LT	Gambling is a game or mutual betting according to established rules, in which participants, seeking to win money, voluntarily risk losing the amount they have bet, and the outcome of the game is determined by chance, the result of an event or a sports competition.	Law on Gambling of the Republic of Lithuania (Official Gazette, 2001, No. 43-1495) , Art. 2(1).
LU	Lotteries are any operation offered to the public and intended to provide a prize by random draw.	Criminal Code (Art. 301)
LV	A game in which a natural person may acquire a prize fully or partially dependent on chance or previously unknown circumstances, by depositing a bet.	Law on Gambling and Lotteries (Art. 1)
MT	Gaming or remote gaming or betting or playing an authorised game under the Gaming Act and, without prejudice to the generality of the foregoing, includes the national lottery, commercial bingo halls, Internet gaming, betting and other forms of licensed gaming; but does not include gaming carried out for a philanthropic or charitable or other social purpose which the Authority may from time to time approve, as well as such gaming which is carried out in conformity with and is regulated by the Broadcasting Authority's directive on Conduct of Competitions and the Award of Prizes on the Broadcasting Media or any other provision in the Gaming Act or any other regulatory instruments issued thereunder regulating broadcasting media games.	Subsidiary Legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements (Art. 4.1)
NL	Opportunity to compete for prizes or premiums whereby the winners are selected through any chance determination over which the participants generally cannot exercise dominant influence.	Gambling Act (Art. 1(1a)), Advertising Code for Online Games (Art. 2.1)
NO	"Monetary games": an activity in which participants, by placing a stake, have the chance to win a prize of economic value, and where the outcome is wholly or partly determined by chance.	Act on Monetary Games (Section 1.2)
PL	Games, including those organised via the Internet, for monetary or material winnings, the outcome of which depends in particular on chance.	Act of 19 November 2009 on Gambling Products (Art. 2)
PT	Chance-based gambling, involving the expenditure of a sum of money and the outcome of which is contingent because it is based exclusively or fundamentally on luck; Online gambling and bets, chance-based gambling, fixed-odds sports bets and horse racing, mutual and fixed-odds bets, in which any mechanisms, equipment or systems are used that allow the production, storage or transmission of documents, data and information, when carried out remotely, through electronic, computer, telematic and interactive media, or any other means.	Law Decree No. 66/2015, Legal Framework for Gambling and Online Betting (Art. 2)
RO	Art. 3(1) and (2) of Government Emergency Ordinance No 77/2009: "Gambling" means any activity that cumulatively meets the following conditions: material gains, usually monetary, are awarded as a result of the organiser publicly offering a potential win and the participant accepting this offer; a direct or concealed participation fee is charged; and the winnings are awarded, on the basis of the game	Government Emergency Ordinance No 77/2009 of 24 June 2009 as approved with amendments by Law No 246/2010 Romanian



Jurisdiction	Definition	Source
	rules approved by the National Gambling Office (ONJN), through the random selection of the results of the events that are the subject of the game, regardless of how those results are produced. This category also includes activities in which the beneficiaries of the prizes are determined on the basis of the results of events or competitions that will occur without the involvement of the organisers.	Advertising Council's Code of Conduct
SE	Gambling products are defined as lotteries, betting, combination games (games which utilise a combination of skill and luck to determine either a win or a loss), and pyramid schemes.	Gambling Act (Chapter 2, Section 1)
SI	Games in which participants, upon payment of a stake, have equal opportunities to win a prize, while the outcome of the game depends exclusively or predominantly on chance or on some uncertain event.	Gaming Act (Art. 2)
SK	A game of chance is a game in which, after paying a stake and placing a bet, the player can win a prize if they meet predetermined conditions (e.g. lottery games, charity lotteries, table games, betting games, games of chance on gambling machines, etc.)	Act on Gambling (Art. 4)

Source: Analysis of the responses to the EAO standardised questionnaire

4.2.2. Applicable rules

In 2014, the European Commission adopted a Recommendation on principles for the protection of consumers and players of online gambling services and for the prevention of minors gambling online.⁸² This recommendation encourages member states to ensure a high level of protection for consumers through, for instance, responsible advertising and sponsorship. Member states can decide what rules they implement in this context. The AVMSD does not contain any specific provisions regarding the regulation of advertising for gambling products. General requirements from Article 9 of the AVMSD apply.

Given that the only framework existing at EU level is not binding, a certain disparity in the regulatory approach to advertising of gambling products between the jurisdictions studied can be observed. This disparity is evident both in the different rules and definitions applied to these products and in the legislative sources from which they originate. Indeed, as there is no harmonisation at the level of the AVMSD, most of these rules do not originate from media legislation and are not specific to the media that convey them, but rather to the producers of the gambling products themselves or of the gambling advertisements.

Thus, many of the rules are found in legislation specific to gambling or advertising, and are not specific to the service provider used to convey these ACCs. This is the case in 11 jurisdictions, where no rules specifically applicable to the media were identified by national experts: AT, BE [VL], CZ, DE, DK, GR, LU, LV, SE, SI, SK. On the other hand, in 18

⁸² [Commission Recommendation of 14 July 2014](#) on principles for the protection of consumers and players of online gambling services and for the prevention of minors from gambling.

jurisdictions, media-specific rules were identified: BE [FR], BG, CY, EE, ES, FI, FR, HR, HU, IE, IT, LT, MT, NL, NO, PL, PT, RO. It should be noted that the existence of media-specific rules does not exclude the existence of industry-specific rules in the jurisdiction analysed. These trends are presented in the map below.

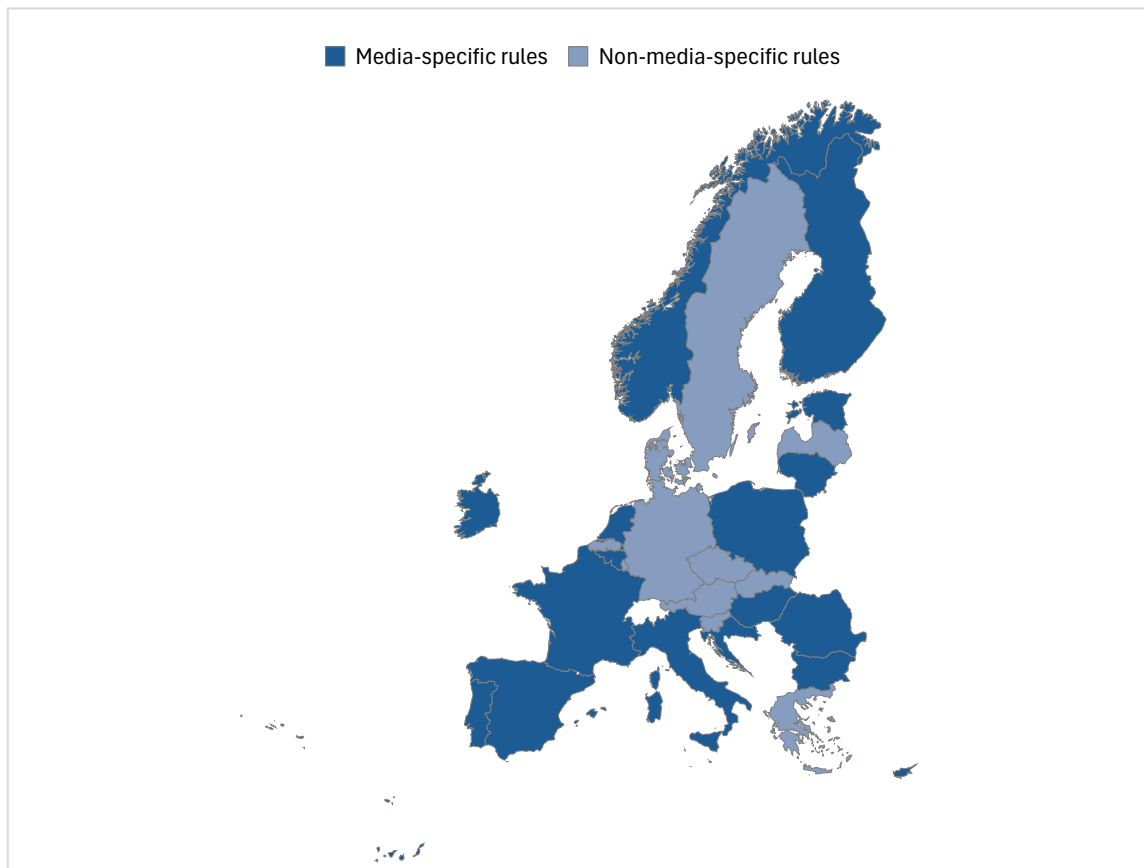


Figure 18. Media-specific and non-media-specific ACC rules for gambling products

Source: Analysis of the responses to the EAO standardised questionnaire

A comprehensive review of the types of rules applicable to advertising, whether media-specific or not, reveals certain similarities and rules that recur frequently. The rules most commonly observed in the jurisdictions studied, across all legislation, are presented in the table below according to several categories. The table provides an overview of the most frequently observed types of rules that directly concern the advertisement or the entity responsible for its production, and that are not specific to broadcasters, VOD services, VSP or influencers.

Table 6. Overview of frequent non-media-specific rules observed

Category of rules	Frequent rules
Rules relating to the persons producing the advertising	Advertising must be carried out by licensed operators authorised to advertise.
Rules relating to information surrounding the advertising	ACCs must be accompanied by a risk prevention message.
	ACCs must indicate minimum age participation.
	ACCs must include helpline contact details.
Rules relating to the content of the advertising itself	ACCs must not present gambling as a path to success or a person's social acceptance.
	ACCs must not portray gambling as a solution to financial problems.
	ACCs must not suggest that gambling is a way to make a living.
	ACCs must not depict non-players in a negative light.
	ACCs must maintain a responsible standard in their advertising activities.
	ACCs must encourage moderation.
	ACCs must not depict celebrities.
	ACCs must not contain misleading statements about winning chances.
Rules relating to the dissemination of advertising	ACCs must not target people under 18.
	ACCs must not target vulnerable people.

Source: Analysis of the responses to the EAO standardised questionnaire

Media-specific rules were identified in 18 jurisdictions (BE [FR], BG, CY, EE, ES, FI, FR, HR, HU, IE, IT, LT, MT, NL, NO, PL, PT, RO). Most of these rules are related to the protection of minors and, as with alcoholic beverages, prohibit this type of advertising in or around children's programmes (particularly in EE, ES, FI, FR, MT). Other rules also require service providers providing services to the advertiser to have appropriate authorisation from the gambling regulatory authority before running the ads (ES, HU, IE, NO). Rules prohibiting the broadcasting or making available of this type of ACC during certain time slots were also identified in several jurisdictions (BE [FR], CY, ES, HR, IE, MT, NL, PL, RO). It is also interesting to note that there is a complete ban (with certain exceptions for some jurisdictions) on all advertising for this type of product in six jurisdictions (BE [FR], BG, EE, IT, LT, PL).

The table below provides an overview of these rules classified according to their respective categories, indicating in particular the type of service provider to which they apply and the area of law from which they originate.



Table 7. Media-specific ACC rules relating to gambling products, by type of rules, service provider and area of law

Category	Rule	Service provider	Jurisdiction	Area of law
Authorised entities	ACCs only from authorised licensed entity.	Broadcasters, VOD services, VSPs and users of special relevance	ES	Gambling legislation ⁸³
	ACCs only from authorised licensed entity.	Broadcasters, VOD services	HU	Advertising legislation ⁸⁴
	ACCs only from authorised licensed entity.	Broadcasters	IE	Media legislation ⁸⁵
	ACCs only from authorised licensed entity.	Broadcasters	NO	Media legislation ⁸⁶
	ACCs only from authorised licensed entity	Broadcasters	RO	Media legislation ⁸⁷
Content requirements	ACCs must not include a trademark or logo used in the promotion of a gambling product.	Broadcasters, VOD services, VSPs	NO	Media legislation ⁸⁸
	ACCs must not feature public figures, cultural, scientific or sports personalities, or other persons with online notoriety in a way that could encourage participation in gambling	Broadcasters	RO	Media legislation ⁸⁹
	ACCs must give standards information about the gambling product.	Broadcasters	RO	Media legislation ⁹⁰
General ban	No ACCs for online casinos and poker games.	PSM (RTBF)	BE (FR)	Media legislation ⁹¹
	General ban on ACCs for gambling products.	Broadcasters, VOD services, VSPs and influencers (except for the draws of the State Enterprise "Bulgarian	BG	Gambling legislation ⁹²

⁸³ Art. 7.3 of [Law 13/2011 on the Regulation of Gambling](#) (*Ley 13/2011, de 27 de mayo, de regulación del juego*).

⁸⁴ Art. 21 (1) of [Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities](#) (2008. évi XLVIII. Törvény a gazdasági reklámtevékenység alapvető feltételeiről és egyes korlátairól).

⁸⁵ Art. 25.3 of [General Communication Code 2024](#).

⁸⁶ Section 6 (2) (a) of [Act on Monetary Games](#) (*Lov om pengespill*).

⁸⁷ Art. 109 of [Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁸⁸ Section 3.4. and 5A-6 of [Regulation relating to Broadcasting and Audiovisual On-demand Services](#) (*Forskrift om kringkasting og audiovisuelle bestillingstjenester mv. (kringkastingsforskriften)*).

⁸⁹ Art. 109 of the [Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁹⁰ Art. 109 of [the Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

⁹¹ Section 31 of [Sixth Management Contract of the RTBF 2023-2027](#) (*Sixième Contrat de gestion de la RTBF 2023-2027*).

⁹² Art. 2 (1) [Gambling Law](#) (*Закон за хазарта*).



Category	Rule	Service provider	Jurisdiction	Area of law
		Sports Totalizer” and their announcement)		
	General ban on ACCs for games of chance and “totos” (games where the outcome depends on the occurrence, non-occurrence, or manner of occurrence of an event predicted by the player).	Broadcasters, VOD services, VSPs and influencers	EE	Advertising legislation ⁹³
	General ban on ACCs for gambling products (with exceptions listed in an AGCOM resolution). ⁹⁴	Broadcasters, VOD services, VSPs	IT	Media legislation ⁹⁵
	General ban on ACCs for gambling products.	Broadcasters, VOD services, VSPs	LT	Gambling legislation ⁹⁶
	General ban on ACCs for gambling products.	Broadcasters, VOD services, VSPs	PL	Gambling legislation ⁹⁷
Minor protection specific rules	No ACCs in or around children’s programmes.	Broadcasters, VOD services, VSPs	EE	Advertising legislation ⁹⁸
	No ACCs in or around children’s programmes.	Broadcasters, VOD services and users of special relevance	ES	Media legislation ⁹⁹
	ACCs by VSPs in third-party games only on mainly gambling channels, with controlled access by minors, and promoting responsible gambling.	VSPs	ES	Media legislation ¹⁰⁰
	No ACCs in or around children’s programmes.	Broadcasters, VOD services, VSPs	FI	Gambling legislation ¹⁰¹

⁹³ Art. 29² of the [Advertising Act \(Reklaamiseadus\)](#).

⁹⁴ Art. 5 and 7 of AGCOM [Resolution No. 132/19/CONS](#) (e.g., communications limited to the characteristics of the gambling products and services, only when issued in the context in which the gambling services are offered; the free indexing services provided by search engines or marketplaces, that enable the gambling brand to have a better position in the user’s search results).

⁹⁵ Art. 43(1)(h) of [Law No. 208/2021 on audiovisual media services \(DECRETO LEGISLATIVO 8 novembre 2021, n. 208 Attuazione della direttiva \(UE\) 2018/1808 del Parlamento europeo e del Consiglio, del 14 novembre 2018, recante modifica della direttiva 2010/13/UE, relativa al coordinamento di determinate disposizioni legislative, regolamentari e amministrative degli Stati membri, concernente il testo unico per la fornitura di servizi di media audiovisivi in considerazione dell’evoluzione delle realtà del mercato\)](#).

⁹⁶ Art. 10 (9) of [Law on Gambling of the Republic of Lithuania \(Official Gazette, 2001, No. 43-1495\)](#) (Lietuvos Respublikos azartinių lošimų įstatymas (Žin., 2001, Nr. 43-1495)).

⁹⁷ Art. 29 of [Act of 19 November 2009 on Gambling Products \(USTAWA z dnia 19 listopada 2009 r. o grach hazardowych\)](#).

⁹⁸ Art. 29² of the [Advertising Act \(Reklaamiseadus\)](#).

⁹⁹ Art. 94 of [Law 13/2022 of 7 July on General Audiovisual Communication \(Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual\)](#).

¹⁰⁰ Art. 91(2)(c) of [Law 13/2022 of 7 July on General Audiovisual Communication \(Ley 13/2022, de 7 de julio, General de Comunicación Audiovisual\)](#).

¹⁰¹ Art. 14b of [Lottery Act \(Lotterilag\)](#)



Category	Rule	Service provider	Jurisdiction	Area of law
	No ACCs in or around minors' programme (including 30 minutes before or after).	Broadcasters	FR	Media legislation ¹⁰²
	General ban on ACCS directed at minors.	Broadcasters, VOD services, VSPs	FR	Media legislation ¹⁰³
	Influencers are authorised only provided there is an exclusion mechanism banning minors under 18 years old.	Influencers	FR	Media legislation ¹⁰⁴
	General ban on ACCS directed at children and youth.	Broadcasters, VOD services, VSPs and influencers	HR	Media legislation ¹⁰⁵
	No ACCs encouraging children or minors to participate in gambling.	Broadcasters, VOD services, VSPs	HU	Media legislation ¹⁰⁶
	No ACCs targeting children.	Broadcasters, VOD services, VSPs	IE	Gambling legislation ¹⁰⁷
	No ACCs in or around children's programmes.	Broadcasters and VOD services	MT	Gambling advertising legislation ¹⁰⁸
	No ACCs targeting children.	Broadcasters, VOD services, VSPs	PT	Advertising legislation ¹⁰⁹
	NO ACCs about events in which minors participate.	Broadcasters, VOD services, VSPs	PT	Advertising legislation ¹¹⁰
	No ACCs targeting minors or inciting minors to participate in gambling.	Broadcasters	RO	Media legislation ¹¹¹

¹⁰² [Deliberation No. 2022-73 of October 19, 2022, on the conditions for broadcasting, by television, radio, and on-demand audiovisual media services, commercial communications in favour of a legally authorized gambling operator](#) (Délibération n° 2022-73 du 19 octobre 2022 relative aux conditions de diffusion, par les services de télévision, de radio et de médias audiovisuels à la demande, des communications commerciales en faveur d'un opérateur de jeux d'argent et de hasard légalement autorisé).

¹⁰³ Ibid.

¹⁰⁴ Art. 4 of [Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks](#) (LOI n° 2023-451 du 9 juin 2023 visant à encadrer l'influence commerciale et à lutter contre les dérives des influenceurs sur les réseaux sociaux).

¹⁰⁵ Art. 21 (10) of [Electronic Media Act](#) (Odluku o proglašenju zakona o elektroničkim medijima).

¹⁰⁶ Art. 20 (7) of [Act CIV of 2010 on the freedom of the press and the fundamental rules of media content](#) (2010. évi CIV. Törvény a sajtószabadságról és a médiatartalmak alapvető szabályairól).

¹⁰⁷ Art. 148 of [Gambling Regulation Act](#).

¹⁰⁸ Art. 5.4 of [Subsidiary legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements](#).

¹⁰⁹ Art. 21 of [Decree Law No 330/90 Advertising Code](#) (Decreto-Lei n.º 330/90, de 23 de outubro - Código da Publicidade).

¹¹⁰ Ibid.

¹¹¹ Art. 109 of [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).



Category	Rule	Service provider	Jurisdiction	Area of law
	ACCs must comply with the protection of minors.	VOD services	RO	Media legislation ¹¹²
Scheduling rules	No ACCs for online sport bets before 8pm.	PSM (RTBF)	BE (FR)	Media legislation ¹¹³
	No ACCs between 6:00 and 21:00 (except ad breaks of live TV transmission of sport events).	Broadcasters	CY	Media legislation ¹¹⁴
	No ACCs between 5am and 1 am.	Broadcasters	ES	Media legislation ¹¹⁵
	No ACCs between 6am and 11pm.	Internet, AV programmes, electronic publications	HR	Gambling legislation ¹¹⁶
	No ACCs between 5.30am and 9pm.	Broadcasters and VOD services	IE	Gambling legislation ¹¹⁷
	No ACCs between 6:00am and 7:00pm.	Broadcasters and VOD services	MT	Gambling advertising legislation ¹¹⁸
	No ACCs between 6am and 9pm (gambling products requiring a licence) or between 6am and 7pm.	Broadcasters	NL	Media legislation ¹¹⁹
	No ACCs for mutual betting between 6am and 10pm.	Broadcasters, cinema and theatre	PL	Gambling legislation ¹²⁰
	No ACCs between 6am and 11pm (except for betting spots during live sports programmes).	Broadcasters	RO	Media legislation ¹²¹
Specific media restriction	Content creators are forbidden from promoting, advertising, or live-streaming games of chance on social networks. Additionally, celebrities and influencers cannot appear in	Influencers	HR	Gambling legislation ¹²²

¹¹² Ibid.

¹¹³ Section 31 of [Sixth Management Contract of the RTBF 2023-2027](#) (*Sixième Contrat de gestion de la RTBF 2023-2027*).

¹¹⁴ Art. 33(6)(a) of [Radio and television broadcaster law](#) (*Ο περί Ραδιοφωνικών και Τηλεοπτικών Οργανισμών Νόμος του*).

¹¹⁵ Art. 123.7 of [Law 13/2022 of 7 July on General Audiovisual Communication](#).

¹¹⁶ Art. 67b of [Act on Games of Chance](#) (*Odluku o proglašenju zakona o izmjenama i dopunama zakona o igrama na sreću*).

¹¹⁷ Art. 149 of [Gambling Regulation Act](#).

¹¹⁸ Art. 5.1 of [Subsidiary legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements](#).

¹¹⁹ Art. 2.94 and 3.7 of [Media Act \(Mediawet\)](#).

¹²⁰ Art. 29b of [Act of 19 November 2009 on Gambling Products](#) (*USTAWA z dnia 19 listopada 2009 r. o grach hazardowych*).

¹²¹ Art. 109 of [the Audiovisual Content Regulation Code](#) (*Codul de reglementare a conținutului audiovizual*).

¹²² Art. 67.d of [Act on Games of Chance](#) (*zakona o igrama na sreću*).



Category	Rule	Service provider	Jurisdiction	Area of law
	gambling advertisements on the internet, in audiovisual and radio programmes, and in electronic publications.			
	Must not be supported by gambling businesses, or have programmes containing product placement for gambling products.	Broadcasters and VOD services	HU	Media legislation ¹²³
	ACCs must not contain anything which could be deemed to be a direct encouragement to gamble or encourage irresponsible behaviour.	Broadcasters	IE	Media legislation ¹²⁴
	Must not disseminate ACCs breaking gaming laws or socially responsible advertising rules.	Broadcasters and VOD services	MT	Gambling advertising legislation ¹²⁵
	NRA may issue orders to network operators ordering them to implement measures to prevent or restrict access to ACCs when they contravene the Act on Monetary Games.	Broadcasters and VOD services	NO	Media legislation ¹²⁶
Warning rules	Warning message: “Drug use and gambling are addictive. Choose not to destroy your life, ask for help”.	Broadcasters	RO	Media legislation ¹²⁷

Source: Analysis of the responses to the EAO standardised questionnaire

4.2.3. Self-/Co-regulatory body or codes and complaints

Additional rules regulating advertising may be included at the self-regulation level. Among the jurisdictions studied, 17 jurisdictions had self-regulation rules in place (AT, BE [FR], BE [VL], BG, CY, CZ, DE, DK, ES, FI, FR, IE, NL, HU, RO, SE, SI, SK). Among those with additional self-regulatory rules applicable to gambling advertising, different sources can be observed:

- These rules come from a self-regulatory authority that is not specific to advertising, but the code of rules in question contains provisions specific to

¹²³ Art. 23; 30(4) point e); 27(1) point c) of [Act CLXXXV of 2010 on Media Services and Mass Communication](#) (2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról).

¹²⁴ Art. 25.4 of [General Communication Code 2024](#).

¹²⁵ Art. 5.4 of [Subsidiary legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements](#).

¹²⁶ Section 4-7 of [Regulation relating to Broadcasting and Audiovisual On-demand Services](#) (Forskrift om kringkasting og audiovisuelle bestillingstjenester mv. (kringkastingsforskriften)).

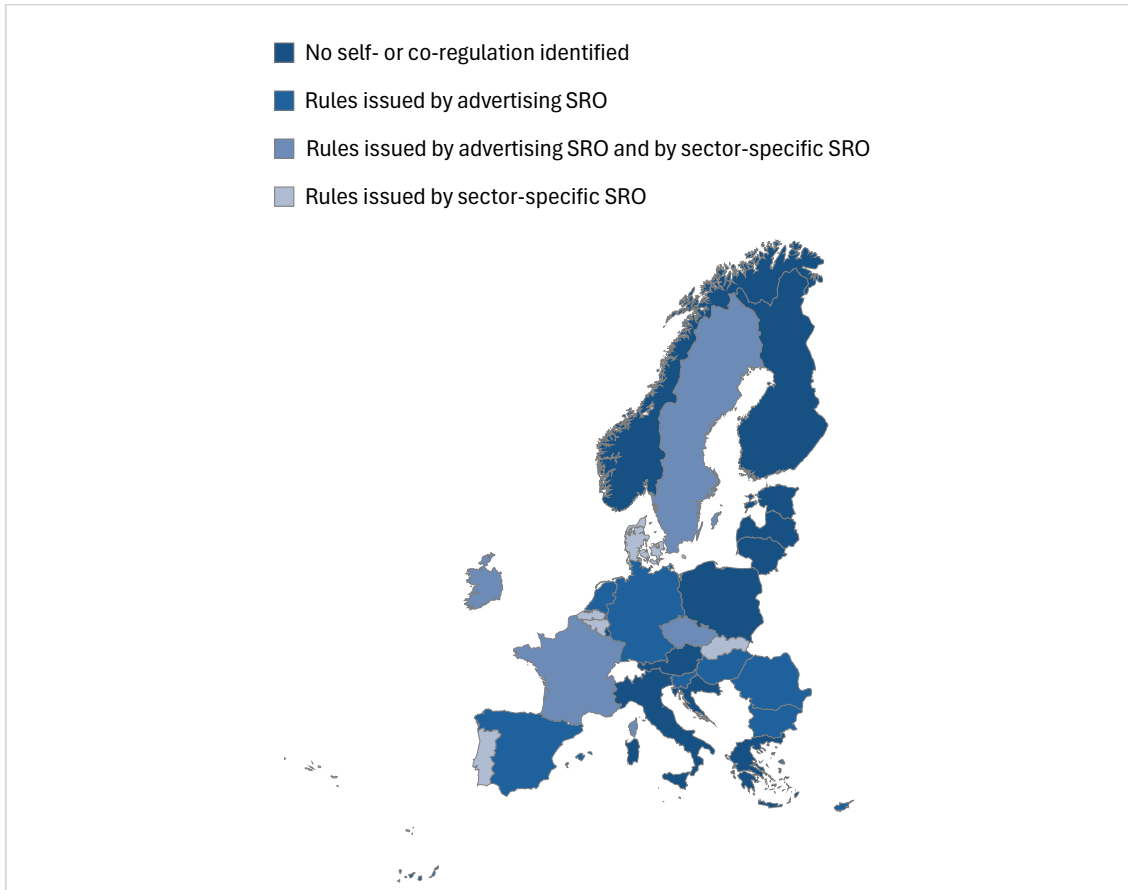
¹²⁷ Art. 147 of the [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).

gambling products. In some cases, a self-regulatory code or charter has been specifically adopted for the regulation of advertising.

- An association or regulatory authority or organisation related to the gambling industry exists at national level and has adopted a code or charter of rules specific to the advertising of gambling products.

It should be noted that in some cases, jurisdictions have both specific rules from their advertising self-regulation bodies and specific rules from national organisations related to the gambling industry (CZ, FR, IE, SE). The map below shows these different trends with the associated jurisdictions.

Figure 19. Existence of co- and self-regulation specific to ACCs for gambling products



Source: Analysis of the responses to the EAO standardised questionnaire

As presented in the map above, in eight jurisdictions, self-regulatory rules identified stemmed directly from organisations linked to the gambling sector. Those jurisdictions have adopted specific codes of conduct aimed at ensuring certain standards in the advertising of gambling products. In most cases, these rules are directly applicable to the gambling industry itself.



Most self-regulatory rules fall into the same categories as those provided for by legislation, such as scheduling rules, content requirements relating to advertisements themselves, and measures to protect minors, such as prohibiting targeting them or requiring specific warnings. Among the rules identified by experts, the following rules are worth mentioning:

- ACCs must not suggest that gambling can counter mental disorders and/or psychosocial disturbances, in particular fear or loneliness (BG).¹²⁸
- ACCs must not suggest that previous losses can be recovered through increased play (DE).¹²⁹
- ACCs for gambling must not be associated with alcohol, tobacco, pharmaceuticals or related products (IE).¹³⁰
- Ban on youth-oriented influencers (NL).¹³¹
- Advertising must not promise that purchasing a gambling product will bring good luck, nor imply that failure to purchase will bring bad luck (SI).¹³²
- Advertising of gambling products (including table games, gaming machines, technical device-based games, and betting [esp. live-betting]) is banned on TV and radio stations between 6am and 10pm (SK).¹³³

4.2.4. Selected examples of complaints about inappropriate ACCs for gambling products

Complaints handled by the NRA or by specific national authorities responsible for gambling generally concern the absence of warning messages, violations of programming rules, violations of advertising content requirements (particularly when considered to have harmful effects on minors), and violations of rules establishing a general ban on this type of advertising. Several interesting cases have been identified by national experts.

In Bulgaria, the CEM¹³⁴ dealt with a case of inappropriate ACCs for gambling products from EUROJET; it decided that by directly suggesting that participation in certain gambling products guaranteed income without working, the commercial message created a risk of moral harm to children, which was contrary to the provisions of the Radio and Television Act and resulted in a financial penalty of BGN 3 000 for violation of Article 75, Para 9, Item 1 of the Radio and Television Act.

¹²⁸ The NCSR's [national ethical standards for advertising and commercial communication](#).

¹²⁹ Code of Conduct of the German Advertising Council.

¹³⁰ Section 5 of the [Code of Practice of the Regulator of the National Lottery](#).

¹³¹ [Advertising code for online games of chance](#) (Reclamecode Online Kansspelen).

¹³² [Slovenian Code of Advertising Practice](#).

¹³³ [Code of ethics for advertising practice and Optional Protocol to the Code of Ethics on Advertising Practice in the Dissemination of Media Commercial Communications](#).

¹³⁴ CEM, [Penal Decree No 66 / 17.05.2011](#).



In France, on 9 February 2022, Arcom¹³⁵ was alerted by the ANJ about unlabelled gambling product placements in episodes 3 and 7 of the series *Validé*, broadcast on Canal+ in October 2021. Arcom requested the channel to comply with advertising rules and to include clear warning messages in all gambling promotions. It also reminded all broadcasters of the proper conditions for gambling-related product placement.

In Italy, AGCOM adopted two resolutions against Google Ireland Limited in 2023¹³⁶ and 2024¹³⁷ because of the availability on the YouTube platform of gambling ads infringing the general ban on any form of advertising, also indirectly, related to gambling imposed by Article 9 of Law Decree No. 87/2018. Resolutions on the same grounds were also adopted against content creators: in 2024 against a Twitch account with regard to content advertising and promoting gambling directly and indirectly also by inviting users to gamble,¹³⁸ as well as dissemination on TikTok channels of multiple videos promoting, also indirectly, gambling.¹³⁹

In Lithuania, on 25 September 2025,¹⁴⁰ LRTK completed its monitoring of several internet content channels and decided to fine a content creator who had subjected viewers to a variety of information harmful to minors including with regard to the use of alcohol, tobacco, drugs, and gambling products. Such content should have been restricted, but in most cases it was not. The content creator was issued an administrative offense report and fined EUR 275.

4.3. Financial products

4.3.1. Definition and scope

The notion of “financial products” does not have a harmonised definition or approach across Europe. This results in significant variations in the approach to this term and related concepts. The initial observation is that the term “financial products” is not systematically used; many jurisdictions refer instead to financial services or financial instruments. These different approaches can nevertheless be grouped into the following categories as illustrated in the map below.

¹³⁵ [Placement de produit dans la série « Validé » : intervention auprès de Canal+, 3 May 2022, Arcom.](#)

¹³⁶ [AGCOM Resolution No. 317/23/CONS.](#)

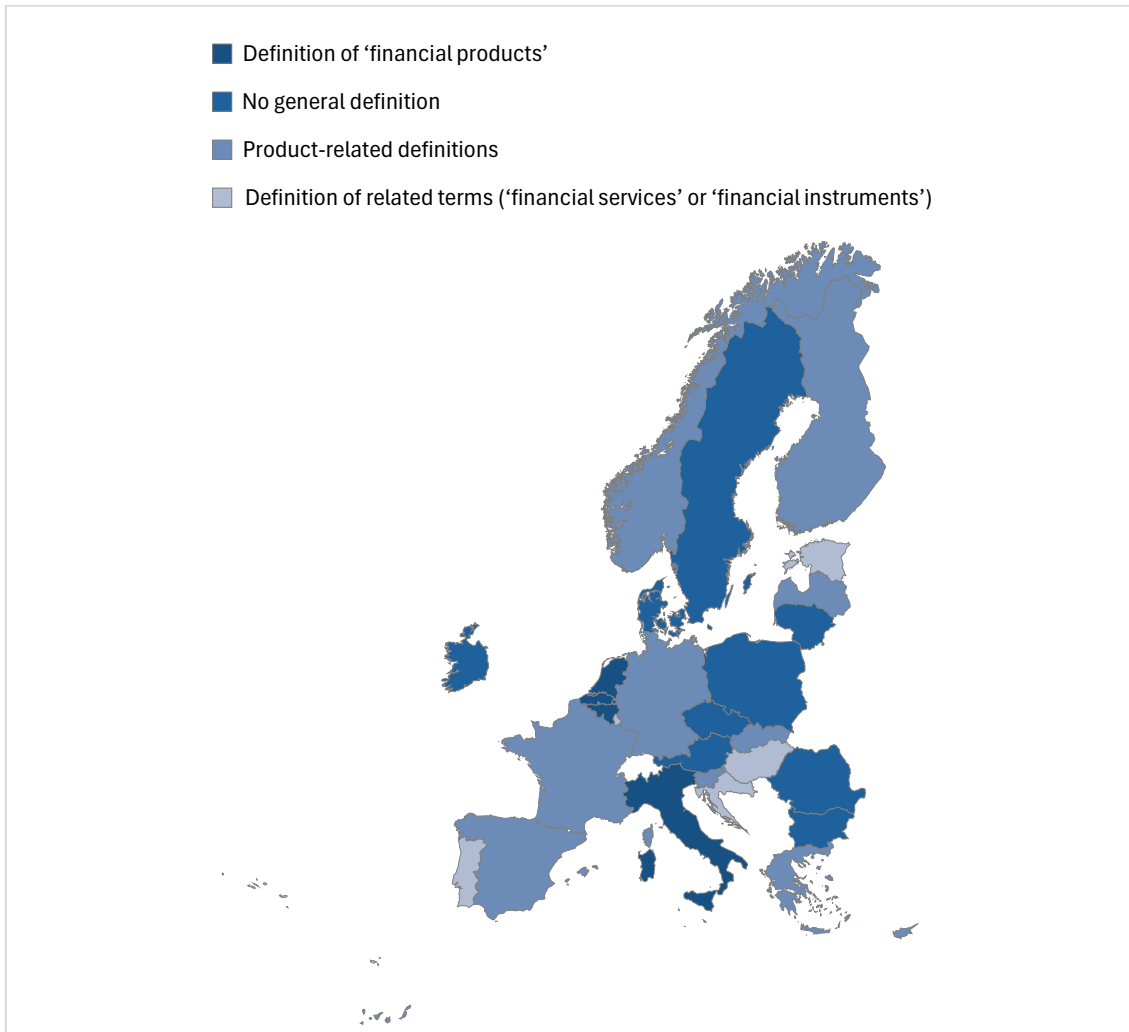
¹³⁷ [AGCOM Resolution No. 50/24/CONS.](#)

¹³⁸ [AGCOM Resolution No. 411/24/CONS.](#)

¹³⁹ [AGCOM Resolution No. 409/24/CONS.](#)

¹⁴⁰ [LRTK nubaudė „TikTok“ paskyros „hoodpriest_clip“ turinio kūrėjų už nepilnamečiams žalingą turinį, 28 October 2025, LRTK website.](#)

Figure 20. Trends observed in the definition of financial products



Source: Analysis of the responses to the EAO standardised questionnaire

As can be seen, only four jurisdictions (BE [FR], BE [VL], IT, NL) provide a precise general definition of the term “financial products”. In the case of Belgium (French and Flemish Communities), this definition covers “savings, investment or insurance products”, and additional explanations and definitions of each of these products are provided by supplementary rules issued by the national body responsible by law for supervising relations between financial institutions and their clients, the Financial Services and Markets Authority (FSMA). In Italy, financial products are considered as “*financial instruments and any other kind of investment of a financial nature; banking or postal deposits are not deemed to be financial products unless those are represented by financial instruments*”¹⁴¹ and a list of examples of financial instruments is provided. The Netherlands provides a definition in the

¹⁴¹ Article 1, Paragraph 1, let. u) of [Legislative Decree No. 58/1998, Italian Financial Act](#) (Decreto Legislativo 24 febbraio 1998, n. 58 - Testo unico delle disposizioni in materia di intermediazione finanziaria, ai sensi degli articoli 8 e 21 della legge 6 febbraio 1996, n. 52).



form of a list of examples for the definition of “financial products” and “financial services”, with a list of examples such as “investment object”, “payment account” or “insurance policy” for the definition of financial products.

In the case of six jurisdictions (EE, HR, HU, LU, MT, PT), no specific definition of the term “financial products” was identified, but rather of “financial services” or “financial instruments” as well as other related terms. Very few common elements can be found when comparing these definitions, given that they do not refer to the same term. As a general rule, financial services or financial instruments are described as services offered to customers by a financial institution, and the definitions then specify the types of services provided, such as banking, credit, insurance, investment or payment services, etc. An explicit list of financial instruments is also often provided as examples.

In the case of 10 jurisdictions (CY, DE, ES, FI, FR, GR, LV, NO, SI, SK), no general definition was found for “financial products” (or related terms such as “financial services” or “financial instruments”). Instead, each financial product is defined by its corresponding legislation (where different pieces of legislation exist, as is the case in Germany) or is simply subject to a different definition.

Finally, no general definition of financial products or related terms was found in the national legislation of eight jurisdictions (AT, BG, CZ, DK, IE, PL, RO, SE). But in the case of Sweden, while there is no legal definition at national level, financial product and instruments were referenced as being understood as defined by the relevant EU legislation.¹⁴²

The table below sets out the different definitions identified in each jurisdiction, together with the relevant legislative references.

Table 8. Definition of financial products in the EU-27 members states and Norway

Jurisdiction	Definition	Source
AT	No general definition (usually includes securities, saving accounts, loans, insurance-based investment products, etc.).	Federal Act on the Public Offering of Securities and Other Capital Investments (KMG)
BE (FR)	Includes savings, investment, or insurance products.	Law on the Supervision of the Financial Sector and Financial Services (Art. 2 (1) 39°)
BE (VL)	Includes savings, investment, or insurance products.	Law on the Supervision of the Financial Sector and Financial Services (Art. 2 (1) 39°)
BG	No definition, but information for users of financial and payment products and services by the Bulgarian National Bank provides a summary to help current and	Information from the Bulgarian National Bank , June 2024

¹⁴² “Financial product is to be understood as defined by the [Regulation \(EU\) 2019/2088 on sustainability-related disclosures in the financial services sector](#) (incl. alternative investment fund, pension product, pension scheme, etc.) Financial instrument is to be understood as defined by the [Directive 2014/65/EU on markets in financial instruments](#) (incl. transferable securities, options, swaps, etc.).



Jurisdiction	Definition	Source
	future users of financial products offered by the banks in the Republic of Bulgaria.	
CY	Definitions of various products such as depositary receipts, transferable securities, financial instrument. The business of a credit institution includes activities such as the taking of deposits and other repayable funds, lending (incl. consumer credit, credit agreements, financing of commercial transactions, financial leasing, etc.).	<i>Investment Services and Activities and Regulated Markets Law</i> Business of Credit Institutions Law of 1997
CZ	No legal definition.	
DE	No general definition. Each product is defined by its corresponding legislation (the banking act for credit, the securities trading act for securities, the insurance contract act for insurance, etc.).	<i>German Banking Act, Securities Trading Act, Insurance Contracts Act</i>
DK	No legal definition.	
EE	Services provided to customers by the subjects of financial supervision specified in the Financial Supervision Authority Act or the financial services provided by other persons within the meaning of the Credit Institutions Act.	<i>Advertising Act</i> (Art. 29)
ES	No general definition of “financial product” but reference to several financial instruments.	<i>Law 6/2023 on Stock Markets and Investment Services</i>
FI	No general definition but specific ones applicable to each type of banking or insurance product and service.	
FR	No legal definition.	
GR	No legal definition.	
HR	No general definition. References to “financial instruments”, “financial services” and “investment services”.	<i>Capital Market Act, Credit Institutions Act</i>
HU	“Financial services”: commercial activities including deposits and other repayable funds from the public, credits and loans, financial leasing, payment services, issuing electronic money (incl. money tokens), issuing paper-based cash substitute payment instruments, suretyship and guarantees, trading in currency, etc.	<i>Act CCXXXVII of 2013 on credit institutions and financial enterprises</i> (Art. 3(1))
IE	S2 of the consolidated Central Bank Act 1942 indicates that “‘financial services’ include financial products”. The website Citizens Information refers to “buying shares in a company, opening a bank account, getting a loan or credit care or other financial service”.	<i>Central Bank Act 1942</i> <i>Citizens information website</i>
IT	Financial instruments and any other kind of investment of a financial nature (e.g. securities, money market instruments, units of collective investment schemes); banking or postal deposits are not deemed to be	<i>Legislative Decree No. 58/1998, Italian Financial Act</i> (Art. 1(1(u))



Jurisdiction	Definition	Source
	financial products unless those are represented by financial instruments.	
LT	No legal definition.	
LU	Financial instruments are listed in Annex II of the Law on the financial sector (e.g. transferable securities, money-market instruments, options and swaps, etc.).	Law of 5 April 1993 on the Financial Sector
LV	No general definition but list of financial services and instruments (e.g. credits, payment services, financial leasing, fiduciary operations, options, swaps, etc.).	Credit Institution Law , Financial Instrument Market Law
MT	Financial services: the business of credit and financial institutions, the business of insurance and the activities of insurance intermediaries, the provision of investment services and collective investment schemes, pensions and retirement funds, regulated markets, central securities depositories and other such areas of activity or services as may be placed under the supervisory and regulatory competence of the Authority by the Minister or by any other law.	Malta financial service authority act (Art. 2.)
NL	Yes, for financial products and financial services.	Financial Supervision Act (Art. 1.1)
NO	No general definition; various definitions specific to the type of products involved.	Specific legislations apply.
PL	No legal definition.	
PT	“Financial services” cover banking, credit, insurance, investment, or payment service and those relating to individual membership of open pension funds.	Law Decree No. 95/2006, Regime Applicable to Pre-Contractual Information and Contracts Relating to Financial Services Provided to Consumers Through Remote Means of Communication (Art. 2)
RO	No legal definition.	
SE	Financial product is to be understood as defined by Regulation (EU) 2019/2088 on sustainability-related disclosures in the financial services sector (incl. alternative investment fund, pension product, pension scheme, etc.). Financial instrument is to be understood as defined by Directive 2014/65/EU on markets in financial instruments (incl. transferable securities, options, swaps, etc.).	Regulation (EU) 2019/2088 on sustainability-related disclosures in the financial services sector , Directive 2014/65/EU on markets in financial instruments
SI	No general definition but product-related definition (e.g. banking products and services, insurance products, investments products, etc.).	Specific legislations
SK	No general definition; definition per product in relevant legislations.	Act on Securities and Investment Services , Act on Banks , Act on Insurance , etc.

Source: Analysis of the responses to the EAO standardised questionnaire



4.3.2. Applicable rules

In 2023, the Council of the EU adopted the Consumer Credit Directive,¹⁴³ which introduced stricter advertising rules to reduce abusive lending to over-indebted consumers. The Directive includes several provisions regulating the advertising of credit agreements, in particular in Articles 7 and 8, which require ACCs relating to these products to be fair, clear and not misleading, and to include a series of standard information that is easily readable or clearly audible, such as a prominent warning, the interest rate or the total amount of credit.

Other EU legal instruments, such as the Directive on Markets in Financial Instruments¹⁴⁴ or the Unfair Commercial Practices Directive¹⁴⁵ also introduce relevant rules to regulate the promotion of financial services. Article 24(3) of the Markets Directive requires for instance that all information, including marketing communications, addressed by investment firms to clients or potential clients be fair, clear and not misleading, and that marketing communications be clearly identifiable as such. The Unfair Commercial Practices Directive also lists in its Annex 1 practices that are considered misleading and potentially applicable to advertising for financial products. However, none of these instruments specifically addresses service providers. Article 9 of the AVMSD contains the general rules applicable to ACCs, but there are no specific provisions for these financial products.

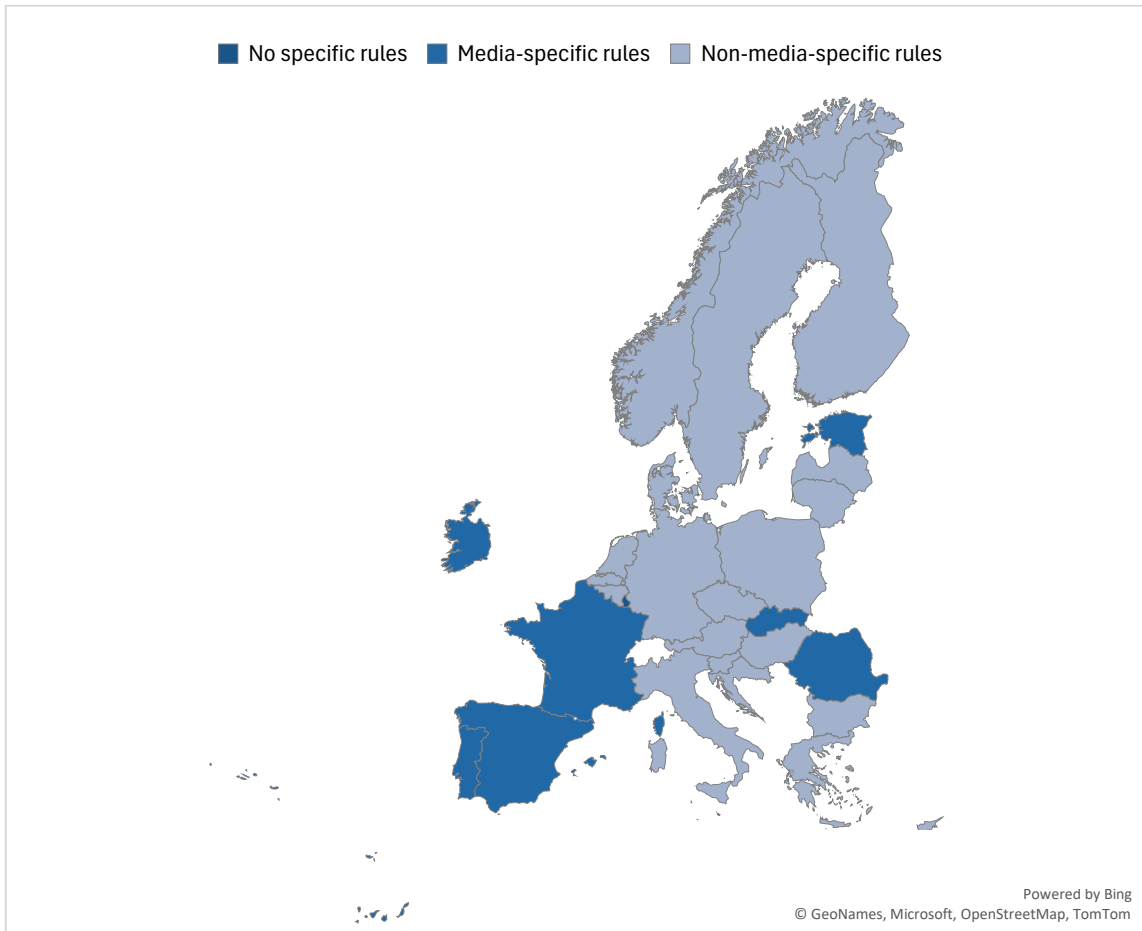
Among the jurisdictions analysed, the ACC rules identified are usually specific to the type of financial products and not to the type of service providers. The rules identified usually apply directly to the producer of the advertised financial products. More specifically, media-specific rules were identified in only seven of the jurisdictions analysed. The other jurisdictions either had ACC rules derived mainly from financial regulations or had no specific rules. These trends are shown in the map below.

¹⁴³ [Directive \(EU\) 2023/2225](#) of the European Parliament and of the Council of 18 October 2023 on credit agreements for consumers and repealing Directive 2008/48/EC.

¹⁴⁴ [Directive \(EU\) 2014/65](#) of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU.

¹⁴⁵ [Directive 2005/29/EC](#) of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive).

Figure 21. Media-specific and non-media-specific ACC rules for financial products



Source: Analysis of the responses to the EAO standardised questionnaire

In the case of two jurisdictions, Luxembourg and Malta, no specific rules concerning advertising of financial products or services were identified.

In 28 jurisdictions analysed, ACCs for financial products are permitted provided they comply with the applicable legal framework. The only exception is France, which prohibits any advertising, direct or indirect, "addressed electronically to clients who may be non-professional, including potential clients, relating to the provision of investment services relating to financial contracts".¹⁴⁶ In addition, advertising of financial products such as the provision of investment services relating to financial contracts that are not admitted to trading in a regulated market or a multilateral trading facility is prohibited when addressed electronically to clients.¹⁴⁷

In jurisdictions where ACCs for financial products are permitted, they must comply with rules that mainly relate to the protection of consumers of these financial products and services. The aim is to ensure that consumers receive the most reliable and comprehensive

¹⁴⁶ Article L. 222-16-1 of the [Consumption Code](#) (*Code de la consommation*).

¹⁴⁷ Article L. 533-12-7 of the [Monetary and Financial Code](#) (*Code monétaire et financier*).



information about the product being offered. This vigilance is necessary due to the specific nature of these products, such as credit, which require enhanced protection. In this vein, two categories of rules are usually observed:

- Rules relating to the information surrounding the advertisements,
- Rules relating to the information and content that may be included in the advertisement, and in which way.

A certain degree of harmonisation around certain categories of rules is found in the comparative analysis, largely due to the transposition of the aforementioned Directives. The table below presents examples of the most frequently observed rules across different jurisdictions per these different categories of rules.

Table 9. Overview of frequent non-media-specific rules observed

Category of rules	Frequent rules
Rules relating to information surrounding the advertising	Must be accompanied by a warning message or statement alerting the consumer to the risk pertaining to the product advertised, such as "The anticipated return is not guaranteed and may be lower" (DE) ¹⁴⁸ or "Read the contractual provisions carefully. This type of loan presents a high degree of financial risk." (RO) ¹⁴⁹
	Must display detailed standardised information on the product, particularly for ACCs for financial products which indicate an interest rate or other figure relating to the costs of the credit, usually around: <ul style="list-style-type: none"> ■ Interest rate ■ Total amount of the interest ■ Annual percentage rate of charge ■ Contract duration ■ Total amount payable by the consumer.
	Detailed standardised information required must be clear, understandable and legible.
Rules relating to the content of the advertising itself	The ACC must be clearly recognisable as such.
	The information must be accurate, clear, and not misleading.
	The information must be consistent with the information published in other official documents, such as prospectuses, the information sheet or the key investor information, or with any other contractual or pre-contractual information.
	The potential benefits of the financial product must not be emphasised without also giving a correct, clear and balanced indication of the relevant risks, limitations or conditions.
	Important information, disclosures or warnings must not be concealed, toned down or obscured.
	The information must be presented in such a way that it can be understood by a retail client.

¹⁴⁸ Sec. 12 of *Asset Investment Act (Vermögensanlagegesetz, VermAnlG)*.

¹⁴⁹ Art. 115 of *the Audiovisual Content Regulation Code (Codul de reglementare a conținutului audiovizual)*.



Source: Analysis of the responses to the EAO standardised questionnaire

Media-specific rules were identified in only seven jurisdictions (EE, ES, FR, IE, PT, RO, SK). Mostly, these rules are complementary to the rules mentioned above contained in specific financial or other legislations and relate to content requirement rules to be observed in ACCs. The table below provides an overview of these rules classified according to their respective categories, indicating in particular the type of service provider to which they apply and the area of law from which they originate.

Table 10. Media-specific ACC rules relating to financial products, by type of rules, service provider and area of law

Category	Rule	Service provider	Jurisdiction	Area of law
Authorised entities	Obligation to verify financial products and authorisations before dissemination of the ACC.	Broadcasters, VOD services, VSPs, and users of special relevance	ES	Financial legislation ¹⁵⁰
	Service provider must require and display the entity number provided by the Bank of Portugal.	Broadcasters	PT	Financial legislation ¹⁵¹
Content requirements	Must ensure ACCs comply with the applicable legal framework.	Broadcasters	IE	Media legislation ¹⁵²
	ACCs must be clear, not misleading, and presented without exaggeration or omission.	Broadcasters	IE	Media legislation ¹⁵³
	ACCs must include mandatory regulatory disclosure and warning statements.	Broadcasters	IE	Media legislation ¹⁵⁴
	Must display information on the annual percentage rate in a specific way	Broadcasters, VOD services	RO	Media legislation ¹⁵⁵

¹⁵⁰ Art. 246.3 of [Law 6/2023 on Stock Markets and Investment Services](#) (Ley 6/2023, de 17 de marzo, de los Mercados de Valores y de los Servicios de Inversión).

¹⁵¹ Art. 3 of [Law No. 78/ 2021 - Regime for preventing and fighting unauthorized financial activity and consumer protection](#) (Lei n.º 78/2021 de 24 de novembro - Regime de prevenção e combate à atividade financeira não autorizada e proteção dos consumidores).

¹⁵² Art. 24.2 of [General Communication Code 2024](#).

¹⁵³ Art. 24.1 of [General Communication Code 2024](#).

¹⁵⁴ Art. 24.3 of [General Communication Code 2024](#).

¹⁵⁵ Art. 115 (2) of [the Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).



Category	Rule	Service provider	Jurisdiction	Area of law
	(font size of min. 51 points SD or 96 points HD).			
	No ACCs on conduct that leads to excessive indebtedness under disadvantageous conditions, exploits financial distress or lack of financial literacy, or creates the impression that indebtedness is a solution to personal and financial problems and does not entail any risks.	Broadcasters (not subject to any of the self-regulatory mechanisms registered under the Media Services Act)	SK	Media legislation ¹⁵⁶
General bans	No ACCs in which an amount of money is offered to consumers under a credit contract or the arrangement of such contracts is offered.	Broadcasters, VOD services, VSPs, and influencers	EE	Advertising legislation ¹⁵⁷
	No ACCs for financial products (financial contracts, provision of service, digital assets, etc.).	Influencers	FR	Media legislation ¹⁵⁸
Warning rules	ACCs must include a warning message displayed on a neutral background.	Broadcasters, VOD services	RO	Media legislation ¹⁵⁹

Source: Analysis of the responses to the EAO standardised questionnaire

4.3.3. Self-/Co-regulatory body or codes

Several additional rules resulting from self-regulation or co-regulation were identified. Most of these rules originate from national financial supervisory authorities mandated by law to oversee the relationship between financial institutions and their customers or national banks. There are also a few cases of self-regulation rules for advertising, as well as rules issued by self-regulatory organisations specialising in the financial or consumer

¹⁵⁶ Art. 80 (c) of Media Services Act (*Zákon o mediálních službách*).

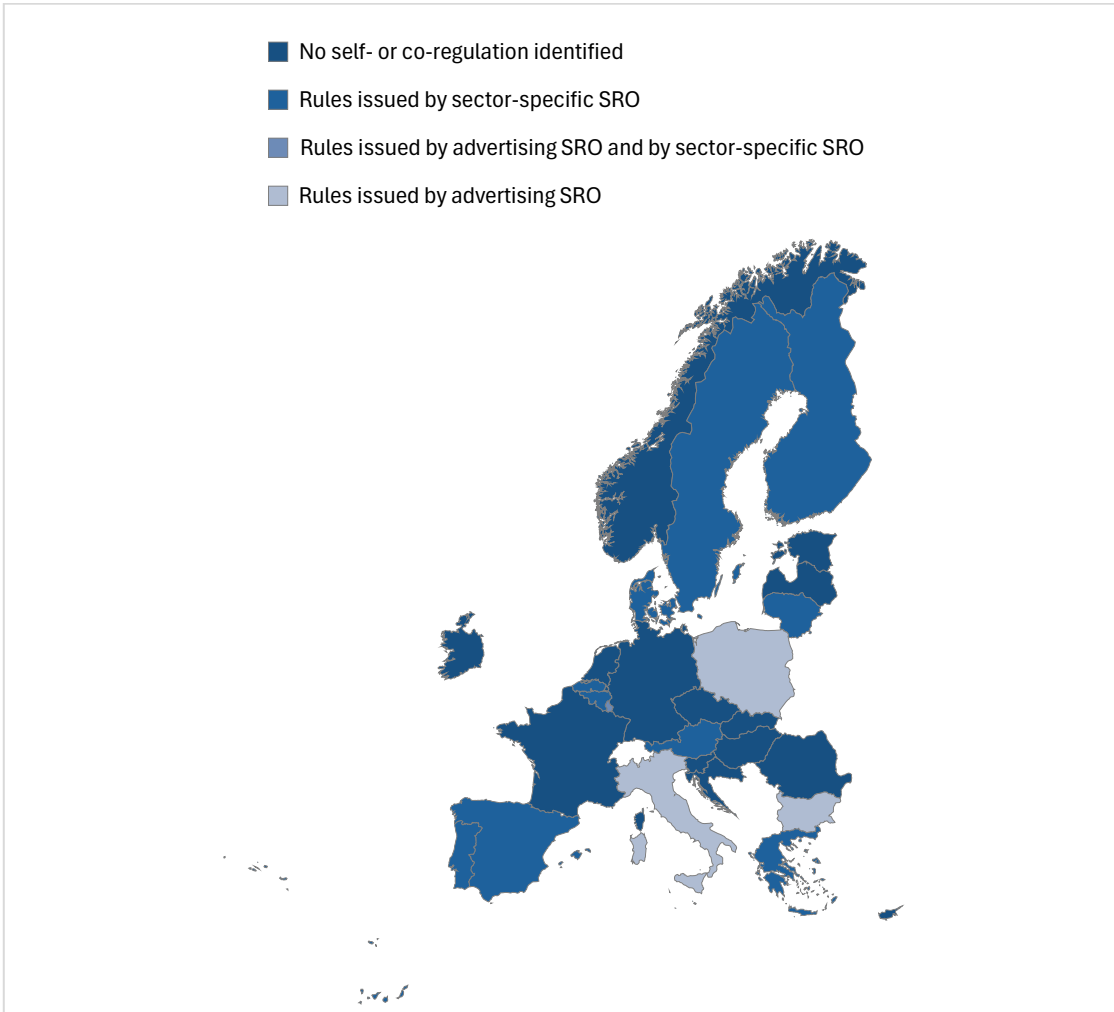
¹⁵⁷ Art. 29 of the *Advertising Act (Reklaamiseadus)*.

¹⁵⁸ Art. 4 of *Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks (LOI n° 2023-451 du 9 juin 2023 visant à encadrer l'influence commerciale et à lutter contre les dérives des influenceurs sur les réseaux sociaux)*.

¹⁵⁹ Art. 115 (3) of *the Audiovisual Content Regulation Code (Codul de reglementare a conținutului audiovizual)*.

protection sector. It should be noted that in the case of Luxembourg, the jurisdiction has specific rules from its advertising self-regulation bodies, and specific rules from national organisations related to the financial industry. The map below shows these different trends in the associated jurisdictions.

Figure 22. Existence of co- and self-regulation specific to ACCs for financial products



Source: Analysis of the responses to the EAO standardised questionnaire

As presented in the map above, in 11 jurisdictions, self-regulation rules identified stemmed directly from organisations linked to the financial or banking sectors. In most cases, they originate from the national financial supervisory authority, which develops codes, guidelines or specific sets of rules dedicated to regulating advertising for these products, and are generally specific to the advertising itself rather than to the service providers that display it. These can include for example guidebooks on how to interpret financial advertising (ES), a code of conduct directed at the banking industry to ensure honest and fair advertising (LU), or a code of conduct on advertising and marketing aimed at young people for specific financial products (BE [FR] and BE [VL]).



Most of these rules identified mirror the applicable rules detailed in the previous section and mainly concern the type of information that may be included and how this information should be presented in the advertisement itself. They are applicable to the advertisement itself and are not specific to broadcasters, VOD services, VSPs or influencers.

4.3.4. Selected examples of complaints about inappropriate ACCs for financial products

With regard to complaints, very few were identified, as most were usually not dealt with by the NRA or self-regulation advertising bodies, but by dedicated financial supervisory authorities. However, some particular cases were identified by national experts.

In France, the General Directorate for Competition, Consumer Affairs and Fraud Control (DGCCRF)¹⁶⁰ of the Ministry of the Economy and Finance issued an injunction in early January 2025 against the Canal + group ordering it to cease advertising prohibited by the Consumer Code. The case concerned the repeated broadcast of an advertisement visible on the jerseys of the players of the Young Boys Bern football team during the Champions League, live and during the posting of highlights of the matches on the canalplus.com website, for the sponsor "Plus 500", offering investment services relating to risky financial contracts. The DGCCRF pointed out that the Consumer Code prohibits advertising for investment services relating to financial contracts in Article L. 222-16-1.

In Italy, the Self-Regulatory Advertising Body on advertising of financial services issued a ruling¹⁶¹ concerning the broadcast of a television advertisement for the online trading platform Plus 500, whose overall tone was deemed misleading to consumers regarding the high risk inherent in online trading, particularly when carried out independently. This decision was motivated in part by the fact that the message was characterised by a strong evocative value that not sufficiently balanced by the informative content, which was reduced to a mixture of information that remained on the screen for such a short time that consumers could not reasonably perceive and understand it.

In Slovakia, the Advertising Council issued a decision¹⁶² regarding an online advertisement that appeared in a Google search, sponsored by *Slovenská sporiteľňa*, a.s., about which the complainant pointed out a difference between the interest rates on consumer loans advertised in the advertisement and the actual interest rates presented in other sources, such as the bank's website or available documentation. The Council concluded that the advertisement conveyed essential information in an unclear and ambiguous manner and could mislead the average consumer, and therefore deemed it to be misleading.

¹⁶⁰ [Chentouf, Canal+ est rappelé à l'ordre après la diffusion d'un sponsor interdit sur des maillots de football, Les Numériques, 2 January 2025.](#)

¹⁶¹ Self-Regulatory Advertising Body on advertising of financial services, Monitoring Committee decision No. 10/22, 14 June 2022.

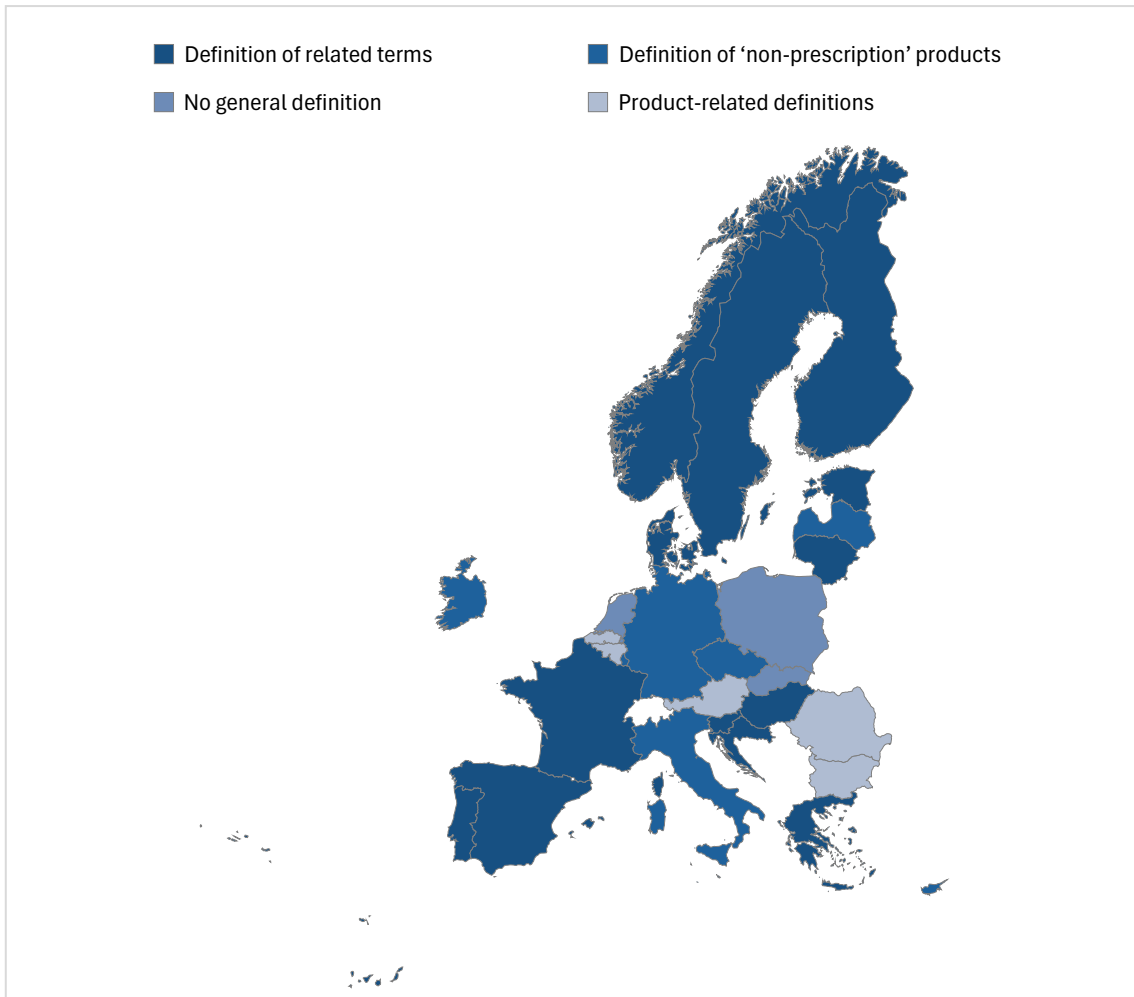
¹⁶² [Case 08 \(03-01\), Advertising Council.](#)

4.4. OTC medicines

4.4.1. Definition and scope

The term 'OTC medicines' is not used systematically in the jurisdictions studied with regard to ACCs. Only eight jurisdictions have established a legal definition of non-prescription products. Many other jurisdictions refer instead to the definition of related terms, such as medical products in general. Some jurisdictions do not have general definitions, but sometimes have definitions for specific products such as food supplements or herbal medicines. The map below shows the different trends observed.

Figure 23. Trends observed in the definition of OTC medicine products



Source: Analysis of the responses to the EAO standardised questionnaire

Regarding the eight jurisdictions that have a general legal definition in place (CY, CZ, DE, IE, IT, LU, LV, MT), they do not usually refer explicitly to the term ‘OTC medicines’, but use terms like non-prescription medicines’, ‘non-prescription medicinal product’, ‘pharmacy-only status’ or ‘general sale products’.

Among the 13 jurisdictions (DK, EE, ES, FI, FR, GR, HR, HU, LT, NO, PT, SE, SI) that have a legal definition of related terms, those related terms are usually ‘medicinal product’, ‘medical product’, ‘medicinal device’, ‘medicine’, ‘drug’, or ‘prescription drug’. In many of these cases, OTC medicines are identified as a category of medicinal products, and their status as non-prescription medicines is often subject to precise classification by a competent health public authority or agency.

In five other jurisdictions (AT, BE [FR], BE [VL], BG, RO) for which a legal definition of OTC medicine was not identified by national experts, definitions of specific products that could be classified as OTC medicines was identified and provided instead. This usually included ‘food supplement’, ‘herbal medicine’ or ‘homeopathic treatments’. The table below sets out the different definitions identified in each jurisdiction, together with the relevant legislative references.

Table 11. Definition of OTC medicine products in the EU-27 members states and Norway

Jurisdiction	Definition	Source
AT	No general definition of OTC medicines. Food supplement: Foods intended to supplement a normal diet and consisting of single or multiple concentrates of nutrients or other substances with a nutritional or physiological effect, marketed in dosed form. Traditional herbal medicine: Products whose indications correspond exclusively to those of traditional herbal medicinal products, which, according to their composition and intended use, are intended to be used without a prescription.	Food Safety and Consumer Protection Act (LMSVG) (Art. 3(4)) Pharmaceutical Act (AMG) (Art. 12)
BE (FR)	No definition of OTC medicine.	
BE (VL)	No definition of OTC medicine. Food supplement: foods intended to supplement the normal diet.	Royal Decree concerning the manufacture and trade of food supplements containing substances other than nutrients and plants or plant preparations
BG	Medicinal products and food supplements are defined but not OTC medicines explicitly.	Law on Medicinal Products in Humane Medicine , and Food Act
CY	Medicinal product without prescription is legally defined as a product that may be sold or supplied without the need for a medical prescription.	Pharmacy and Poisons Law (Section 2)
CZ	The subject of advertising to the general public may be medicinal products for human use which, according to their composition and purpose, are so adapted and designed that they	Act on the Regulation of Advertising (Art. 5a(1)), Act No 231/2001 on the



Jurisdiction	Definition	Source
	may be used without diagnosis, prescription or treatment by a general practitioner, or on the advice of a pharmacist.	Operation Of Radio And Television Broadcasting, Act No 132/2010 on On-Demand Audiovisual Media Services (Art. 8(2)(c)), Act No. 242/2022 Coll. on Video Sharing Platform Services (Art. 7(5)), Act No. 378/2007 Coll., the Medicinal Products Act,
DE	Medicinal products are considered non-prescription if they are not required to be dispensed to consumers only upon presentation of a medical or dental prescription, or a veterinary prescription.	Medicinal Products Act (Art. 48)
DK	No products without prescription, including herbal medicine products.	
EE	“Medicinal product” means a substance or combination of substances intended for the prevention, diagnosis or treatment of a disease or disease symptom, for the relief of a disease condition, or for the restoration or alteration of vital functions in a human through pharmacological, immunological or metabolic effect.	Medicinal Products Act
ES	General definition of medicine. It is the need for a prior authorisation by the Spanish agency for medicines and health products which will determine whether a medicinal product is subject to medical prescription.	Law on Guarantees and Rational Use of Medicines and Health Products . (Art. 2a and 19)
FI	No definition of OTC medicine.	
FR	No definition of OTC medicine.	
GR	Only prescription-only medicine is defined.	Joint Decision of the Ministers of Development, Competitiveness, Infrastructure, Transport and Networks and Health 32221/29.4.2013 (Art. 96)
HR	No specific definition of medicinal product without prescription, only a categorisation of medicinal products based on method of dispensing medicinal products.	Medicinal Products Act
HU	No definition of OTC medicine.	Act XCV of 2005 on medicinal products for human use and on amendments to certain acts regulating the pharmaceutical market, Act XCVIII of 2006 on the general rules for the safe and economical supply of medicines and medical devices and for the distribution of medicines



Jurisdiction	Definition	Source
IE	<p>“Non-prescription medicinal product”: a medicinal product which may be supplied to the public otherwise than in accordance with a prescription. There are two subcategories:</p> <p>“Pharmacy-only status” which refers to medicinal products only available under the supervision of a pharmacist,</p> <p>“General sale products” which can be sold without the supervision of a pharmacist.</p>	<p>S.I. No. 87/2015 - Medicinal Products (Prescription and Control of Supply) (Regulations 16 and 12)</p>
IT	<p>Definitions of:</p> <ul style="list-style-type: none"> ■ Non-prescription medicines: substance dispensed without medical prescription and which is presented as having a possessing curative/preventive properties OR that is used for restoring, correcting, or modifying physiological functions by exerting a pharmacological, immunological, or metabolic action, or to make a medical diagnosis. ■ Medical devices: medical device which can be dispensed without a medical prescription (any instruments or other articles intended for medical purposes such as diagnosis, prevention, prediction). ■ Food supplements: food products intended to supplement the normal diet and which are a concentrated source of nutrients, such as vitamins and minerals, or of other substances having a nutritional or physiological effect, in particular but not exclusively amino acids, essential fatty acids, fiber, and plant extracts, whether single or combined, in pre-dosed forms. 	<p>Legislative Decree No. 219/2006 relating to medicinal products for human use, Legislative Decree No. 137/2022 relating to medical devices, Legislative Decree No. 169/2004 relating to food supplements</p>
LT	<p>There is no definition of non-prescription medicinal products.</p> <p>Medicine (medicinal product) is defined as a medicinal substance or combination thereof, manufactured and supplied for use, as it meets at least one of the following criteria: 1) has properties that make it suitable for the treatment or prevention of human diseases; 2) due to its pharmacological, immunological, or metabolic effects, it can be used or prescribed to restore, correct, or modify human physiological functions or to diagnose human diseases.</p> <p>The law establishes however that upon registration they must be classified as prescription or non-prescription.</p>	<p>Law on Pharmacy of the Republic of Lithuania, Art. 2(50)</p>
LU	<p>OTC medicinal products are those which do not meet the criteria for prescription-only medicines.</p>	<p>Amended Grand-Ducal Regulation of 15 December 1992 on the sale of medicinal products (Art. 31-32)</p>
LV	<p>Non-prescription medicinal products are medicinal products the pharmacological properties, strength, amount in packaging, method of administration and the possible adverse reaction caused by use of which shall not cause a direct or indirect threat to the health of the patient if they are used in accordance with instructions.</p>	<p>Pharmaceutical Law (Art. 1)</p>
MT	<p>The medicinal products which can be advertised are those medicinal products which have a marketing authorisation and</p>	<p>Subsidiary Legislation 350.30 Requirements as to</p>



Jurisdiction	Definition	Source
	which are not classified as products which require a prescription except in the case of vaccination campaigns carried out by the industry after having obtained the approval of the licensing authority set up under the Medicines Act.	standards and practice on programmes involving the participation of certain health care professionals in the broadcasting media (Art. 2.1)
NL	Distinction between medicines, self-care medical products (having a physical effect without the intervention of a health professional), and health products (food supplements and other products).	Code for advertising medicines to the general public 2019 (CPG) , Advertising Code for self-care medical products 2019 (CMH) , Code for health product promotion (CAG)
NO	Existence of a definition of a medicinal product. In practice, medicinal products that are not subject to prescription requirements would be OTC medicines.	Regulation on Medicinal Products for Human Use (Medicines Regulations) (Section 1.3 and 7.1)
PL	No definition of OTC medicine.	
PT	Non-prescription medicines are drugs that do not meet the requirements to be considered “prescription-only medicines”.	Law-Decree no 76/2006, Legal Framework for Medicines for Human Use (Art. 114-115)
RO	No definition of OTC medicine.	
SE	Once a substance is classified as a medicinal product, its status as either OTC or prescription-only is determined by the Swedish Medical Products Agency.	Medical Products Act (Chapter 2, Section 1; Chapter 4, Section 20)
SI	Non-prescription medicines are a sub-category of medicinal products, made available for self-medication without the requirement of a medical prescription. They are authorized under the same Medicinal Products Act, provided they meet safety and efficacy requirements set by the Public Agency for Medicinal Products and Medical Devices, which is responsible for authorisation, supervision, and advertising oversight. Food supplements are regulated by the Rules on Food Supplements.	Medicinal Products Act (Art. 5), Rules on Food Supplements
SK	No general definition, except that the product must not be subject to a prescription.	Act on Medicines and Medicinal Devices and on amendments to certain acts (Art. 51(1))

Source: Analysis of the responses to the EAO standardised questionnaire

4.4.2. Applicable rules

The EU legal framework governing ACCs is set out in Article 9(1)(f) of the AVMSD which forbids ACCs for medicinal products and medical treatment available only on prescription



in the member states. This prohibition is extended to sponsorship by Article 10 (3) and to product placement by Article 11 (4) point b) of the AVMSD.

These general rules, applicable to AVMS providers and VSPs, have been transposed in all the jurisdictions analysed, with the exception of Belgium (French Community). For this jurisdiction, no specific provision prohibiting these ACCs was identified in the Media Decree¹⁶³ or in the relevant advertising legislation.

With regard to non-prescription medicines, the AVMSD does not lay down any specific rules for ACCs relating to these products. Member states are allowed to require service providers under their jurisdiction to comply with more detailed or stricter rules in the fields coordinated by the AVMSD (Article 4(1)).

In parallel, member states must comply with the relevant EU legal framework governing medicinal products for human use in the EU. This legal framework is primarily based on the principle that a medicinal product requires marketing authorisation by the competent authorities before being placed on the market. The requirements and procedures for marketing authorisation, as well as the rules for monitoring authorised products, are primarily laid down in Directive 2001/83/EC¹⁶⁴ and in Regulation (EC) No 726/2004.¹⁶⁵ They also include harmonised provisions for the manufacture, wholesale or advertising of medicinal products for human use. In particular, Articles 89 to 91 of Directive 2001/83/EC provide the requirements applicable to the advertising of a medicinal product to the general public. These articles specify the minimum information that such advertising must contain, the manner in which it must be presented and the type of information and material that may be included.

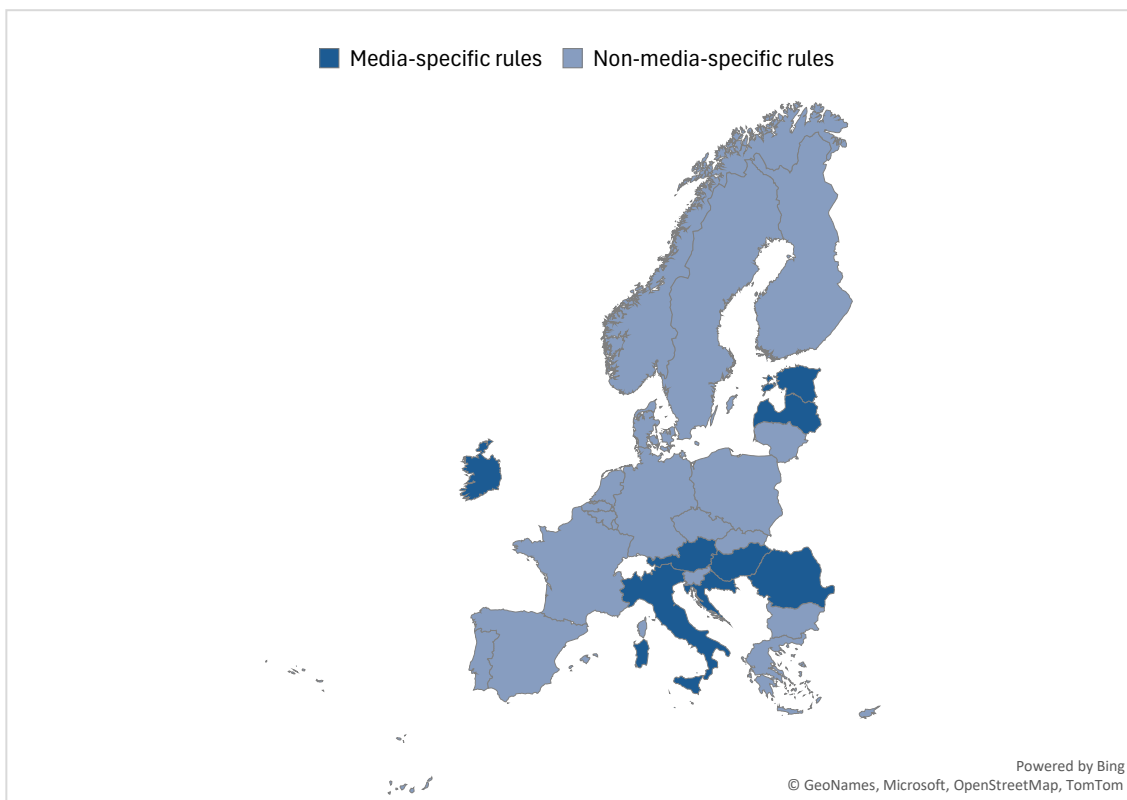
In all the jurisdictions analysed, ACCs for OTC medicines are allowed. Usually the first requirement, as per the EU legal framework, is that advertising is permitted only for medicinal products for which a marketing authorisation has been given. The majority of jurisdictions regulate ACCs for OTC medicines through legislation specifically dedicated to the medical field. This approach reflects the integration of Articles 89 to 91 of Directive 2001/83/EC and result in a high degree of harmonisation in terms of obligations concerning advertising information and content in most jurisdictions. Seven of the jurisdictions studied have chosen to introduce provisions specific to media. These provisions supplement the existing EU legal framework by specifically targeting service providers with additional requirements. These dynamics are illustrated by the map below.

¹⁶³ [Decree on audiovisual media services and video-sharing services](#) (*Décret relatif aux services de médias audiovisuels et aux services de partage de vidéos*).

¹⁶⁴ [Directive 2001/83/EC](#) of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use.

¹⁶⁵ [Regulation \(EC\) No 726/2004](#) of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency.

Figure 24. Media-specific and non-media-specific ACC rules for OTC medicines products in Europe



Source: Analysis of the responses to the EAO standardised questionnaire

Most of these rules identified, whether media-specific or not, concern the information that must accompany the advertisement, for example the minimum information that must be contained in the advertisement for the proper use of the medicinal product; and warning messages inviting consumers to read the instructions carefully and seek advice from a doctor or pharmacist. The other rules mainly concern what can and cannot be included in an advertisement. This area is particularly harmonised across jurisdictions, as it results from the transposition of Article 90 of the aforementioned Directive.

This table provides an overview of the most frequently observed types of rules that directly concern the advertisement or the entity responsible for its production, and that are not specific to broadcasters, VOD services, VSPs or influencers.

Table 12. Overview of frequent non-media-specific rules observed

Category of rules	Frequent rules
Rules relating to information	Must contain minimum standardised information (name of the medicinal product and common name, data needed for the proper use, trade name of the medicinal product, as well as its international non-proprietary name, side effects, active substance).



Category of rules	Frequent rules
surrounding advertising	Must include a warning statement such as “this is a medicinal product, no long-term use without medical advice” and contain an explicit and legible invitation to carefully read the instructions.
	Must include a product-specific warning statement, such as for herbal medicine: “traditional herbal medicinal product for use in one or more specified indications exclusively based upon long-standing use” or “homeopathic medicinal product”.
Rules relating to the content of the advertising itself	Aspects of the advertising of a medicine must be accurate, recent and verifiable.
	Must present the information in an objective and unexaggerated way.
	Must not contain misleading information.
	Must be in accordance with the package leaflet/data from the summary of product characteristics of the medicinal product.
	Must not imply that the product is guaranteed effective, risk-free, or superior to other treatments.
	Must not suggest that the normal good health of a person can be improved by use of the medicine.
	Must not suggest that the normal good health of a person can be affected if the medicine is not used.
	Must not be aimed exclusively or mainly at children.
	Must not use endorsements from scientists, health professionals, or celebrities to promote the product.
	Must not make use of images, drawings, photographs or representations capable of infringing the very essential informative character and sobriety which must characterise advertising of medicinal products.
Must be set out in such a way that it is clear that the message is advertising and that the product is a medicinal product.	

Source: Analysis of the responses to the EAO standardised questionnaire

Among jurisdictions that have media-specific rules, it is interesting to note that the rules do not all derive from media legislations, but for some of them result from medicinal legislation, advertising legislation or specialised legislation on the advertising of medicinal products. Most relate to content requirement rules that must be followed by service providers. One specific rule in Italy relates to the requirement of ‘static content’ i.e. the requirement for health-related advertising to remain unchanged after it has been authorised as such, and made available on VSPs, where certain typical functionalities such as comment sections appear incompatible with this requirement. In this vein, the Italian Ministry of Health has adopted guidelines on the advertising of non-prescription medicines,¹⁶⁶ which specify that the comments, reactions, and sharing functionalities on social media platforms must be disabled. If not feasible, the post must include the specific disclaimer: “*The Ministry of Health authorizes only the content of this advertisement. Any user-*

¹⁶⁶ [Ministry of Health’s Guidelines on the advertising of non-prescription medicines.](#)

generated comments are the sole responsibility of the users. The company disclaims any association with such comments.”

The table below provides an overview of these rules classified according to their respective categories, indicating in particular the type of service provider to which they apply and the area of law from which they originate.

Table 13. Media-specific ACC rules relating to OTC medicines, by type of rules, service provider and area of law

Category	Rule	Service provider	Jurisdiction	Area of law
Content requirements	ACCs must be easily recognisable as such, honest, trustworthy and verifiable.	Broadcasters	AT	Media legislation ¹⁶⁷
	ACCs must not cause harm to humans or animals.	Broadcasters	AT	Media legislation ¹⁶⁸
	ACCs must contain information and adhere to content requirements (e.g., a sign showing that an ACC is an ad for a medicinal product, a warning message, etc.).	Broadcasters, VOD services, VSPs, influencers	EE	Medicinal legislation ¹⁶⁹
	Broadcasters must respect content/information requirements when displaying ACCs for health products.	Broadcasters	IE	Media legislation ¹⁷⁰
	ACCs for health products must not target children.	Broadcasters	IE	Media legislation ¹⁷¹
	ACCs must avoid content that induces fear, misleads about health improvements or dangers, exaggerates claims, employs inappropriate testimonials, or undermines the necessity of medical consultation.	Broadcasters	IE	Media legislation ¹⁷²
	ACCs should not suggest unnecessary, indiscriminate, or excessive use of products,	Broadcasters	IE	Media legislation ¹⁷³

¹⁶⁷ Art. 34 of [Audiovisual Media Services Act](#) (*Audiovisuelle Mediendienste-Gesetz – AMD-G*).

¹⁶⁸ Ibid.

¹⁶⁹ Art. 84 of [Medicinal Products Act](#) (*Ravimiseadus*).

¹⁷⁰ [General Communication Code 2024](#).

¹⁷¹ Art. 19.2. of [General Communication Code 2024](#).

¹⁷² Art. 19.3. a) [General Communication Code 2024](#).

¹⁷³ Art. 19.3 of [General Communication Code 2024](#).



Category	Rule	Service provider	Jurisdiction	Area of law
	misrepresent safety or efficacy, or reference non-existent institutions.			
	ACCs must promote rational use without exaggeration, be clear and not misleading, and make it evident to viewers that the message is an advertisement.	Broadcasters	IE	Media legislation ¹⁷⁴
	Key product information and usage instructions must be provided, with additional requirements for traditional herbal medicines to emphasize that their use is based on long-standing tradition.	Broadcasters	IE	Media legislation ¹⁷⁵
	ACCs must not contain misleading, or exaggerated or harmful claims.	Broadcasters, VOD services	RO	Media legislation ¹⁷⁶
	ACCs must not feature public figures, other celebrities, medical staff or pharmacists recommending or endorsing them.	Broadcasters, VOD services	RO	Media legislation ¹⁷⁷
	ACCs for food supplements must ensure ACCs are not misleading and include health-promoting messages.	Broadcasters, VOD services	RO	Media legislation ¹⁷⁸
	ACCs must include rotating health messages that appear at the end of at least one ACC per hour between 6 am and 10pm.	Broadcasters, VOD services	RO	Media legislation ¹⁷⁹
General ban	No ACCs for unregistered medicinal products and for prohibited medical treatment.	Broadcasters, VOD services, Influencers	LV	Media legislation ¹⁸⁰
Minor protection specific rules	No ACCs before and during children's programmes.	Broadcasters, VOD services, influencers	EE	Medicinal legislation ¹⁸¹

¹⁷⁴ Art. 19.9 of [General Communication Code 2024](#).

¹⁷⁵ Art. 19.10 of [General Communication Code 2024](#).

¹⁷⁶ Art. 156 of the [Audiovisual Content Regulation Code \(Codul de reglementare a conținutului audiovizual\)](#).

¹⁷⁷ Art. 153 of the [Audiovisual Content Regulation Code \(Codul de reglementare a conținutului audiovizual\)](#).

¹⁷⁸ Art. 153 of the [Audiovisual Content Regulation Code \(Codul de reglementare a conținutului audiovizual\)](#).

¹⁷⁹ Art. 158 (7) of the [Audiovisual Content Regulation Code \(Codul de reglementare a conținutului audiovizual\)](#).

¹⁸⁰ Art. 37 of [Electronic Mass Media Law \(Elektronisko plašsaziņas līdzekļu likums\)](#).

¹⁸¹ Art. 84 of [Medicinal Products Act \(Ravimiseadus\)](#).



Category	Rule	Service provider	Jurisdiction	Area of law
	General ban on ACCs for OTC medicines if aimed at children, including ACCs published in programs or publications intended for children.	Not specified	HU	Medicinal legislation ¹⁸²
	No ACCs for health-related products before or during children's programmes.	Broadcasters, VOD services	RO	Media legislation ¹⁸³
Specific media restrictions	ACCs for health-related products must remain unchanged in the form in which they are authorised by the Department of Health, and comments, reactions, and sharing functionalities on social media platforms must be disabled.	VSPs	IT	Medicinal legislation ¹⁸⁴
	Influencers must not use testimonials in promotional videos implying any form of recommendation or preference.	Influencers	IT	Medicinal legislation ¹⁸⁵
Warning rules	ACCs must be accompanied by a warning message.	TV and online	HR	Medicinal legislation ¹⁸⁶
	ACCs medicines, medical treatments, homeopathic products, medical devices and food supplements must include specific health warnings and the mandatory information required by health and food-supplement legislation.	Broadcasters, VOD services	RO	Media legislation ¹⁸⁷

Source: Analysis of the responses to the EAO standardised questionnaire

¹⁸² Art. 17 of [Act XCVIII of 2006 on the general rules for the safe and economical supply of medicines and medical devices and for the distribution of medicines](#) (2006. évi XCVIII. Törvény a biztonságos és gazdaságos gyógyszer- és gyógyászatisegédeszköz-ellátás, valamint a gyógyszerforgalmazás általános szabályairól).

¹⁸³ Art. 154 of the [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).

¹⁸⁴ [Ministry of Health's Guidelines on the advertising of non-prescription medicines](#) (Ministero della Salute - Linee guida sulla pubblicità sanitaria dei medicinali di automedicazione (OTC) e dei medicinali senza obbligo di prescrizione (SOP)ligo di prescrizione (SOP)).

¹⁸⁵ Art. 117 of [Legislative Decree No. 219/2006 relating to medicinal products](#) (DECRETO LEGISLATIVO 24 aprile 2006, n. 219 Attuazione della direttiva 2001/83/CE (e successive direttive di modifica) relativa ad un codice comunitario concernente i medicinali per uso umano).

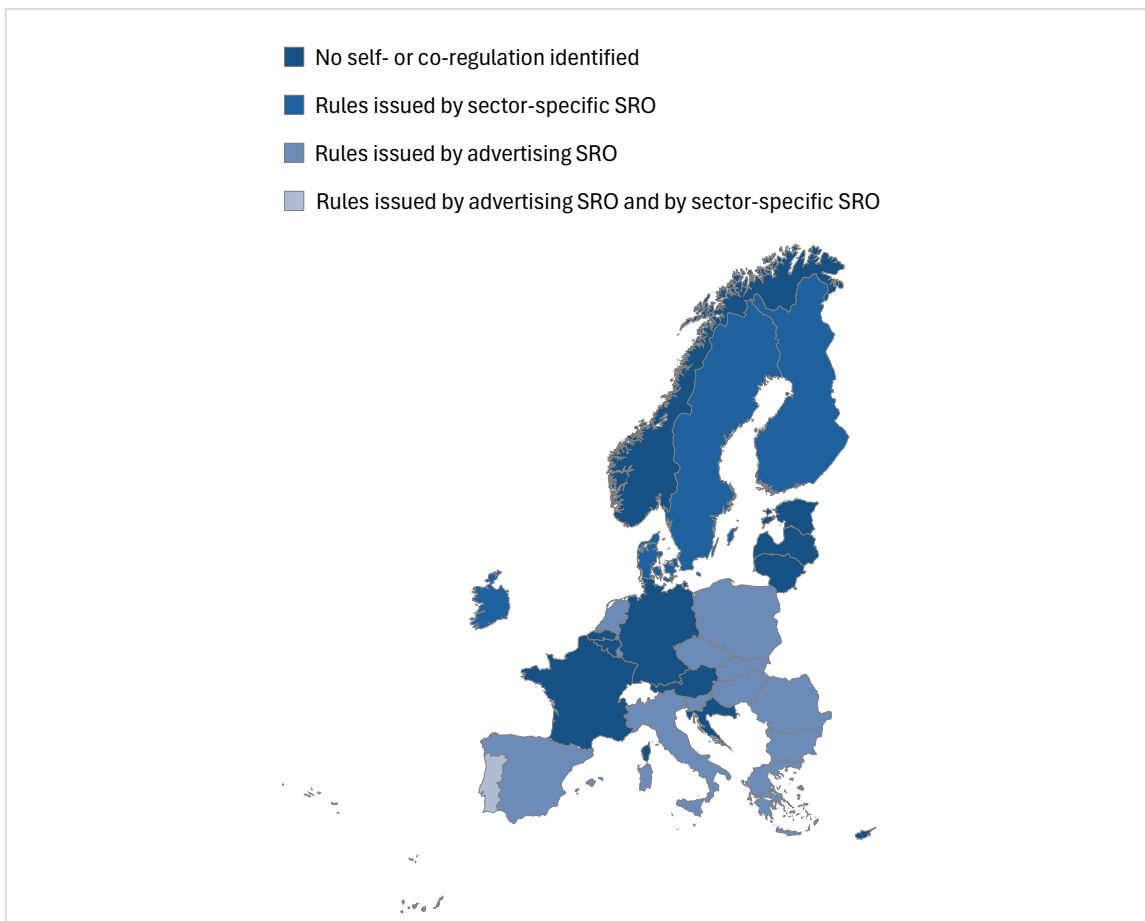
¹⁸⁶ Art. 8 and 9 of [Ordinance on the method of advertising of medicinal products](#) (Pravilnik o načinu oglašavanja o lijekovima).

¹⁸⁷ Art. 157 and 158 (1) of the [Audiovisual Content Regulation Code](#) (Codul de reglementare a conținutului audiovizual).

4.4.3. Self-/Co-regulatory body or codes

Additional rules derived from self-regulation or co-regulation were also identified in 17 jurisdictions (BG, CZ, DK, ES, FI, GR, HU, IE, IT, LU, NL, PL, PT, RO, SE, SI, SK). Most of these originate from advertising self-regulatory bodies and set out specific rules for ACCs for OTC medicines. In some cases, these rules originate from specialist bodies related to the medical or health sector. It should be noted that in the case of Portugal, the jurisdiction has specific rules from advertising self-regulation bodies, and specific rules from national organisations related to the health sector. The map below shows these different trends, and the jurisdictions involved.

Figure 25. Existence of co- and self-regulation specific to ACCs for OTC medicines



Source: Analysis of the responses to the EAO standardised questionnaire

As shown in the map above, in five jurisdictions, the self-regulatory rules identified originated directly from organisations linked to the medical or health sector. In most cases, these rules apply to advertising itself and reflect the content and information requirements set out in the applicable national legislation. In the case of Denmark, the rules consist of

specific guidelines on ACCs for herbal medicines. In the case of Portugal, some rules are dedicated to good practices to be implemented specifically on digital channels.

Among the specific rules identified by advertising self-regulatory bodies, as with the organisations specific to the health sector, are rules mainly concerned with information and content requirements applicable to the advertisement itself.

4.4.4. Selected examples of complaints about inappropriate ACCs for OTC medicines

With regard to complaints, very few were identified by the national experts, since as with ACCs for financial products, most of these complaints are usually not dealt with by the NRA or the self-regulation advertising bodies. Nevertheless, some interesting cases were identified by national experts.

In Italy, the Self-Regulatory Advertising Body issued a decision¹⁸⁸ on a video made by two influencers (TikTok) promoting a weight loss food supplement. The Self-Regulatory Advertising Body found the video transcended the nature of the product, potentially leading consumers to believe that simply using it would naturally result in weight loss. The expressions used in the video were not compatible with the nature of the advertised products. The claims were misleading.

In Luxembourg, the Luxembourg national media regulatory authority (ALIA) issued a decision in May 2020¹⁸⁹ regarding ads for procedures like liposuction. A broadcast media service regularly advertised aesthetic surgery procedures. The main issue was whether these procedures required a prescription, which would mean they could not be promoted on air. The regulatory authority decided that procedures like liposuction or skin tightening, which are performed for personal reasons and not for health needs, could be advertised. By contrast, dental implants, which require a doctor's prescription for medical reasons, are considered surgical procedures and may not be advertised.

In Romania, the National Audiovisual Council issued decisions on compliance with the law for ads related to promotional campaigns for products (Tibanol, Doopelherz Omega-3, Caprin) which did not respect the provisions of Article 120¹⁹⁰ of the Audiovisual Code.¹⁹¹

¹⁸⁸ [Istituto dell'autodisciplina pubblicitaria, Ingiunzione 21/2025.](#)

¹⁸⁹ ALIA, [Decision DEC007/2020-P003/2018](#), 4 May 2020.

¹⁹⁰ The Decisions were applied based on Art 120 of the previous Audiovisual Code - Decision No. 220/2011. The article equals Art 153 of the new Code (Decision No. 573/2025).

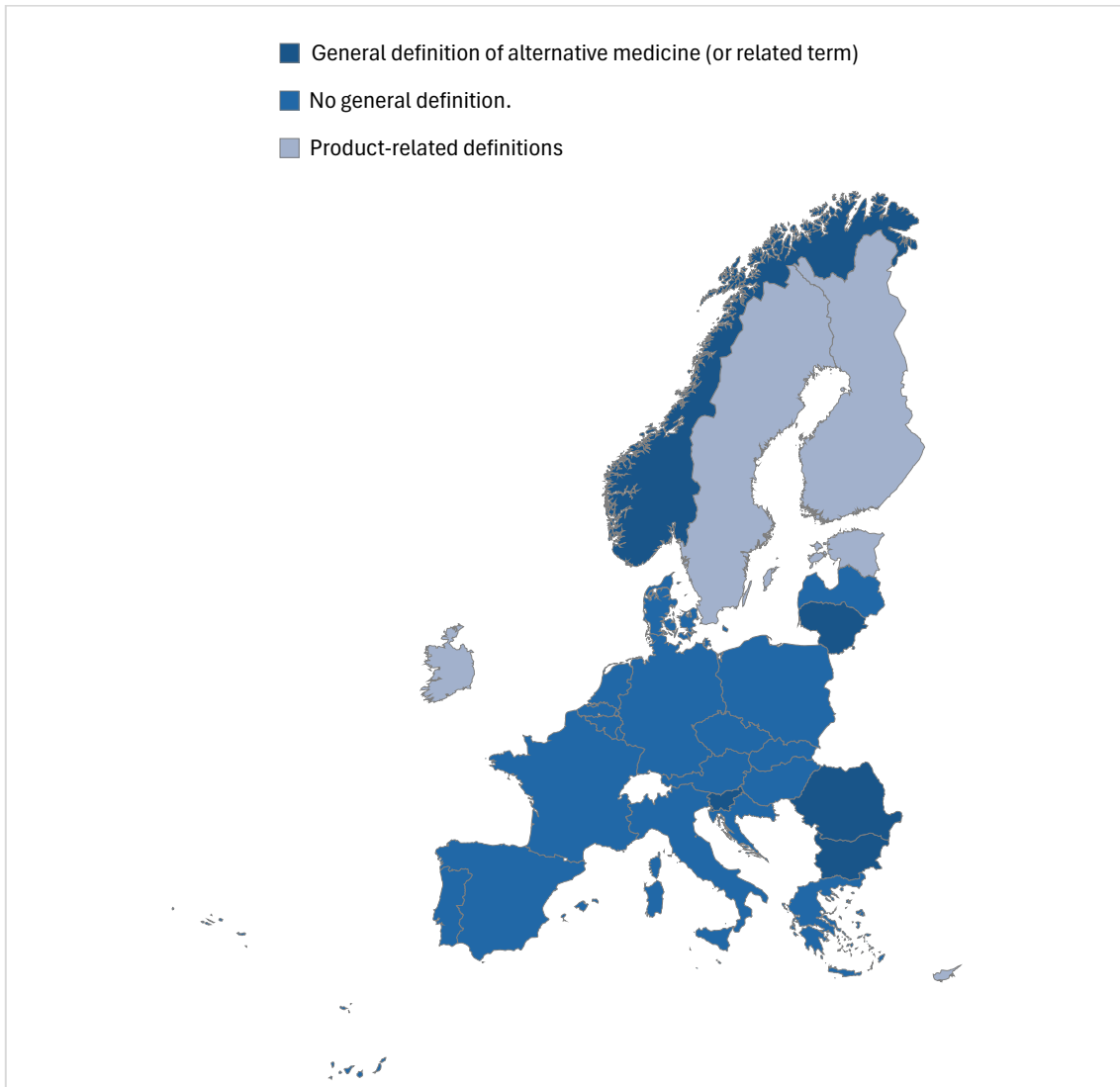
¹⁹¹ [National Audiovisual Council, press release](#), 3 June 2025.

4.5. Alternative and other medicinal products

4.5.1. Definition and scope

The term 'alternative medicine' is a broad term that can encompass different types of medicine considered non-traditional. In 19 of the jurisdictions analysed, no precise or general definition could be identified. Those that were identified corresponded either to related terms for alternative medicine in the case of five jurisdictions, or did not correspond to a general definition but rather to definitions of specific products or services considered to be alternative medicine for five other jurisdictions. These trends are illustrated in the map below.

Figure 26. Trends observed in the definition of alternative and other medicinal products



Source: Analysis of the responses to the EAO standardised questionnaire

The general definition usually encompasses definitions for terms related to alternative medicines. They include definitions for ‘unconventional methods’ (BG), ‘alternative treatment’ (NO), ‘complementary and alternative healthcare product’ (LT), ‘complementary/alternative medicine’ (Romania), ‘alternative medicine’ (SI). In all of those cases, with the exception of Bulgaria, these types of products or services are regulated under a dedicated legislation.

In most of the jurisdictions analysed, no legal definition was identified for alternative medicinal products or related terms. Some jurisdictions, however, do reference them in their legislation and provide an indirect description. This is the case in Czechia, which regulates advertising of what is referred to as “health-targeted products” without specifically defining them but specifying that they are not medicinal products, medical devices, in-vitro diagnostic medical devices, nor foods for special medical purposes.

In several jurisdictions, despite the absence of a general definition, some product-specific or service-specific definitions were identified that could be classified as definitions of alternative medicines for the purpose of our study. This includes for instance the definition of “herbal medicinal product”, “traditional herbal medicinal product” or homeopathic medicinal product” (CY, FI, IE), “narcotic drugs and psychotropic substances” (EE), “complementary therapies” (IE), “plant-based medicines” (SE) and “raw-material-based medicines” (SE). The table below sets out the different definitions identified in each jurisdiction, together with the relevant legislative references.

Table 14. Definition of alternative medicines in the EU-27 members states and Norway

Jurisdiction	Definition	Source
AT	No general definition.	
BE (FR)	No general definition.	
BE (VL)	No general definition.	
BG	Unconventional methods for beneficial effect on individual health (incl. non-medicinal products of organic, or mineral origins, non-traditional physical methods, homeopathy, acupuncture and acupressure, iris, pulse and auricular examination methods, dietetics and therapeutic fasting.	Health Act (Art. 166(1))
CY	Definitions of “herbal medicinal product”, “homeopathic medicinal product”, “traditional herbal medicinal product”, and “herbal preparation”.	Medicinal Products for Humane Use Law
CZ	“Health-targeted products” without clear definition, but referred to as products that are neither a medicinal product nor a medical device, but nevertheless appear to be so.	Act on the regulation of advertising (Art. 5n(1))
DE	No general definition.	
DK	No general definition.	
EE	No general definition. Narcotic drugs and psychotropic substances are defined (products listed or products belonging to isomers, esters, ethers, and salts of these substances).	Act on Narcotic Drugs and Psychotropic Substances and Precursors
ES	No general definition.	
FI	No general definition apart from specific definitions (e.g. homeopathic or herbal products).	Medicines Act
FR	No general definition.	
GR	No general definition.	
HR	No general definition. Definitions cover for instance herbal medicinal product, traditional herbal medicinal product, herbal preparation.	Medicinal Products Act
HU	No general definition.	
IE	No general definition but a recent report considers ‘complementary and alternative medicine’ as a healing	Irish Institute of Public Administration’s report on the



Jurisdiction	Definition	Source
	<p>philosophy or tradition that offers health-related advice and treatment that is considered to be of a different use, acceptance, study and understanding to mainstream western, conventionally practised medicine.</p> <p>The medicinal product regulations only include two categories: herbal medicinal products and homeopathic medicines.</p>	<p>regulation of practitioners of complementary and alternative medicine in Ireland</p> <p>S.I. 540 of 2007, Medicinal Products (Control of Placing on the Market) Regulations 2007</p>
IT	No general definition but product-related definition.	
LT	Complementary and alternative healthcare product – a product, other than a medicinal product, specifically manufactured for the provision of complementary and alternative healthcare services.	Law on Complementary and Alternative Healthcare of the Republic of Lithuania , Art. 2 (6)
LU	No general definition.	
LV	No general definition.	
MT	No general definition.	
NL	Corresponds to medicines without prescription.	Code for advertising medicines to the general public
NO	“Alternative treatment”: health-related treatment provided outside the public health and care services and not by authorised health personnel. This also includes treatment within the health and care services, or by authorised health personnel, when methods are used that are primarily practiced outside the health and care services.	Act on Alternative Treatment of Disease (Section 2)
PL	No general definition.	
	The Act on the Medical and Dental Professions from 2018 clearly defines what is considered medical practice, leaving unconventional or alternative treatment outside this scope. Consequently, the potential advertising of alternative medicine options or treatments should be subject to general rules on commercial communications.	
PT	No general definition, but “non-conventional therapies” are considered to be those that have a different philosophical basis than conventional medicine and apply specific diagnostic processes and therapies of their own (acupuncture, naturopathy, etc.).	Law 45/2003 establishing the framework for non-conventional therapies (Art. 3)
RO	Alternative medicine: field of complementary/alternative medicine encompassing natural, biological, nutritional, manual, bioelectromagnetic and energy therapies and practices. This includes natural, biological, nutritional, manual, bioelectromagnetic and energy therapies and practices.	Law No. 118/2007 on the organisation and functioning of complementary/alternative medicine activities and practices (Art. 2)
SE	Two categories of products: “Plant-based medicines” (contain active ingredients from plants requiring that the plant matter not be processed to a too-high degree).	Swedish Medical Products Agency



Jurisdiction	Definition	Source
	“Raw-material-based medicines” / “Natural medicines” (materials from nature that are not plants but instead animal parts, bacterial cultures, minerals, or salts). Medical products containing cannabidiol (CBD) are either not licensed by the Swedish Medical Products Agency (prohibiting sale) or are prescription-only.	
SI	Activity carried out by practitioners with the purpose of improving the health of the user (Slovenia recognises for instance traditional Chinese medicine, Ayurveda, homeopathy, and other comparable traditions).	Act on Alternative Medicines (Art. 2-4)
SK	No general definition.	

Source: Analysis of the responses to the EAO standardised questionnaire

4.5.2. Applicable rules

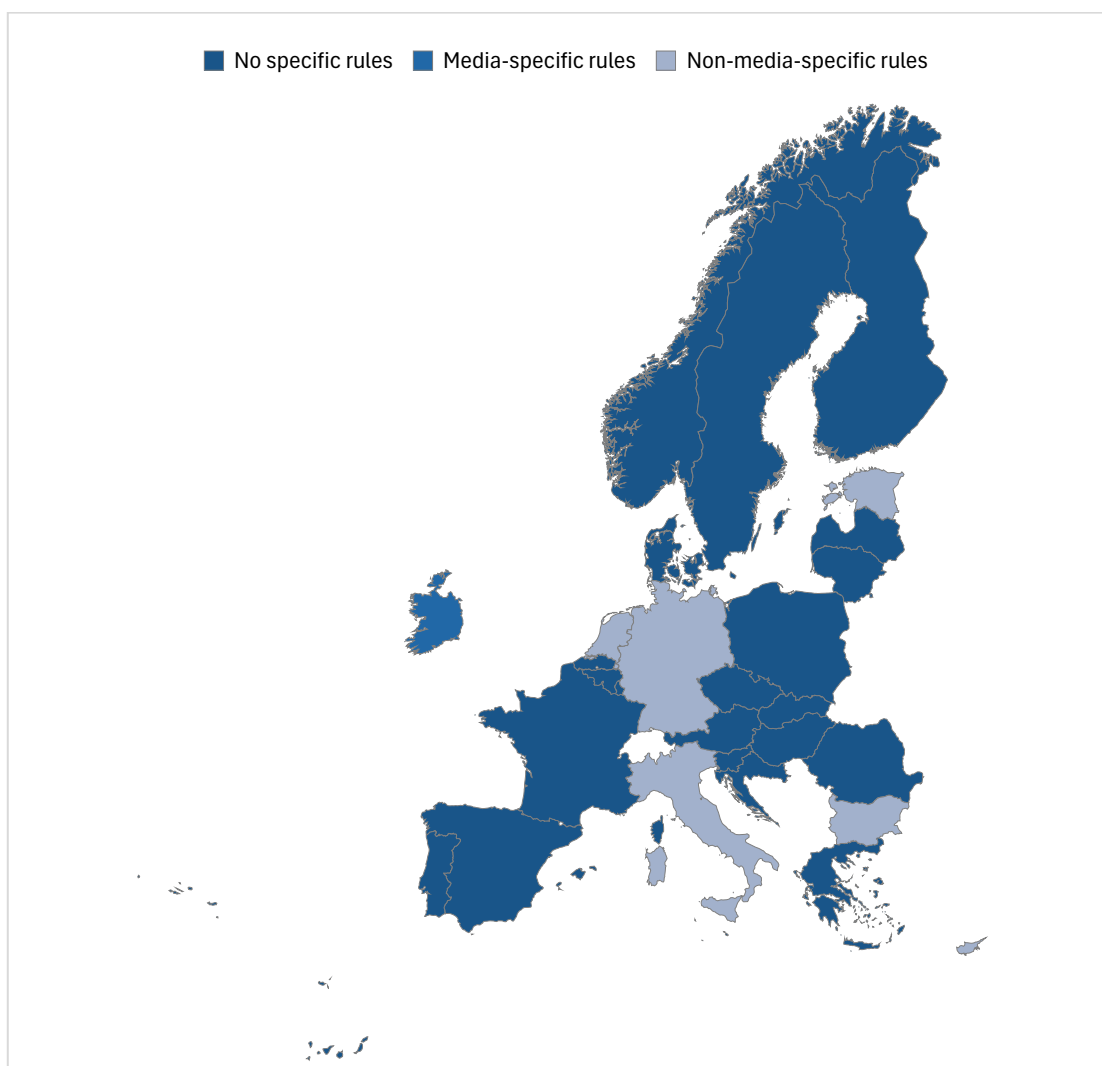
As explained in the previous section, general rules from the AVMSD govern ACCs for medicinal products and medical treatment available only on prescription. There are no specific rules pertaining to ACCs for alternative medicines, except the general rules stemming from Article 9 AVMSD applicable to all ACCs.

Alternative or non-conventional medicines do not benefit from the same EU legal framework as OTC medicines, although certain EU instruments address the marketing of specific products, such as Directive 2002/46/EC¹⁹² on food supplements.

But in the absence of an EU legal framework specifically covering alternative medicines and because of the broad interpretation possible for this type of product or service, there is a great disparity in the rules applied in the national legislations analysed, and the vast majority of those identified are not specific to the media. These trends are presented in the map below.

¹⁹² [Directive 2002/46/EC](#) of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements.

Figure 27. Media-specific and non-media-specific ACC rules for alternative medicines in Europe



Source: Analysis of the responses to the EAO standardised questionnaire

Twenty-two of the jurisdictions analysed do not have any specific rules for this type of product (AT, BE [FR], BE [VL], CZ, DK, ES, FI, FR, GR, HR, HU, LT, LU, LV, MT, NO, PL, PT, RO, SE, SI, SK). In these jurisdictions, ACCs for alternative medicines must comply with the basic rules applicable to ACCs in these jurisdictions, including, for some products, those applicable to OTC medicines. This is the case for instance in Belgium (Flemish community) where CBD products must comply with the rules applicable to OTC medicines, provided they contain less than 0.2% tetrahydrocannabinol.¹⁹³ In a similar vein, in Austria, cannabis and opium poppy are considered prescription-only medicines and cannot be advertised.¹⁹⁴

¹⁹³ [Act of 25 March 1964 on Medicinal Products](#) (25 MAART 1964. - *Wet op de geneesmiddelen*).

¹⁹⁴ [Drug Act](#) ("SMG") (*Suchtmittelgesetz*).



Six of the jurisdictions analysed had in place non-media-specific rules applicable to ACCs for alternative medicines (BG, CY, DE, EE, IT, NL). These rules are not numerous and are not specific to alternative medicine in general, but rather to specific products in this category. There are three main types of rules:

- General prohibitions for certain types of products, for instance for narcotic products (BG, EE, IT), cannabis (DE) and CBD products (NL).
- Requirements relating to content and information, applicable to the content of the ads themselves (BG, DE).
- Requirements for inclusion of warning messages, for example in the case of ACCs for herbal medicinal products (CY).

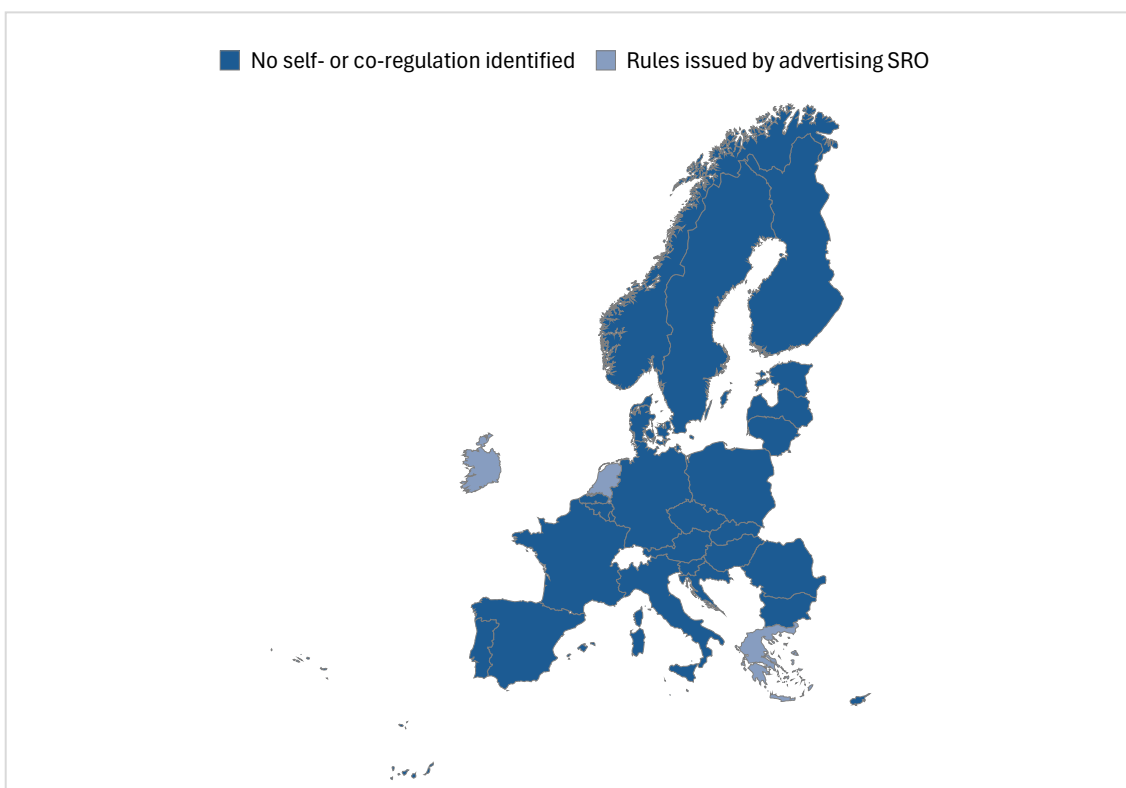
Media-specific rules governing ACCs for alternative medicines and others were identified in Ireland. These rules stem from the General Code of Commercial Communication,¹⁹⁵ specifically section 19.10, which requires broadcasters to include a specific warning message for ACCs for traditional herbal medicines, as follows: *“Traditional herbal medicinal product for use in’ followed by a statement of one or more therapeutic indications for the product compatible with the terms of the certificate of traditional-use registration for that product, followed by the words ‘exclusively based upon long-standing use’”*.

4.5.3. Self-/Co-regulatory body or codes

Some additional rules deriving from self-regulation or co-regulation applicable to ACCs for alternative medicines were identified in three jurisdictions (GR, IE, NL) as presented in the map below.

¹⁹⁵ [General Code of Commercial Communication](#).

Figure 28. Existence of co- and self-regulation specific to ACCs for alternative medicines



Source: Analysis of the responses to the EAO standardised questionnaire

In Greece, some of the alternative medicine products and services fall under the OTC medicines list and must follow the corresponding ACC rules. They are subject to specific guidelines from the Advertising Self-Regulation Council.¹⁹⁶

In Ireland, the CCPC/ASAI Guidance on Influencer Advertising and Marketing document¹⁹⁷ includes a reminder that ACCs for such products or services are subject to the requirement of the Code as well, and specifies the following in this regard:

- Traditional herbal medicinal products and homeopathic medicinal products should include mandatory information required from the relevant Irish legislation.
- Homeopathic medicinal products should be registered in Ireland and any product information should be limited to what appears on the label. In addition, ACCs should include a warning to consult a doctor if symptoms persist.

In the Netherlands, ACCs for CBD products are prohibited under the general Dutch advertising code, in addition to the prohibition under the Medicines Act.

¹⁹⁶ [Guidelines for the development of responsible marketing communication for OTC medicines \(Appendix 10\)](#) (Παράρτημα 10 Μη Συνταγογραφούμενα Φάρμακα).

¹⁹⁷ [Guidance on Influencer Advertising and Marketing](#).



4.5.4. Selected examples of complaints about inappropriate ACCs for alternative and other medicinal products

Very few complaints were identified by experts, since – as with ACCs for financial products and other products from the previous sections – most of these complaints were usually not dealt with by the NRA or the self-regulation advertising bodies.

In Germany, a complaint was submitted regarding an advertisement for a homeopathic remedy for cold symptoms called "A1" produced by a German manufacturer of pharmaceuticals and medical products. This remedy was advertised with the statement "*rapid and reliable reduction of the intensity of typical cold symptoms*". The Consumer Center North Rhine-Westphalia (*Verbraucherzentrale Nordrhein-Westfalen*) subsequently filed a lawsuit seeking an injunction. The *Landgericht Dortmund* decided in a judgment dated 23 September 2022, that the statement constituted misleading advertising under Sec. 3 Nr. 2a HWG because it falsely created the impression that success could be expected with certainty. The advertiser was ordered to cease using the statement in the advertisement under the threat of an administrative fine for each violation.

4.6. General bans

4.6.1. Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)

Article 9(1)(d) prohibits any ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers.

National legislations of all the jurisdictions analysed have implemented this prohibition of ACCs for tobacco and e-cigarettes. It should be noted that four jurisdictions have additional rules for other herbal smoking or tobacco-free nicotine products:

- In Bulgaria, the prohibition extends to smokeless tobacco, novel tobacco products, and heated tobacco products.¹⁹⁸
- In Spain, ACCs for herb-based products for smoking are prohibited.¹⁹⁹

¹⁹⁸ [Law on the Control of Narcotic Substances and Precursors](#) (ЗАКОН ЗА КОНТРОЛ ВЪРХУ НАРКОТИЧНИТЕ ВЕЩЕСТВА И ПРЕКУРСОРИТЕ).

¹⁹⁹ [Law 17/1967](#) updating the current regulations on narcotics and adapting them to the provisions of the 1961 United Nations Convention, (*Ley 17/1967, de 8 de abril, por la que se actualizan las normas vigentes sobre estupefacientes y adaptándolas a lo establecido en el convenio de 1961 de las Naciones Unidas*).



- In Latvia, ACCs for herbal smoking products are prohibited.²⁰⁰
- In Sweden, the restriction is extended to tobacco-free nicotine products.²⁰¹

4.6.2. Other products and services

In addition to the aforementioned prohibition on tobacco products, as well as those mentioned in the previous sections, including alcoholic beverages, financial products, OTC medicines and alternative medicines, this section examines whether jurisdictions have implemented other total bans or severe restrictions on ACCs for other products or services.

Certain categories of products or services that may be subject to a general ban are regulated at EU level. This is the case for infant formula, for which Article 10 (1) of Commission Delegated Regulation (EU) 2016/127 of 25 September 2015²⁰² limits advertising to publications specialising in baby care and scientific publications. Member states are free to further restrict or prohibit such advertising. Other provisions from this regulation specify what type of information such advertising may or may not contain. For example, it may not contain information that implies or creates a belief that bottle-feeding is equivalent or superior to breast feeding.

The existence of general prohibitions on ACCs for certain types of products and services is complex to comprehensively study and analyse for several reasons. First, it is apparent that laws governing advertising in general always prohibit advertising for products or services that are considered illegal. This may include, for example, narcotic substances. Therefore, there are no specific rules prohibiting these illegal products or services, as the general prohibition is sufficient. Consequently, even if the information below indicates the existence of a general ban on narcotic products in only a few jurisdictions, this does not mean that they are permitted in other jurisdictions. It only means that legal provisions specifically target them and that they have been identified by national experts.

The second reason for this difficulty in being exhaustive is that when products or services are banned or their advertising is restricted, if they are not specifically regulated at EU level by certain texts such as the AVMSD, they are regulated by legal texts that are very often specific to them. The rules identified in this study, and in particular for this section, thus reflect this diversity of legislation, ranging from the law on narcotic products to medical laws, child protection laws, consumer protection laws, laws regulating firearms, laws on certain food products, etc.

²⁰⁰ Art. 35-2(8) of *Electronic Mass Media Law (Elektronisko plašsaziņas līdzekļu likums)*.

²⁰¹ Chapter 6, Section 2; Chapter 7, Section 2; Chapter 8, Section 13; and in Chapter 9a for VSPs of *Radio and Television Act (Radio- och tv-lag (2010:696))*.

²⁰² *Commission Delegated Regulation (EU) 2016/127* of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding.

The information presented in this section is not intended to be exhaustive, but rather to provide an overview of the types of general prohibitions most commonly identified in Europe and for which products or services. The table below presents the categories of general prohibitions most frequently identified, along with examples of jurisdictions in which they were identified.

Table 15. Most frequently identified general bans for ACCs of certain products or services

Type of products or services	Jurisdictions
Infant formula	EE, IE, LT, LV, MT, SE, SK
Marriage agencies	BE (FR), CY
Narcotics substances	BG, CZ, DE, EE, IT
Political content or political advertising	DK, NO, SE
Religious content or faith-based promotion	DK, NO
Sexuality-related products or services	CY, EE, HU, PL, PT, RO
Toys imitating firearms	BE (FR), BE (VL), NO
Weapons and ammunitions	BE (VL), CY, CZ, EE, GR, HR, HU, LU, MT, NO, PL, SE, SK
Weapons and ammunitions (except if disclosed in specialised media)	FR, PT

Source: Analysis of the responses to the EAO standardised questionnaire

In addition, the table below also provides an overview of the general restrictions for the product and service categories in the previous sections.

Table 16. General bans on ACCs for alcoholic beverages, gambling products and financial products

Type of products	Jurisdictions
Alcoholic beverages	FR, SE, NO, LT
Alcoholic beverage above a certain AVB volume	AT, BE (FR), FI, IE, LV, PL, SI
Gambling products	BE (FR), BG, EE, IT, LT, PL, LV ²⁰³
Financial products/services	EE, FR

Source: Analysis of the responses to the EAO standardised questionnaire

Other specific general prohibitions for ACCs of certain types of products or services have been identified in various sources of legislation. These specific examples are presented in

²⁰³ For Latvia, the general ban is not specific to the media, as Art. 41 (5) of the [Law on Gambling and Lotteries \(Azartspēļu un izložu likums\)](#) prohibits any advertising for gambling outside gambling venues.



the table below, specifying, in particular, the areas of legislation and the service providers to which they apply, where this information is available.

Table 17. Specific examples of general bans on ACCs for certain products or services by jurisdiction, applicability and area of law

Type of products/services	Jurisdiction	Service provider	Area of law
Baby foods (under 12 months)	BG	Not specified	Food Law ²⁰⁴
Certain food products directed towards children	NO	Not specified	Food law ²⁰⁵
Collection of blood components	SI	Not specified	Food Law ²⁰⁶
Consumer credit	LV	Not specified	Consumer protection legislation ²⁰⁷
Employers' organisations	DK	Broadcasters, VOD services	Media legislation ²⁰⁸
Energy powders	BG	Not specified	Food Law ²⁰⁹
Entrepreneurs or others in relation to death or burial services	CY	Broadcasters	Media legislation ²¹⁰
Explosive substances and pyrotechnic articles	EE	Not specified	Advertising legislation ²¹¹
Fortune-telling and similar services	CY	Broadcasters	Media legislation ²¹²
Fossil fuels	BE (FR)	PSM ("RTBF")	Media legislation ²¹³

²⁰⁴ *Food Law* (ЗАКОН ЗА ХРАНИТЕ).

²⁰⁵ Section 4 of *Regulation prohibiting the marketing of certain foods particularly aimed at children* (Forskrift om forbud mot markedsføring av visse næringsmidler særlig rettet mot barn).

²⁰⁶ Art. 15 of *Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs* (Zakon o zdravstveni ustreznosti živil in izdelkov ter snovi, ki prihajajo v stik z živili (ZZUZIS))

²⁰⁷ Art. 8.3. of *Consumer Rights Protection Law* (Patērētāju tiesību aizsardzības likums).

²⁰⁸ Art. 14 of *Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships* (Bekendtgørelse om reklamer og sponsorering m.v. af programmer i radio, fjernsyn og on-demand audiovisuelle medietjenester samt indgåelse af partnerskaber).

²⁰⁹ *Food Law* (ЗАКОН ЗА ХРАНИТЕ).

²¹⁰ *Annex IX of the Radio and Television Stations Regulations (code on advertising, telemarketing messages, and sponsorships)* (ΠΑΡΑΡΤΗΜΑ ΙΧ – ΚΩΔΙΚΑΣ ΔΙΑΦΗΜΙΣΕΩΝ, ΤΗΛΕΜΠΟΡΙΚΩΝ ΜΗΝΥΜΑΤΩΝ ΚΑΙ ΠΡΟΓΡΑΜΜΑΤΩΝ ΧΟΡΗΓΙΑΣ).

²¹¹ Art. 20 of *Advertising Act* (Reklaamiseadus).

²¹² *Annex IX of the Radio and Television Stations Regulations (code on advertising, telemarketing messages, and sponsorships)* (ΠΑΡΑΡΤΗΜΑ ΙΧ – ΚΩΔΙΚΑΣ ΔΙΑΦΗΜΙΣΕΩΝ, ΤΗΛΕΜΠΟΡΙΚΩΝ ΜΗΝΥΜΑΤΩΝ ΚΑΙ ΠΡΟΓΡΑΜΜΑΤΩΝ ΧΟΡΗΓΙΑΣ).

²¹³ Section 31 of *Sixth Management Contract of the RTBF 2023-2027* (Sixième Contrat de gestion de la RTBF 2023-2027).



Type of products/services	Jurisdiction	Service provider	Area of law
Gifts, discounts or prize draws with product demonstrations	HU	Not specified	Advertising legislation ²¹⁴
Health services including artificial insemination	EE	Not specified	Advertising legislation ²¹⁵
Hypnosis, hypnotherapy and spiritualist services.	CY	Broadcasters	Media legislation ²¹⁶
Literary publishing (except on television services distributed exclusively by networks not using frequencies assigned by Arcom) ²¹⁷	FR	Not specified	Advertising legislation ²¹⁸
Notaries and enforcement agents	EE	Not specified	Advertising legislation ²¹⁹
Product placement for tattoo drawing (between 6am and 9pm)	MT	Broadcasters	Media legislation ²²⁰
Products with a high caffeine content when directed at children	BG	Not specified	Child Act ²²¹
Provision of loans (except by banks and other financial institutions)	CY	Broadcasters	Media legislation ²²²
Psychomodulants	CZ	Not specified	Advertising legislation ²²³

²¹⁴ Art. 12 of [Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities \(2008. évi XLVIII. Törvény a gazdasági reklámtevékenység alapvető feltételeiről és egyes korlátairól\)](#).

²¹⁵ Art. 22 of [Advertising Act \(Reklaamiseadus\)](#).

²¹⁶ [Annex IX of the Radio and Television Stations Regulations \(code on advertising, telemarketing messages, and sponsorships\)](#) (ΠΑΡΑΡΤΗΜΑ ΙΧ – ΚΩΔΙΚΑΣ ΔΙΑΦΗΜΙΣΕΩΝ, ΤΗΛΕΜΠΟΡΙΚΩΝ ΜΗΝΥΜΑΤΩΝ ΚΑΙ ΠΡΟΓΡΑΜΜΑΤΩΝ ΧΟΡΗΓΙΑΣ).

²¹⁷ However, a transitional derogation regime was established by the Decree No. 2024-313 of 5 April 2024 amending the television advertising regime. It provides for a period of 24 months from the entry into force of this decree, during which publishers of services using frequencies assigned by Arcom may broadcast advertising messages concerning the literary publishing sector.

²¹⁸ Art. 8 of [Decree No. 92-280 of March 27, 1992 issued for the application of Articles 27 and 33 of Law No. 86-1067 of September 30, 1986 and establishing the general principles defining the obligations of service providers in matters of advertising, sponsorship and teleshopping](#) (Décret n°92-280 du 27 mars 1992 pris pour l'application des articles 27 et 33 de la loi n° 86-1067 du 30 septembre 1986 et fixant les principes généraux définissant les obligations des éditeurs de services en matière de publicité, de parrainage et de télé-achat).

²¹⁹ Art. 15 of [Advertising Act \(Reklaamiseadus\)](#).

²²⁰ Art. 16 M(4) of [Broadcasting Act](#).

²²¹ [Protection of the Child Act \(ЗАКОН ЗА ЗАКРИЛА НА ДЕТЕТО\)](#).

²²² [Annex IX of the Radio and Television Stations Regulations \(code on advertising, telemarketing messages, and sponsorships\)](#) (ΠΑΡΑΡΤΗΜΑ ΙΧ – ΚΩΔΙΚΑΣ ΔΙΑΦΗΜΙΣΕΩΝ, ΤΗΛΕΜΠΟΡΙΚΩΝ ΜΗΝΥΜΑΤΩΝ ΚΑΙ ΠΡΟΓΡΑΜΜΑΤΩΝ ΧΟΡΗΓΙΑΣ)

²²³ [Act on the regulation of advertising \(Zákon o regulaci reklamy a o změně a doplnění zákona č. 468/1991 Sb., o provozování rozhlasového a televizního vysílání, ve znění pozdějších předpisů\)](#).



Type of products/services	Jurisdiction	Service provider	Area of law
Services that specifically target children	NO	Broadcasters, VOD services, VSPs	Media legislation ²²⁴
Toys likely to induce violent, racist or xenophobic behaviour.	BE (FR)	PSM (RTBF)	Media legislation ²²⁵
Trade unions	DK	Broadcasters, VOD services	Media legislation ²²⁶
Trustees in bankruptcy	EE	All media	Advertising legislation ²²⁷
Unlicensed private employment agencies	CY	Broadcasters	Media legislation ²²⁸

Source: Analysis of the responses to the EAO standardised questionnaire

4.7. Concluding remarks and main findings

As explained at the beginning of this study, limiting its scope to different product categories in completely different fields and sectors provides a wealth of content in terms of the diversity of rule origins and types of rules.

The fact that there are so many different approaches and origins of rules, with many provisions specific to the sector and industry of the product categories studied, can make comparative analysis of this type of diverse data very difficult. However, this makes the analysis all the more interesting, as it is possible to identify trends and research orientations common to these categories within their diversity when studying them primarily from the perspective of the applicability of these rules and regulatory approaches.

Taking this approach, it was observed that, in terms of the applicability of these rules, the identification of rules specifically applicable to service providers varies greatly depending on the categories of products and services not explicitly covered by the AVMSD. It was noted that media-specific rules were identified in a larger proportion of jurisdictions for gambling products, followed by OTC medicines and financial products.

Among these media-specific rules, the most common categories were the following:

²²⁴ Art. 3-1 of *Act relating to Broadcasting and Audiovisual On-demand Services* (*Lov om kringkasting og audiovisuelle bestillingstjenester mv. (kringkastingsloven)*).

²²⁵ Section 31 of *Sixth Management Contract of the RTBF 2023-2027* (*Sixième Contrat de gestion de la RTBF 2023-2027*).

²²⁶ Art. 14 of *Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships* (*Bekendtgørelse om reklamer og sponsorering m.v. af programmer i radio, fjernsyn og on-demand audiovisuelle medietjenester samt indgåelse af partnerskaber*).

²²⁷ Art. 14 of *Advertising Act* (*Reklaamiseadus*).

²²⁸ *Annex IX of the Radio and Television Stations Regulations (code on advertising, telemarketing messages, and sponsorships)* (ΠΑΡΑΡΤΗΜΑ ΙΧ – ΚΩΔΙΚΑΣ ΔΙΑΦΗΜΙΣΕΩΝ, ΤΗΛΕΜΠΟΡΙΚΩΝ ΜΗΝΥΜΑΤΩΝ ΚΑΙ ΠΡΟΓΡΑΜΜΑΤΩΝ ΧΟΡΗΓΙΑΣ).



- Rules for the protection of minors, providing in particular that ACCs for certain types of products (in particular gambling products and alcoholic beverages) are subject to a general prohibition on targeting minors, and more specifically on dissemination around programmes for minors.
- Requirements relating to the content of ACCs, imposed on service providers which must ensure that the ACCs they disseminate do not contain certain types of content or communicate information in a certain way. Primarily found in the context of OTC medicines, most of these rules are intended to directly protect consumers by ensuring that the information conveyed by the ACCs is complete, accurate and not misleading.
- Rules governing the scheduling of ACCs during certain time slots, in particular to prevent ACCs for certain types of products (especially alcoholic beverages and gambling products) from being accessible during prime time. It is also noteworthy, particularly given the nature of the medium, that half of the rules identified in this report are imposed exclusively on broadcasters.

In terms of applicability exclusively to certain types of providers, a large number of rules apply only to broadcasters – particularly the types of rules mentioned above. Nevertheless, it should be noted that some jurisdictions have put in place specific rules for less traditional service providers such as VSPs and influencers, setting out certain obligations that are specific to the medium they embody.

In addition to the role of legislators and regulators, the role of self-regulation was also a focus of this study. It was observed that self-regulatory rules do not systematically originate from organisations specialising in advertising. This is particularly the case for financial products and gambling products, where a fairly large proportion of the self-regulatory rules identified came from organisations related to these sectors.

In the comparative analysis by product or service category, from the perspective of applicable rules, the sources are diverse, but not all of the rules identified apply directly to service providers. This is one of the main findings of this report. Regulation can be very comprehensive, but the applicability of the rules always differs between those applicable to service providers (because they come from media legislation or different areas of law that specify their direct applicability to service providers) and those applicable to advertising producers.

For certain categories, such as financial products and OTC medicines, a minimum level of harmonisation was identified, particularly for OTC medicines, for which European directives and regulations provide several provisions on the type of information that may be included in advertising messages and how it should be presented. Certain provisions also exist for certain financial products.

However, the choice of whether to apply these rules to service providers or to the producers of the ACCs themselves remains in the hands of each jurisdiction. It is interesting to note that in the case of financial products, which constitute a very broad category, most of the rules identified originate from legislation specific to this sector and are not necessarily specific to service providers. Thus, the media-specific rules identified in this



report are not representative of the regulatory intensity surrounding the ACCs for these products, since many of the rules identified apply exclusively to the producer of the advertising concerned. In other areas, such as gambling, the presence of media-specific rules is stronger.

The issue of general prohibitions also revealed a complete transposition of prohibitions related to tobacco products, as well as several categories of products or services frequently prohibited at national level, such as infant formula, weapons and ammunition, narcotic products and content related to sexuality. This is only an overview, because, as explained, many ACCs for other types of products or services exist in the analysed jurisdictions, and it is difficult to trace them all due to the fact that these prohibitions exist in many different sources of law. Moreover, it is often the case that anything considered to be an illegal product or service cannot be legally advertised. And it was not possible to trace all such products in all jurisdictions. However, a good sample of specific examples of prohibitions was identified, providing an overview of the specific types of prohibitions that exist.

5. National summaries

5.1. AT – Austria²²⁹

5.1.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No	
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes for broadcasters, VOD services, VSPs and influencers (when meeting the AVMS criteria as established by Article 2(3) AMD-G and if they also meet the legal criteria ²³⁰)	Audiovisual Media Services Act (“AMD-G”) (Art. 35, 36(3), 54e(4)) ²³¹ Austrian Broadcasting Federation Act (“ORF-G”) (Art. 13(5), 13(8a)) ²³²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Broadcasters only are not allowed to broadcast ACCs for spirits.	AMD-G (Art.42) ORF-G (Art.13(4))
Self-/Co-regulatory body	Österreichischer Werberat (ÖWR)	SRO website ²³³

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Game in which the outcome of the game depends exclusively or predominantly on chance.	Gambling Act (“GSpG”) (Art. 1) ²³⁴

²²⁹ The national summary on Austria incorporates the feedback received from Stefan Rauschenberger, Director Legal Department Media at *Rundfunk und Telekom Regulierungs-GmbH (KommAustria)*.

²³⁰ See country summary in “*National rules applicable to influencers, EAO, Strasbourg, 2024*”.

²³¹ *Audiovisual Media Services Act*.

²³² *Austrian Broadcasting Federation Act*.

²³³ *Werberat website*.

²³⁴ *Gambling Act*.



GAMBLING PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for (legal) gambling products. ²³⁵	§ 56 GSpG
Self-/Co-regulatory body	Österreichischer Werberat	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition (usually includes: securities, saving accounts, loans, insurance-based investment products, etc.)	Federal Act on the Public Offering of Securities and Other Capital Investments ("KMG") ²³⁶
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific rules applicable to broadcasters, VOD services, VSPs and influencers.	KMG
Self-/Co-regulatory body	Österreichischer Werberat	SRO website

OTC MEDICINES	Yes / No / Details	Source
Definition	<p>No general definition of OTC medicines.</p> <p>Food supplement: Foods intended to supplement a normal diet and consisting of single or multiple concentrates of nutrients or other substances with a nutritional or physiological effect, marketed in dosed form.</p> <p>Traditional herbal medicine: Products whose indications correspond exclusively to those of traditional herbal medicinal products, which, according to their composition and intended use, are intended to be used without a prescription.</p>	<p>Food Safety and Consumer Protection Act ("LMSVG") (Art. 3(4))²³⁷</p> <p>Pharmaceutical Act ("AMG") (Art. 12)²³⁸</p>
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs, and influencers).	AMD-G (Art.34(1)) ORF-G (Art.13(4))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers	ACCs for all medicines that are not prescription-only must be easily	AMD-G (Art.34) ORF-G (Art.13(4))

²³⁵ Advertising concessionaires and license holders must maintain a responsible standard in their advertising. See also the study commissioned by the Austrian Ministry of Finance: [The responsible standard for gambling advertising according to Section 56 of the Austrian Gambling Act \(Der verantwortungsvolle Maßstab der Glücksspielwerbung nach § 56 GSpG\)](#).

²³⁶ [Federal Act on the Public Offering of Securities and Other Capital Investments](#).

²³⁷ [Food Safety and Consumer Protection Act](#).

²³⁸ [Pharmaceutical Act](#).



OTC MEDICINES	Yes / No / Details	Source
(beyond Art. 9(1)(f) AVMSD)	<p>recognisable as such, honest, trustworthy and verifiable.</p> <p>It applies to broadcasters in general.</p> <p>ACC for traditional herbal medicinal products must contain a written statement that the product is a traditional herbal medicinal product for use in a specific therapeutic area or specific therapeutic areas solely on the basis of long-standing use.</p> <p>When placing a foodstuff in advertising, it is prohibited to attribute to it properties of preventing, treating or curing a human disease or to give the impression that it has such properties.</p>	<p>AMG (Art 52(3))</p> <p>LMSVG (Art 5(3))</p>
Self-/Co-regulatory body	Österreichischer Werberat	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition.	
ACC rules	<p>There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for alternative medicines.</p> <p>Cannabis and opium poppy fall under the prescription-only medicines and cannot be advertised.</p> <p>Advertising Medical devices intended for consumers must be designed in such a way that the promotional nature is clearly expressed and the product is unambiguously presented as a medical device. Specific rules concerning the elements of the advertising and requested information apply.</p>	<p>AMG, Drug Act ("SMG")²³⁹</p> <p>MPG (Art 70 ff)²⁴⁰</p>
Self-/Co-regulatory body	Österreichischer Werberat	SRO website

²³⁹ [Drug Act.](#)

²⁴⁰ [Medical Devices Act.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	AMD-G (Art.33 and 38) ORF-G (Art.13(4) and 16(4))
Other products		

5.1.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

Additionally, only broadcasters are not allowed to broadcast ACCs for spirits (i.e., beverages containing more than 15% ABV).

The marketing of alcoholic beverages is self-regulated by the *Österreichischer Werberat*.

In 2006, the National Regulatory Authority, KommAustria, issued a decision against *RTV Regionalfernsehen GmbH* for broadcasting an ad for spirits.²⁴¹

5.1.3. Gambling products

At present, there are no rules specifically concerning advertising of gambling products, whether by broadcasters, VOD services, VSPs or influencers.

The advertising rules apply directly to the producer of the advertised gambling products.

The marketing of gambling products is self-regulated by the *Österreichischer Werberat*, though no specific self-regulatory code exist for it. Advertising concessionaires and license holders must maintain a responsible standard in their advertising. The Austrian Ministry of Finance, as supervisory authority, published a Study determining a framework for advertisement of gambling.²⁴²

²⁴¹ KommAustria, [KOA 3.160/05-008](#) – RTV Regionalfernsehen GmbH.

²⁴² [The responsible standard for gambling advertising according to Section 56 of the Austrian Gambling Act \(Der verantwortungsvolle Maßstab der Glücksspielwerbung nach § 56 GSpG\).](#)

According to the GspG, advertisement for non-legal gambling is forbidden.

5.1.4. Financial products

At present, there are no rules specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs or influencers, though they have the obligation under media law not to disseminate illegal advertisements.

The advertising rules apply directly to the producer of the advertised financial products.

There is no self-regulatory code for this topic. *Finanzmarktaufsicht* issued a paper for fininfluencers.²⁴³

5.1.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines are prohibited.

The Audiovisual Media Services Act and the Austrian Broadcasting Federation Act require that ACCs for all medicines that are not prescription-only be easily recognisable as such, honest, trustworthy and verifiable. Besides, the ACCs must not cause harm to humans or animals.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

The marketing of OTC medicines is self-regulated by the *Österreichischer Werberat*, though no specific self-regulatory code exist for it.

5.1.6. Alternative and other medicinal products

The Austrian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public relating to personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy,

²⁴³ *Finanzmarktaufsicht* website: [FMA-Facts und FAQs für Finfluencer:innen](#).

electrotherapy, devices for pain relief like TENS), nor sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

In Austria, the cannabis plant and opium poppy fall under the scope of the Pharmaceutical Act and are only accessible with a prescription. Therefore, these products cannot be advertised.

The marketing is self-regulated by the *Österreichischer Werberat* in general.

5.1.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

There is no other ban included in the media legislation.

The *Österreichischer Werberat* issued Guidelines for marketing for guns, alcohol or tobacco and e-cigarettes applicable also for ACC.²⁴⁴

²⁴⁴ [Werberat website](#).



5.2. BE(FR) – Belgium (French Community)²⁴⁵

5.2.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	<p>Beer: the beverage obtained after alcoholic fermentation of a wort prepared mainly from starchy and sugary raw materials, of which at least 60% is barley or wheat malt, as well as hops, possibly in a processed form, and brewing water.</p> <p>Wine: the beverage resulting from the alcoholic fermentation of grapes (or possibly other fruits) with a maximum alcohol content of 15% to which no alcohol has been added.</p> <p>Spirit drink: the alcoholic beverage intended for human consumption and produced directly either:</p> <ul style="list-style-type: none"> a) by distillation, with or without flavourings, of naturally fermented products; b) maceration or similar treatment of plant materials in ethyl alcohol; c) the addition of flavourings, sugars or other sweetening products, and/or other agricultural products and/or foodstuffs to ethyl alcohol. 	<p>Law of 24 January 1977 on the protection of consumer health with regard to foodstuffs and other products²⁴⁶</p>
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	<p>Yes, for broadcasters, VOD services, VSPs and influencers²⁴⁷</p>	<p>Decree on audiovisual media services and video-sharing services (Art. 5.1-2.1°, 5.5-1)²⁴⁸</p>

²⁴⁵ The national summary on the French-speaking Community of Belgium incorporates the feedback received from the *Conseil supérieur de l'audiovisuel* (CSA).

²⁴⁶ [Law of 24 January 1977 on the protection of consumer health with regard to foodstuffs and other products.](#)

²⁴⁷ Influencers may be considered as AVMS if they meet the seven cumulative criteria based on the Recommendation on the scope of the regulation of audiovisual media services²⁴⁷ of the media regulatory authority, the *Conseil supérieur de l'Audiovisuel*. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

²⁴⁸ [Decree on audiovisual media services and video-sharing services.](#)



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	PSM cannot broadcast ACCs for alcoholic beverages containing more than 20% ABV.	Sixth Management Contract of the RTBF 2023-2027 ²⁴⁹
Self-/Co-regulatory body	The Jury for ethical practices (JEP) that carries out compliance monitoring with the self-regulatory agreement on advertising and marketing of alcoholic beverages (drafted by the <i>Conseil de la Publicité</i>). ²⁵⁰ It applies to alcohol industry signatories.	Self-regulatory agreement on advertising and marketing of alcoholic beverages

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Any game by which a stake of any kind is committed, the consequence of which is either loss of the stake by at least one of the players or a gain of any kind in favour of at least one of the players, or organisers of the game and in which chance is a factor, albeit ancillary, for the conduct of the game, determination of the winner or fixing of the gain.	Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players ²⁵¹
ACC rules for broadcasters, VOD services, VSPs, and influencers	Advertising of gambling products is prohibited except when dealing with explicitly authorised and licensed operators (provided the ad follows certain information disclosure requirements and avoids certain characteristics). The rules are not specific to broadcasters, VOD services, VSPs or influencers. The PSM must not broadcast ACCs for online casinos and poker games. The PSM must not broadcast ACCs for online sport bets before 8 p.m., except in the case of sports programmes broadcast before that time.	Royal Decree determining the detailed rules on advertising for games of chance (Artt. 11-12, and 15-20) ²⁵² Sixth Management Contract of the RTBF 2023-2027
Self-/Co-regulatory body	The Belgian association of gaming operators drafted the code on ethical and responsible advertising and marketing of	Code on Ethical and Responsible Advertising and Marketing of Gambling ²⁵³

²⁴⁹ [Sixth Management Contract of the RTBF 2023-2027.](#)

²⁵⁰ [Covenant on the advertising and marketing of alcoholic beverages.](#)

²⁵¹ [Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players.](#)

²⁵² [Royal Decree determining the detailed rules on advertising for games of chance.](#)

²⁵³ [Code on ethical and responsible advertising and marketing of gambling.](#)



	<p>gambling (rules apply to explicitly authorised and licensed game of chance operators).</p> <p>The national lottery's code of ethical and responsible advertising, which establishes a reference framework for advertising campaigns and promotional activities aimed at promoting the sale of lottery games</p>	National lottery's code of ethical and responsible advertising ²⁵⁴
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FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	It includes savings, investment, or insurance products.	Law on the Supervision of the Financial Sector and Financial Services (Art. 2 (1) 39 ^o) ²⁵⁵
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved though they have the obligation under media law not to disseminate illegal advertisements.	Royal Decree approving the regulations of the Financial Services and Markets Authority on framing the marketing of certain financial derivatives to consumers (Art. 2) ²⁵⁶
Self-/Co-regulatory body	<p>Yes, the Financial services and markets authority (FSMA) published rules that apply to advertisements when marketing financial products.</p> <p>In addition, the Federal Public Service Economy issues codes related to the advertisements of financial products and monitors their compliance.</p>	<p>FSMA's website²⁵⁷</p> <p>Federal Public Service Economy²⁵⁸</p>

OTC MEDICINES	Yes / No / Details	Source
Definition	No definition of OTC medicines.	
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes for broadcasters, VOD services, VSPs and influencers.	<p>Decree on audiovisual media services and video-sharing services (Art. 5.5-1 for VSPs)</p> <p>Sixth Management Contract of the RTBF 2023-2027 (Art. 31)</p>
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of	Royal Decree of 7 April 1995 on information and advertising of

²⁵⁴ [National lottery's code of ethical and responsible advertising.](#)

²⁵⁵ [Law on the Supervision of the Financial Sector and Financial Services.](#)

²⁵⁶ [Royal Decree of 21 July 2016 approving the regulations of the Financial Services and Markets Authority on framing the marketing of certain financial derivatives to consumers.](#)

²⁵⁷ [Financial services and Markets Authority.](#)

²⁵⁸ [Federal Public Service Economy.](#)



OTC MEDICINES	Yes / No / Details	Source
(beyond Art. 9(1)(f) AVMSD)	ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.)	medicinal products for human use ²⁵⁹
Self-/Co-regulatory body	No	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No definition	
ACC rules	No specific rules	
Self-/Co-regulatory body	N/A.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Decree on Audiovisual Media Services and Video-sharing Services (Art. 5.1-2. 3°)
Other products	Commercial broadcasters, VOD services. PSM: Bans on ACCs for fossil fuels, marriage agencies and dating clubs, or toys that imitate firearms or are likely to induce violent, racist or xenophobic behaviour.	Sixth Management Contract of the RTBF 2023-2027 (Art. 31)

5.2.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs and influencers.

Additionally, the Public Service Media “RTBF” must not broadcast ACCs for alcoholic beverages containing more than 20% ABV.

Marketing of alcohol is self-regulated by the Covenant on the advertising and marketing of alcoholic beverages. The monitoring of compliance with this code is carried

²⁵⁹ [Royal Decree of 7 April 1995 on information and advertising of medicinal products for human use.](#)

out by the Jury for ethical practices (JEP), the self-regulatory body of the advertising sector in Belgium. The Covenant applies directly to the alcohol industry signatories. The rules concern the content of the ACC: the advertiser (alcohol producer/seller) is responsible for ensuring that any ACC they create, or purchase complies with the covenant, regardless of the channel or messenger used.

The covenant imposes restrictions on the content and volume of alcohol advertising.

- Advertising of alcoholic beverages is prohibited in digital media (i.e. content of websites, applications and social media) specifically aimed at an audience consisting of minors. Specific targeting of an audience consisting of minors" means an audience consisting of at least 30% minors.
- Influencers sponsored by alcohol brands shall use the techniques or features provided by social media platforms, websites and applications to prevent minors from being exposed to alcoholic beverage advertising. Influencers sponsored by alcohol brands must be at least 25 years of age and appear so.

5.2.3. Gambling products

The advertising of gambling products is generally prohibited except when explicitly authorised (e.g. licensed operators allowed to do ads by the Royal Decree determining the rules for games of chance). Those rules provide for information and content requirements which are directly applicable to the ACCs, not to the broadcasters, VOD services, VSPs or influencers.

For instance, the ad must be accompanied by certain information (preventive message, minimum age of participation) and, for instance, must not depict natural persons or fictional characters.

The Belgian association of gaming operators set up a code on ethical and responsible advertising and marketing of gambling, applicable to explicitly authorised and licensed operators. In addition, the National Lottery's Code of Ethical and Responsible Advertising established a reference framework for advertising campaigns and promotional activities aimed at promoting the sale of lottery games.

5.2.4. Financial products

At present, there are no rules specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers, though they have the obligation under media law not to disseminate illegal advertisements.



The advertising rules apply directly to the producer of the advertised financial products.

For instance, the commercialisation (including ACCs) of binary options and derivative contracts with a maturity of less than one hour are prohibited. In general, ACCs for other financial products are allowed under strict conditions (information disclosure requirement).

The Financial services and markets authority (FSMA) published rules that apply to advertisements when marketing financial products.²⁶⁰ In addition, the Federal Public Service Economy issues codes concerning the advertisements of financial products and monitors their compliance:

- Code of conduct on advertising and marketing aimed at young people for banking or insurance products and/or services,²⁶¹
- Codes of conduct for advertising relating to savings deposits and individual life insurance policies.²⁶²

5.2.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, VSPs and influencers meeting the seven cumulative criteria based on the Recommendation on the scope of the regulation of audiovisual media services of the media regulatory authority, the *Conseil supérieur de l'Audiovisuel*.²⁶³ ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). For instance, all aspects of the advertising of a medicine must be accurate, recent and verifiable and the ad must be designed in such a way that the message comes across as advertising and the product is clearly identified as a medicinal product.

5.2.6. Alternative and other medicinal products

The Belgian legislations (French Community) do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products

²⁶⁰ [FSMA's rules that apply to advertisements when marketing financial products.](#)

²⁶¹ [Code of conduct on advertising and marketing aimed at young people for banking or insurance products and/or services.](#)

²⁶² [Codes of conduct for advertising relating to savings deposits and individual life insurance policies.](#)

²⁶³ See country summary in "National rules applicable to influencers, EAO, Strasbourg, 2024".



offering alternative options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.2.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Sixth Management Contract of the RTBF forbids the PSM to broadcast ACCs for fossil fuels, marriage agencies and dating clubs, or toys that imitate firearms or are likely to induce violent, racist or xenophobic behaviour.



5.3. BE(VL) – Belgium (Flemish Community)

5.3.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages with more than 0.5% ABV.	Self-regulatory agreement on advertising and marketing of alcoholic beverages (Article 1.2) ²⁶⁴ Law on the Structure and Excise Duties on Alcohol and Alcoholic Beverages (for beers specifically) (Art. 4) ²⁶⁵
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers. ²⁶⁶	Media Decree (Artt. 68, 176/5 and 176/6) ²⁶⁷
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Yes, ACCs for alcoholic beverages must not be broadcast right before/after children's programmes (applicable to broadcasters).	Media Decree (Art. 83)
Self-/Co-regulatory body	Yes, the Jury for ethical practices (JEP) that carries out compliance monitoring with the self-regulatory agreement on advertising and marketing of alcoholic beverages. It applies to alcohol industry signatories.	Self-regulatory agreement on advertising and marketing of alcoholic beverages

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Any game by which a stake of any kind is committed to, the consequence of which is either loss of the stake by at least one of the players or a gain of any kind in favour of at least one of the players, or organisers of the game and in which chance is a factor, albeit ancillary, for the	Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players ²⁶⁸

²⁶⁴ [Covenant on the advertising and marketing of alcoholic beverages.](#)

²⁶⁵ [Law on the Structure and Excise Duties on Alcohol and Alcoholic Beverages.](#)

²⁶⁶ Influencers may be considered as providers of "television services" (televisiediensten) in application of the Media Decree, which does not include the exact notion of an audiovisual media service (AVMS) provider. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

²⁶⁷ [Media Decree.](#)

²⁶⁸ [Act on Games of Chance, Betting, Gaming Establishments and the Protection of Players.](#)



GAMBLING PRODUCTS	Yes / No / Details	Source
	conduct of the game, determination of the winner or fixing of the gain.	
ACC rules for broadcasters, VOD services, VSPs, and influencers	Advertising of gambling products is prohibited except when dealing with explicitly authorised and licensed operators (provided the advertisement follows certain information disclosure requirements and avoids some characteristics). The rules are not specific to broadcasters, VOD services, VSPs, or influencers.	Royal Decree determining the detailed rules on advertising for games of chance (Artt. 11-12 and 15-20) ²⁶⁹
Self-/Co-regulatory body	<p>The Belgian association of gaming operators drafted the code on ethical and responsible advertising and marketing of gambling (rules apply to explicitly authorised and licensed game of chance operators).</p> <p>The national lottery's code of ethical and responsible advertising, which establishes a reference framework for advertising campaigns and promotional activities aimed at promoting the sale of lottery games.</p>	<p>Code on Ethical and Responsible Advertising and Marketing of Gambling²⁷⁰</p> <p>National lottery's code of ethical and responsible advertising²⁷¹</p>

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	It includes savings, investment, or insurance products.	Law on the Supervision of the Financial Sector and Financial Services (Art. 2 (1) 39°) ²⁷²
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved though they have the obligation under media law not to disseminate illegal advertisements.	Royal Decree approving the regulations of the Financial Services and Markets Authority on framing the marketing of certain financial derivatives to consumers (Art. 2) ²⁷³
Self-/Co-regulatory body	Yes, the Financial services and markets authority (FSMA) published rules that apply to advertisements when marketing financial products.	<p>FSMA's website²⁷⁴</p> <p>Federal Public Service Economy²⁷⁵</p>

²⁶⁹ [Royal Decree determining the detailed rules on advertising for games of chance.](#)

²⁷⁰ [Code on ethical and responsible advertising and marketing of gambling.](#)

²⁷¹ [National lottery's code of ethical and responsible advertising.](#)

²⁷² [Law on the Supervision of the Financial Sector and Financial Services.](#)

²⁷³ [Royal Decree of 21 July 2016 approving the regulations of the Financial Services and Markets Authority on framing the marketing of certain financial derivatives to consumers.](#)

²⁷⁴ [Financial services and Markets Authority.](#)

²⁷⁵ [Federal Public Service Economy.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
	In addition, the Federal Public Service Economy issues codes related to the advertisement of financial products and monitors their compliance.	

OTC MEDICINES	Yes / No / Details	Source
Definition	No definition of OTC medicine Food supplement: foods intended to supplement the normal diet	Royal Decree concerning the manufacture and trade of food supplements containing substances other than nutrients and plants or plant preparations ²⁷⁶
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes for broadcasters, VOD services, VSPs and influencers.	Media Decree (Artt. 66, 176/5 and 176/6)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the advertisements themselves (content requirement, information requirement, etc.).	Act of 25 March 1964 on Medicinal Products ²⁷⁷ Royal Decree of 7 April 1995 on information and advertising of medicinal products for human use ²⁷⁸
Self-/Co-regulatory body	No.	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No definition	
ACC rules	No specific rules	
Self-/Co-regulatory body	N/A	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Decree on Audiovisual Media Services and Video-sharing Services (Art. 5.1-2. 3°) ²⁷⁹

²⁷⁶ [Royal Decree concerning the manufacture and trade of food supplements containing substances other than nutrients and plants or plant preparations.](#)

²⁷⁷ [Act of 25 March 1964 on Medicinal Products.](#)

²⁷⁸ [Royal Decree of 7 April 1995 on information and advertising of medicinal products for human use.](#)

²⁷⁹ [Decree on audiovisual media services and video-sharing services.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
cigarettes and refill containers)		
Other products	Bans on weapons and toys that resemble weapons.	Media Decree (Artt. 67 and 73 § 4)

5.3.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22 and 28b, AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

Broadcasters must not broadcast ACCs for alcoholic beverages right before or after children's programmes.

Alcohol marketing is regulated by the self-regulatory code: the Covenant on the advertising and marketing of alcoholic beverages. The monitoring of compliance with this code is carried out by the Jury for ethical practices (JEP), the self-regulatory body of the advertising sector in Belgium. The Covenant applies directly to the alcohol industry signatories. The rules concern the content of the ACC: the advertiser (alcohol producer/seller) is responsible for ensuring that any ACC they create or purchase complies with the covenant, regardless of the channel or messenger used.

The covenant imposes restrictions on the content and volume of alcohol advertising.

- Advertising of alcoholic beverages is prohibited in digital media (i.e. websites, applications and social media) specifically aimed at minors. Specific targeting of an audience consisting of minors means an audience consisting of at least 30% minors.
- Influencers sponsored by alcohol brands shall use the techniques or features provided by social media platforms, websites and applications to prevent minors from being exposed to alcoholic beverage advertising. Influencers sponsored by alcohol brands must be at least 25 years of age and appear so.

5.3.3. Gambling products

The advertising of gambling products is generally prohibited except when explicitly authorised (e.g. licensed operators allowed to do advertisements by the Royal Decree determining the rules for games of chance). Those rules provide for information and content



requirements which are directly applicable to the ACCs, not to the broadcasters, VOD services, VSPs or influencers.

For instance, the advertisement must be accompanied by certain information (a preventive message, minimum age of participation) and, for instance, may depict neither natural persons nor fictional characters.

The Belgian association of gaming operators set up a code on ethical and responsible advertising and marketing of gambling, applicable to explicitly authorised and licensed operators. In addition, the National Lottery's Code of Ethical and Responsible Advertising established a reference framework for advertising campaigns and promotional activities aimed at promoting the sale of lottery games.

5.3.4. Financial products

At present, there are no rules specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers, though they have the obligation under media law not to disseminate illegal advertisements.

The advertising rules apply directly to the producer of the advertised financial products.

For instance, the commercialisation (including ACCs) of binary options and derivative contracts with a maturity of less than one hour are prohibited. In general, ACCs for other financial products are allowed under strict conditions (information disclosure requirement).

The Financial services and markets authority (FSMA) published rules that apply to advertisements when marketing financial products.²⁸⁰ In addition, the Federal Public Service Economy issues codes related to the advertisements of financial products and monitors their compliance:

- Code of conduct on advertising and marketing aimed at young people for banking or insurance products and/or services,²⁸¹
- Codes of conduct for advertising relating to savings deposits and individual life insurance policies.²⁸²

²⁸⁰ [*FSMA's rules that apply to advertisements when marketing financial products.*](#)

²⁸¹ [*Code of conduct on advertising and marketing aimed at young people for banking or insurance products and/or services.*](#)

²⁸² [*Codes of conduct for advertising relating to savings deposits and individual life insurance policies.*](#)



5.3.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). For instance, all aspects of the advertising of a medicine must be accurate, recent and verifiable and the ad must be designed in such a way that the message comes across as an advertisement and the product is clearly identified as a medicinal product.

5.3.6. Alternative and other medicinal products

Belgian legislation (Flemish Community) does not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public concerning herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

CBD products must comply with the rules stated in the above section, provided they contain less than 0.2% of tetrahydrocannabinol.

5.3.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Media Decree forbids the advertisement of weapons and toys that resembles to weapons. The bans apply to all services: broadcasters, VOD services, VSPs and influencers.



5.4. BG - Bulgaria²⁸³

5.4.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Alcoholic beverages according to the Health act are spirits, wines and beers. Spirits are liquids intended for consumption that contain at least 15% ABV.	Law on Wine and Spirit beverages ²⁸⁴ , Health Act (Additional provisions of the Health Act, additional provision, Artt. 17-18) ²⁸⁵
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (applicable to broadcasters, VOD services, VSPs). ²⁸⁶ The same rules also apply to influencers that meet the AVMS criteria under the Radio and Television Act, although no such cases have been identified to date.	Radio and Television Act ²⁸⁷ (Artt. 19e, 75(7), 75(11) and 88), art. 55 Health Act
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	No	
Self-/Co-regulatory body	Yes, the National Council for self-regulation. It issues codes applicable to broadcasters, VOD services, VSPs, and influencers (as per Art. 4b, Radio and television act calling for self- and co-regulation).	SRO website ²⁸⁸

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Gambling is any game of chance in which there is a bet and a profit can be made or the bet can be lost.	Gambling Law (Art. 2(1)) ²⁸⁹

²⁸³ The national summary on Bulgaria incorporates the feedback received from Iliya Lyutskanov, Chief Expert at СЪВЕТ ЗА ЕЛЕКТРОННИ МЕДИИ (the Council for Electronic Media – CEM).

²⁸⁴ [Law on Wine and Spirit Beverages](#) (in Bulgarian only).

²⁸⁵ [Health Act](#) (in Bulgarian only).

²⁸⁶ See country summary on Bulgaria in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)"

²⁸⁷ [Radio and Television Act](#) (in Bulgarian only).

²⁸⁸ [National ethical standards for advertising and commercial communication in Bulgaria \(in English\)](#).

²⁸⁹ [Gambling Law](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	Prohibition of ACCs for gambling products except for the draws of the State Enterprise Bulgarian Sports Totalizer and their announcement.	Gambling Law (Art. 10)
Self-/Co-regulatory body	Yes, the National Council for self-regulation. It issues codes applicable to broadcasters, VOD services, VSPs and influencers (as per Art. 4b, Radio and television act calling for self- and co-regulation).	SRO website.

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No, but information for users of financial and payment products and services by the Bulgarian National Bank provides a summary to help current and future users of financial products offered by the banks in the Republic of Bulgaria.	Information from the Bulgarian National Bank, ²⁹⁰ June 2024
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Consumer Credit Act, ²⁹¹ Law on Real Estate Loans to Consumers, ²⁹² and the Consumers Protection Act ²⁹³
Self-/Co-regulatory body	Yes, the National Council for self-regulation. It issues codes applicable to broadcasters, VOD services, VSPs and influencers.	SRO website

OTC MEDICINES	Yes / No / Details	Source
Definition	Medicinal products and food supplements are defined but not OTC medicines explicitly.	Law on Medicinal Products in Humane Medicine, ²⁹⁴ and Food Act ²⁹⁵
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes, (broadcasters, VOD services, VSPs). The same rules also apply to influencers that meet the AVMS criteria under the Radio and Television Act, although no such cases have been identified to date.	Radio and Television Act (Art. 75(8))
Additional ACC rules for broadcasters, VOD services,	There are no specific rules for broadcasters, VOD services, VSPs, or	Law on Medicinal Products in Humane Medicine

²⁹⁰ [Information from the Bulgarian National Bank.](#)

²⁹¹ [Consumer Credit Act.](#)

²⁹² [Law on Real Estate Loans to Consumers.](#)

²⁹³ [Consumer Protection Act.](#)

²⁹⁴ [Law on Medicinal Products in Humane Medicine.](#)

²⁹⁵ [Food Act.](#)



OTC MEDICINES	Yes / No / Details	Source
VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content and information requirements).	Regulation on Food Supplements, 10 December 2021 (Artt. 14-15) ²⁹⁶
Self-/Co-regulatory body	Yes, the National Council for self-regulation. It issues codes applicable to broadcasters, VOD services, VSPs and influencers (as per Art. 4b, Radio and television act calling for self- and co-regulation).	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Unconventional methods for beneficial effect on individual health (incl. non-medicinal products of organic, or mineral origins, non-traditional physical methods, homeopathy, acupuncture and acupressure, iris, pulse and auricular examination methods, dietetics and therapeutic fasting).	Health Act (Art. 166(1))
ACC rules for broadcasters, VOD services, VSPs, and influencers	General ban (incl. narcotic products) Food supplements containing CBD may be advertised if the ACC does not claim to treat, prevent or alleviate diseases (and tetrahydrocannabinol content is below 0.2%).	Health Act (Art. 169) Regulation on food supplements Regulation No. 1 of 25.01.2012 on the Requirements for the Advertising of Medicinal Products (Art. 7) ²⁹⁷ Law on the Control of Narcotic Substances and Precursors (Art. 29(1)) ²⁹⁸
Self-/Co-regulatory body	No code for this topic	

²⁹⁶ [Regulation on Food Supplements.](#)

²⁹⁷ [Regulation No. 1 of 25.01.2012 on the Requirements for the Advertising of Medicinal Products.](#)

²⁹⁸ [Food Law.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Radio and Television Act (Art. 75(6))
Other products	<p>Ban of ACCs involving children as performers for any genetically modified foods and any foods statutorily restricted for consumption by children; any food containing nutrients and substances with a nutritional or physiological effect which does not meet the requirements of a healthy diet according to the statutory framework.</p> <p>Advertising of weapons and ammunition is not directly prohibited, but it is strictly regulated, rendering ACCs practically banned in a public and commercial context.</p> <p>Ban on ACCs for narcotic substances and plants.</p> <p>Bans on the offering and sale of alcohol, tobacco (including smokeless, novel, and heated forms), and high-caffeine products to children.</p> <p>Bans of selling nitrous oxide (heavenly gas) including refills, as well as online: to natural persons, except in the case of sole traders, whose business includes the sale of nitrous oxide (Paradise gas) to traders within the meaning of the Commerce Act; within the territory of kindergartens, schools, pupil boarding houses and medical treatment facilities; at sports events organised for children and pupils; at public events organised for children and pupils; in indoor public places, with the exception of sale for</p>	<p>Food Law</p> <p>Law on Weapons, Ammunition, Explosives and Pyrotechnic Articles²⁹⁹</p> <p>Law on the Control of Narcotic Substances and Precursors³⁰⁰</p> <p>Protection of the Child Act (Art. 5b(3))³⁰¹</p> <p>Health Act (Art. 54a)</p>

²⁹⁹ [Law on Weapons, Ammunition, Explosives and Pyrotechnic Articles](#). The law is based on a strict licensing regime. Though there is no explicit ban on advertising of weapons and ammunitions, it is extracted through systematic interpretation of the licensing procedures. It is not possible to broadcast advertisements to the general public since the advertising organizations should be licensed under the law and the persons that potentially may buy weapons should also be licensed.

³⁰⁰ [Law on the Control of Narcotic Substances and Precursors](#).

³⁰¹ [Protection of the Child Act](#).



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
	medical purposes and in the cases covered by Article 78a of the Food Act.	

5.4.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, and VSPs.

According to the Health Act, direct advertising³⁰² of alcoholic beverages is prohibited. However, indirect advertising is allowed provided the ACC complies with the criteria set out in the AVMSD.³⁰³

For influencers, the Influencer marketing regulation applies.³⁰⁴ This text, adopted through the National Council for self-regulation (NCSR), governs influencer behaviour.

The NCSR issued other key documents applying to broadcasters and VOD services:

- The national ethical standards for advertising and commercial communication,³⁰⁵
- The framework for responsible food and beverage marketing communication,³⁰⁶
- The common standards for alcoholic spirits and liquors.³⁰⁷

According to the first document, marketing communication around food and beverages must be responsible, meaning it should be legal, honest, fair, and not misleading. It must also promote an accurate understanding of healthy eating and physical activity as part of a balanced lifestyle.

The second document outlines audience composition criteria for alcohol-related communication: alcohol advertising and marketing may only appear in media or at events where at least 70% of the audience is expected to be 18 years or older. Advertising is prohibited in contexts where more than 30% of the audience is underage. This restriction

³⁰² Additional provisions of the Health Act (point 19), ““Direct advertising” is any form of commercial message, communication or recommendation that aims to promote alcoholic beverages and/or their consumption, through the use of the beverages themselves or of actions related to their consumption, production and distribution.”

³⁰³ Additional provisions of the Health Act (point 20), ““Indirect advertising” is any form of commercial message, communication, recommendation or action that uses the name or brand of an alcoholic beverage, as well as the company or brand of a producer of alcoholic beverages on products and goods that are not alcoholic beverages.”

³⁰⁴ [Influencer Marketing Recommendation](#) (in English).

³⁰⁵ [Ethical Code](#) (in English).

³⁰⁶ [Framework for food and drinks](#) (in English).

³⁰⁷ [Standards for spirit drinks](#) (in English).



also applies to the paid placement of alcoholic beverages in entertainment formats—such as films, TV shows, or video games, based on audience age data provided by media producers.

5.4.3. Gambling products

The advertising of gambling products is prohibited. This ban applies to all forms of media, including broadcasters, VOD services, VSPs and influencers.

However, the ban does not apply for the draws of the “Bulgarian Sports Totalizer” State Enterprise and their announcement. The NCSR’s national ethical standards for advertising and commercial communication may apply.

5.4.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

Advertising of financial products such as credit cards and loans, consumer credit, bank accounts and real estate loans is allowed in Bulgaria and is regulated by the Consumer Credit Act, the Law on real estate loans to consumers, the Consumers Protection Act, and the Credit Institutions Act. These rules (disclosure requirement) apply to broadcasters, VOD services and VSPs. The NCSR’s national ethical standards for advertising and commercial communication apply.

For consumer credit and real estate loans, ACCs must disclose the interest rate (fixed and/or variable), all related costs, the total credit amount, annual percentage rate (APR), term, repayment schedule, total amount payable, and any required advance payments. This information must be clear, easy to understand, prominently displayed and be accompanied by an example. Where rates or costs are not mentioned, these requirements do not apply.

ACCs for real estate loans must also specify the lender, any credit intermediary, whether the loan is secured by real estate, and include a warning about exchange rate risks if relevant. Any required extra services, such as insurance, must be stated with the annual percentage rate. Information must be consistent in size and style, and clear for the format used (written or audio).

The Consumer Protection Act prohibits unfair practices by traders and is enforced by the Consumer Protection Commission, which maintains a public register of violators.

For influencers, the Influencer marketing regulation and the national ethical standards for advertising and commercial communication applies.

5.4.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to a disclosure requirement (Law on medicinal products in humane medicine) and the NCSR's national ethical standards for advertising and commercial communication. ACC rules apply to the content of the ads themselves.

ACCs for OTC medicines must clearly state that the product is a medicine and include the trade name, international non-proprietary name, correct usage, age restrictions, "*Read the leaflet before use!*", and, where relevant, homeopathic status or vaccine reminders. Ads must be clear, not misleading, and in video formats, required information must be visually and audibly prominent. Reminder ads may only mention the product and active ingredient names. Material changes or additions require regulatory approval.

Advertising is prohibited if it implies guaranteed effects, replaces medical advice, targets children, uses endorsements, or misleads on health benefits or product status. Claims about curing, preventing or treating diseases are not allowed for food supplements, and such ads must not imply that a varied diet is insufficient.

For food supplements, ACCs must not attribute to them the properties of preventing, treating or curing diseases in humans, nor shall they refer to such properties. ACCs of food supplements shall not contain any text that implies that a balanced and varied diet cannot provide the necessary amounts of nutrients.

For influencers, the Influencer marketing regulation and the national ethical standards for advertising and commercial communication applies.

5.4.6. Alternative and other medicinal products

All forms of advertising of unconventional methods are prohibited, including their connection with activities of prevention, diagnostics, treatment and rehabilitation.

As per the Regulation on the requirements for the advertising of medicinal products, advertising to the public of medicinal products containing narcotic substances within the meaning of the Narcotic Substances and Precursors Control Act is prohibited.

Food supplements containing CBD may be advertised if the ACC does not claim to treat, prevent or alleviate diseases provided the tetrahydrocannabinol content is below 0.2%.

5.4.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

The Protection of the Child Act was recently amended to prohibit the offering and sale of alcoholic beverages, tobacco and related products, smokeless tobacco, novel tobacco products, heated tobacco products, and products with a high caffeine content to children.

The advertising of weapons and ammunition is not directly prohibited, but it is strictly regulated, rendering ACCs practically banned in a public and commercial context.

Direct and indirect advertising to the public of narcotic substances and plants from the lists under Art. 3, para. 2, items 1, 2 and 3 and medicinal products containing narcotic substances is prohibited.



5.5. CY - Cyprus³⁰⁸

5.5.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages containing any volume of alcohol (except methylated spirits)	Sale of Intoxicating Liquors Law, Section 2 ³⁰⁹
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers (when meeting the AVMS criteria as established by the Law on Radio and Television Broadcasters ³¹⁰).	Radio and Television Broadcasters Law (Sections 2, 30E, 32F(1(a-c))) ³¹¹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	No	
Self-/Co-regulatory body	Yes, the Cyprus Advertising Regulation Organisation (CARO) which issues codes applicable to its members.	SRO website ³¹²

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Various definitions “games of chance”, “games in the number lottery category”, “betting”, “poker machines”, “casino”, etc.	Law on Designated Games of Chance, ³¹³ Betting Law, ³¹⁴ Law on the Operation and Control of Casinos ³¹⁵
ACC rules for broadcasters, VOD services, VSPs, and influencers	The advertising of games of chance and betting on television is prohibited between 6 a.m. and 9 p.m. except during – and 15 minutes prior and after – live television transmissions of sports events.	Radio and Television Broadcasters Law (Section 33(6)(a)(b))

³⁰⁸ The national summary on Cyprus incorporates the feedback received from Ms Constandia Michaelidou, Legal Officer at Αρχή Ραδιοτηλεόρασης & Ψηφιακών Υπηρεσιών (Radiotelevision & Digital Services Authority – RTDSA).

³⁰⁹ [Sale of intoxicating liquors law.](#)

³¹⁰ See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”.

³¹¹ [Radio and Television Broadcasters Law 7\(I\)/1998 \(up to amendment 123\(I\)/2025.](#)

³¹² [https://fed.org.cy/.](https://fed.org.cy/)

³¹³ [Law on Designated Games of Chance.](#)

³¹⁴ [Betting Law.](#)

³¹⁵ [Law on the Operation and Control of Casinos.](#)



GAMBLING PRODUCTS	Yes / No / Details	Source
Self-/Co-regulatory body	Yes, the Cyprus Advertising Regulation Organisation (CARO), which issues codes applicable to its members.	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	<p>Definitions of various products such as depositary receipts, transferable securities, financial instrument.</p> <p>The business of a credit institution includes activities such as the taking of deposits and other repayable funds, lending (incl. consumer credits, credit agreements, financing of commercial transactions, financial leasing, etc.).</p>	<p>Investment Services and Activities and Regulated Markets Law</p> <p>Business of Credit Institutions Law of 1997</p>
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>No specific rules applicable to broadcasters, VOD services, VSPs and influencers.</p> <p>Applicable to Cypriot investment firms: identifiable ACCs that are accurate, clear and not misleading.</p>	Investment Services and Activities and Regulated Markets Law
Self-/Co-regulatory body	Yes, the Cyprus Securities and Exchange Commission, which issued a guidance to Cyprus investment firms.	Market authority website ³¹⁶ SRO website

OTC MEDICINES	Yes / No / Details	Source
Definition	“Medicinal product without prescription” is legally defined as a product that may be sold or supplied without the need of a medical prescription.	Pharmacy and Poisons Law (Section 2) ³¹⁷
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs, and influencers when meeting the AVMS criteria as established by the Law on Radio and Television Broadcasters)	Radio and Television Broadcasters Law (Section 30E(1)(g))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	No specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (disclosure requirement).	Medicinal Products for Humane Use Law ³¹⁸

³¹⁶ [Cyprus Securities and Exchange Commission](#)

³¹⁷ [Pharmacy and Poisons Law](#)

³¹⁸ [Medicinal Products for Humane Use Law](#)



OTC MEDICINES	Yes / No / Details	Source
Self-/Co-regulatory body	Cyprus Advertising Regulation Organisation (CARO) issues codes applicable to its members.	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Definitions of “herbal medicinal product”, “homeopathic medicinal product”, “traditional herbal medicinal product”, and “herbal preparation”.	Medicinal Products for Humane Use Law
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (disclosure requirement).	Medicinal Products for Humane Use Law
Self-/Co-regulatory body	Cyprus Advertising Regulation Organisation (CARO) issues codes applicable to its members.	SRO website ³¹⁹

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	The Radio and Television Broadcasters Law (Section 30E(1)(e))
Other products	Bans include e.g. firearms and shooting clubs; pornography; provision of loans, except by banks and other financial institutions; marriage agencies and correspondence clubs; fortune-telling and similar services; entrepreneurs or others in relation to death or burial services; unlicensed private employment agencies; hypnosis, hypnotherapy, and spiritualist services.	Annex IX of the Radio and Television Stations Regulations of 2000 (Regulations 10/2000) (Section D.2)

³¹⁹ <https://fed.org.cy/>.

5.5.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers. The Radio and Television Stations Regulations contain an annex “Code of Practice for advertisements, teleshopping messages and sponsored programmes”.

For influencers, the Guide to influencer marketing applies. This text, adopted through CARO, governs influencer behaviour.³²⁰

CARO, issued another key document:

- The Code of advertising and communication ethics,³²¹ containing an annex for alcoholic beverages,³²² and an annex for beers.³²³

Members of CARO, including the Cyprus Advertisers Association, the Cyprus Advertising & Communications Association and all media outlets that are members of CARO, have adopted the Code and its appendices. The Code details the kind of ACCs that should not be broadcast as per the AVMSD examples (e.g., abuse, performance, social success, sexual success, etc.).

5.5.3. Gambling products

The advertising of games of chance and betting on television is prohibited between 6 a.m. and 9 p.m. except during – and 15 minutes prior and after – live television transmissions of sports events, for a maximum of 1.5 minutes per hour. This rule applies to television broadcasters.

Both the Guide to influencer marketing and the Code of advertising and communication ethics from the CARO, apply.

5.5.4. Financial products

At present, there are no rules under the Broadcasting Law specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs or influencers.

³²⁰ [Guide to influencer marketing.](#)

³²¹ [Code of advertising and communication ethics](#) - The companies that are members of the Cyprus Advertisers Association, the Cyprus Communication Agencies Association, as well as all the media that are members of the Cyprus Advertising Regulation Organisation (CARO), have accepted the Code and its annexes.

³²² [Annex for alcoholic beverages.](#)

³²³ [Annex for beers.](#)



The advertising rules apply directly to the producer of the advertised financial products.

Advertising of financial products such as depositary receipts, transferable securities, or financial instrument is allowed in Cyprus and is regulated in the Investment services and activities and regulated markets Law. These rules (identifiable ACCs that are accurate, clear and not misleading) apply to Cypriot investment firms when advertising for their products.

Cypriot investment firms are required to ensure that, in relation to advertisements of their investment services, all information directed to clients or potential clients is accurate, clear and not misleading, and that all advertising communications are clearly identifiable as such.

The Cyprus securities and exchange Commission, established by the investment services and activities and regulated markets Law, produced a guidance for Cyprus investment firms on how to communicate with (potential) clients.³²⁴

5.5.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services and VSPs. ACCs for prescription-only medicines is prohibited (Radio and Television Broadcasters Law).

OTC medicines may be advertised, subject to a disclosure requirement (Medicinal products for humane use Law). ACC rules apply to the content of the ads themselves. At present, there are no rules under the Radio and Television Broadcasters Law specifically concerning advertising of OTC products, whether by broadcasters, VOD services, VSPs, or influencers. The advertising rules apply directly to the producer of the advertised OTC products.

The Radio Television and Digital Services Authority is responsible for the implementation of ACC rules regarding medicinal products. It issued the Annex IX of the Radio and Television Stations Regulations (Code of Practice for advertisements, teleshopping messages and sponsored programmes).³²⁵ According to the text, medicinal product advertisements must abide by the law and the product's marketing authorisation conditions. ACCs must not present healthcare professionals in a way that suggests professional advice or endorsement, claim to cure illnesses or imply guaranteed cures, offer or advise treatment for serious diseases or suggest substitutes for proper medical care, offer diagnosis or treatment by correspondence, use terms like "tonic" or similar claims, suggest that not taking vitamins or supplements puts health at risk.

³²⁴ [Circular No.: C181](#).

³²⁵ [Annex IX of the Radio and Television Stations Regulations \(Code of Practice for advertisements, teleshopping messages and sponsored programmes\)](#).



Industrial hemp may be produced, supplied and marketed in Cyprus. There is no requirement of a medical prescription for the purchase of industrial hemp. Accordingly, the classification under the alternative medicinal products category is considered appropriate, taking into account the specific legislative framework governing production and supply. Corresponding rules for OTC products apply.

5.5.6. Alternative and other medicinal products

The products must follow the same rules as described in the Section above.

In addition, ACCs of some herbal medicinal products must include the following statement: “Traditional herbal medicinal product, intended for use for a specified indication or specified indications, exclusively based on long-standing use”.

5.5.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) of the AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

The rules set out in Annex IX of the Radio and Television Stations Regulations of 2000 provide that all licensed broadcasters are required to ensure that all advertisements and teleshopping messages they transmit comply with the provisions of the Law and the rules set out therein. Prohibited products or services also include: firearms and shooting clubs; pornography; provision of loans, except by banks and other financial institutions; marriage agencies and correspondence clubs; fortune-telling and similar services; entrepreneurs or others in relation to death or burial services; unlicensed private employment agencies; hypnosis, hypnotherapy, and spiritualist services.



5.6. CZ - Czechia³²⁶

5.6.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages with more than 0.5% ABV.	Act on the Protection of Health against the Harmful Effects of Addictive Substances (Section 2(f)) ³²⁷
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers (an influencer meeting the criteria of Section 2 (1) (a) of Act No. 132/2010 may be considered as an on-demand AVMS provider). ³²⁸	Act No 231/2001 on the Operation of Radio and Television Broadcasting (Art. 52(1(a)(e)), ³²⁹ and Act No 132/2010 on On-demand Audiovisual Media Services (Art. 8(3)), ³³⁰ and Act No. 242/2022 Coll. on Video Sharing Platform Services (Art. 7(4)) ³³¹ Legal Opinion on the Interpretation of Statutory Criteria for Classifying Influencer Services as On-Demand Audiovisual Media Services ³³²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	No	
Self-/Co-regulatory body	Yes, the Advertising Council (<i>Rada pro reklamu</i>), issued a self-regulatory code (Advertising Code) which is intended for	SRO's website ³³³

³²⁶ The national summary on Czechia incorporates the feedback received from Katerina Lojikova, Senior Officer – Television Broadcasting Analysis Unit at *Rada pro rozhlasové a televizní vysílání* (Council for Radio and TV Broadcasting – RRTV).

³²⁷ [Act on the Protection of Health against the Harmful Effects of Addictive Substances.](#)

³²⁸ See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

³²⁹ [Act No 231/2001 on the Operation Of Radio And Television Broadcasting..](#)

³³⁰ [Act No 132/2010 on On-Demand Audiovisual Media Services.](#)

³³¹ [Act No. 242/2022 Coll. on Video Sharing Platform Services](#)

³³² [Legal Opinion on the Interpretation of Statutory Criteria for Classifying Influencer Services as On-Demand Audiovisual Media Services.](#)

³³³ [Czech Advertising Council.](#)



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
	all entities operating in the field of advertising.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	A game, wager or lottery ticket in which the bettor places a wager, the return of which is not guaranteed, and in which the winning or losing is determined in whole or in part by chance or an unknown circumstance.	Gambling Act (Section 3(1)) ³³⁴
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to gambling products themselves and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Act on the Regulation of Advertising ³³⁵
Self-/Co-regulatory body	Yes, the Advertising Council's (<i>Rada pro reklamu</i>) Advertising Code is intended for all entities operating in the field of advertising. The Association of Creators and Online Media (ATOM) also covers this topic in its code.	SRO website ATOM website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No legal definition of the term "financial product"	
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to financial products themselves and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Regulation on Mandatory Information to be included in Consumer Credit Advertising ³³⁶ Act No. 257/2016 Coll., the Consumer Credit Act
Self-/Co-regulatory body	Yes, the Advertising Council's Advertising Code contains general rules on advertising ethics without expressly referring to "financial products". However, these fundamental principles are binding for all forms of promotion, including this sector.	SRO website

³³⁴ [Gambling Act.](#)

³³⁵ [Act on the regulation of advertising.](#) Please note that certain restrictions also apply under [Act No. 634/1992 Coll., on Consumer Protection, as amended.](#)

³³⁶ [Regulation on Mandatory Information to be included in Consumer Credit Advertising.](#)



OTC MEDICINES	Yes / No / Details	Source
Definition	The subject of advertising to the general public may be medicinal products for human use which, according to their composition and purpose, are so adapted and designed that they may be used without diagnosis, prescription or treatment by a general practitioner, or on the advice of a pharmacist.	Act on the Regulation of Advertising (Art. 5a(1)) Act No. 231/2001 on the operation of radio and television broadcasting (Art. 48(1)(f)), Act No. 132/2010 on on-demand audiovisual media services (Art. 8(2)(c)), Act No. 242/2022 Coll. on Video Sharing Platform Services (Art. 7(5)) Act No. 378/2007 Coll., the Medicinal Products Act,
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes	Act No. 231/2001 on the operation of radio and television broadcasting (Art. 48(1)(f)), Act No. 132/2010 on on-demand audiovisual media services (Art. 8(2)(c)), Act No. 242/2022 Coll. on Video Sharing Platform Services (Art. 7(5))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Act on the Regulation of Advertising
Self-/Co-regulatory body	Yes, the Advertising Council's Advertising Code which applies to all parties engaging in advertising activity: an advertiser, an advertising producer and an advertising disseminator.	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	"Health-targeted products" are not specifically defined, but referred to as products that are neither a medicinal product nor a medical device, but nevertheless appear to be so.	Act on the Regulation of Advertising (Art. 5n(1))
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs or influencers regarding the broadcast of ACCs for health-related products; the rules apply to the content of the ads	Act on the Regulation of Advertising (Art. 5n(2))



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
	themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	Yes, the Advertising Council's Advertising Code covers alternative and other medicine products.	SRO website

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Act No. 231/2001 on the operation of radio and television broadcasting (Art. 48(1)(g)), Act No. 132/2010 on on-demand audiovisual media services (Art. 8(2)(b)), Act No. 242/2022 Coll. on Video Sharing Platform Services (Art. 7(3)) Act on the Regulation of Advertising
Other products	Bans on psychomodulants, medicinal products or veterinary medicinal products containing narcotic or psychotropic substances, firearms, ammunition and goods the sale, provision or distribution of which is contrary to law.	Act on the Regulation of Advertising Act No. 231/2001 on the operation of radio and television broadcasting (Art. 48(1)(g))

5.6.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b, AVMSD) applying to broadcasters, VOD services and VSPs.

There are no other rules applicable to broadcasters, VOD services, VSPs and influencers. The advertisers of ads for alcoholic beverages must follow the rules established by the Act 40/1995 on the regulation of advertising.³³⁷

The marketing of alcoholic beverages is addressed by the self-regulatory code (Advertising Code) which was established by the Advertising Council.³³⁸

³³⁷ [Act 40/1995 on the regulation of advertising.](#)

³³⁸ [Advertising code \(Kodex reklamy\).](#)

The Code is intended for all entities operating in the field of advertising and sets out rules of professional conduct for them. Additionally, member organisations of the Advertising Council expressly recognize the Code and undertake not to produce or accept any advertising that conflicts with it. They also commit to withdrawing any advertising that is subsequently found to be in violation of the Code by the ethical self-regulatory body for advertising.

The code imposes restrictions such as the minimum age of actors appearing as drinkers (at least 25 years old), no use of child-attracting visuals. It is the arbitration commission of the SRO which settles complaints.

5.6.3. Gambling products

ACC rules are specific to the gambling products themselves and not to the type of audiovisual media service providers (or VSPs, influencers) involved.

General rules are included in the Act on the regulation of advertising, among which:³³⁹

- Gambling ads must not suggest that gambling is a way to earn money like having a job or running a business.
- Ads must not target people under 18, especially by using images, themes, or actions that appeal mainly to minors.
- All gambling ads must clearly state that persons under 18 are prohibited from participating.
- Ads must prominently display the following warning: "The Ministry of Finance warns: Participation in gambling may lead to addiction."

The marketing of gambling is addressed by the self-regulatory Advertising Code (from the Advertising Council), and the ATOM Code likewise covers this area. The code imposes some restrictions. For instance, ads must not target individuals under 18 years old or promote illegal or harmful gambling.

5.6.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

³³⁹ [Act No. 40/1995 Coll. on the regulation of advertising.](#)



For instance, the advertising for consumer credit is regulated by the “regulation on Mandatory information to be included in consumer credit advertising”. For instance, if the ad includes any numerical cost information, it must clearly state the annual percentage rate, the interest rate, the total loan amount, etc.

The Czech national bank (*Česká národní banka – ČNB*) is the national authority mandated by law to oversee the relationship between financial institutions and their customers, but it has not published any specific guidelines related to the topic.

5.6.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicinal products is prohibited.

OTC medicines may be advertised, subject to advertising rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement). For instance, brand or trade names must be included as well as the intended purpose of the medicine.

The marketing of OTC medicines is addressed by the self-regulatory advertising Code. The code imposes some restrictions. For instance, only registered or approved medicines that are not prescription-only or exclusively for physician use may be advertised. Another example: ACCs must not feature individuals whose profession or role could unduly influence consumer decisions.

5.6.6. Alternative and other medicinal products

It is not allowed to advertise a health-related product as if it is a medicine, medical device, in vitro diagnostic medical device, or special medical food if it is not actually one of those products.

Health-related products may be advertised, subject to advertising rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement). For instance, the ad may not imply that the use of the product will improve or maintain the health of the person using it, or may not recommend the product with reference to the recommendations of scientists, medical experts or persons who are not such experts but who, by virtue of their actual or presumed social status, could support the use of the product.

There are no self-regulatory codes addressing ACCs for products offering alternative medicine options to the public.



The Czech legislations do not contain specific rules for ACCs for products offering alternative medicine options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)), including for cancer patients, nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.6.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Act on the regulation of advertising forbids the advertisement of psychomodulants, medicinal products or veterinary medicinal products containing narcotic or psychotropic substances, firearms, ammunition and goods the sale, provision or distribution of which is contrary to law.

It is worth noting that, while ACCs for tobacco products and electronic cigarettes are forbidden, ATOM (*Asociace tvůrců a online médií*, an interest group bringing together content creators) has its own Code of Ethics³⁴⁰ which prohibits the promotion of online and physical casinos, pornographic content, tobacco products, electronic cigarette and nicotine patches as well as other addictive substances or activities the promotion of which is contrary to applicable legal regulations.

³⁴⁰ [ATOM's Code of Ethics](#).



5.7. DE – Germany³⁴¹

5.7.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No general definition but the Alcohol Tax Act provides for minimum alcohol percentage requirements to tax the products Minimum requirement: >1.2% ABV Spirit >15% ABV	Alcohol Tax Act ³⁴²
ACC rules (AVMSD Art. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services and influencers) ³⁴³	Interstate Media Treaty (Art. 8(10), 74) ³⁴⁴ (only applicable to broadcasters and broadcast-like online services). Interstate Treaty on the Protection of Human Dignity and the Protection of Minors in Broadcasting and Telemedia (Art. 6(5)) ³⁴⁵
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Art. 9(1)(e), 22 and 28b)	No.	
Self-/Co-regulatory body	Alcohol advertising is self-regulated by the Code of conduct of the German Advertising Council, including social media guidelines. It applies to every distributor of online and offline commercial communications, except for political parties, churches, foundations,	<i>Deutscher Werberat</i> website ³⁴⁶

³⁴¹ The national summary on Germany incorporates the feedback received from Julia Mischke, Legal Department at *Landesanstalt für Medien NRW* (the Media Authority of North Rhine-Westphalia).

³⁴² [Alkoholsteuergesetz 2](#) (Alcohol Tax Act).

³⁴³ Influencers, if they are live streamers, can be considered as broadcasters, provided they meet the criteria of Article 2(1) of the Interstate Media Treaty. They can also be considered as “broadcast-like telemedia”, the equivalent of the AVMSD’s “on-demand audiovisual media service” providers if they meet the criteria of Article 2(2)(13) MStV. See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”.

³⁴⁴ [Interstate Media Treaty \(Medienstaatsvertrag – MStV\)](#).

³⁴⁵ [Staatsvertrag über den Schutz der Menschenwürde und den Jugendschutz in Rundfunk und Telemedien \(Jugendmedienschutz-Staatsvertrag – JMStV\)](#) (Interstate Treaty on the Protection of Human Dignity and the Protection of Minors in Broadcasting and Telemedia).

³⁴⁶ *Deutscher Werberat* (German Advertising Council) [website](#).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
	associations, or non-governmental organizations.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	A gambling activity occurs when a fee is charged for the acquisition of a chance to win within the context of a game, and the decision regarding the win is entirely or predominantly dependent on chance.	Interstate Treaty on Gambling of 2021 (Art. 3(1)) ³⁴⁷
ACC rules for broadcasters, VOD services, VSPs, and influencers	Advertising of gambling products is allowed when dealing with licensed operators (content and information requirements to be respected by the holder of the license).	Interstate Treaty on Gambling of 2021 (Art. 5)
Self-/Co-regulatory body	Gambling advertising is self-regulated by the Code of conduct of the German advertising Council. It applies to every distributor of online and offline commercial communications, except for political parties, churches, foundations, associations, or non-governmental organizations.	<i>Deutscher Werberat</i> website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition. Each product is defined by its corresponding legislation (the banking act for credit, the securities trading act for securities, the insurance contract act for the insurance, etc.).	German Banking Act ³⁴⁸ Securities Trading Act ³⁴⁹ Insurance Contract Act ³⁵⁰
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	No.	

³⁴⁷ [Staatsvertrag zur Neuregulierung des Glücksspielwesens in Deutschland](#) (Interstate Treaty on Gambling of 2021).

³⁴⁸ [Kreditwesengesetz](#) (German Banking Act).

³⁴⁹ [Gesetz über den Wertpapierhandel](#) (Securities Trading Act).

³⁵⁰ [Gesetz über den Versicherungsvertrag](#) (Insurance Contracts Act).



OTC MEDICINES	Yes / No / Details	Source
Definition	Medicinal products are considered non-prescription if they may be dispensed to consumers without presentation of a medical or dental prescription, or a veterinary prescription.	Medicinal Products Act (Art. 48) ³⁵¹
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (all media)	Law on Advertising in the Field of Health Care (Art. 10) ³⁵²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	No	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	
ACC rules	Advertising for cannabis is prohibited. ACCs for products offering alternative medicine options are generally permitted. Alternative medicine options may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content/information requirements).	Cannabis Consumption Act (KCanG) (Art. 6) ³⁵³
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-	All forms of ACCs for cigarettes and other tobacco products, as well as for	Tobacco Products and Related Products Act (Art. 20) ³⁵⁴

³⁵¹ *Arzneimittelgesetz (Medicinal Products Act)* as per Artt. 2(1) and 48, food supplements can fall under the category of non-prescription medicinal products. See [Food Supplements Regulation](#).

³⁵² *Heilmittelwerbegesetz* (Law on Advertising in the Field of Health Care).

³⁵³ *Konsumcannabisgesetz* (Cannabis Consumption Act).

³⁵⁴ *Gesetz über Tabakerzeugnisse und verwandte Erzeugnisse* (Tobacco Products and Related Products Act).



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
cigarettes and refill containers)	electronic cigarettes and refillable containers, are prohibited.	
Other products	Ban on ACCs for cannabis and cultivation associations	KCanG (Art. 6)

5.7.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b, AVMSD) applying to broadcasters, VOD services, and VSPs.

Alcohol advertising is self-regulated by the Code of conduct of the *Deutscher Werberat*, including social media guidelines.³⁵⁵ The rules apply to every distributor of online and offline commercial communications, except for political parties, churches, foundations, associations, or non-governmental organizations. The Code imposes content requirements (e.g. not showing people drinking or urging others to drink while driving vehicles).

5.7.3. Gambling products

The advertising of gambling products is allowed provided the gambling products have a licence. Only holders of a licence may advertise games of chance. In doing so, they must respect the rules established by Article 5 of the Interstate Treaty on Gambling (content and information requirements).

Gambling advertisement is self-regulated by the Code of Conduct of the German Advertising Council.³⁵⁶ The rules apply to every distributor of online and offline commercial communications, except for political parties, churches, foundations, associations, or non-governmental organizations. The Code imposes content requirements (e.g. the ad must not suggest that previous losses may be recovered through increased play).

³⁵⁵ [Verhaltensregeln des Deutschen Werberats über die kommerzielle Kommunikation für alkoholhaltige Getränke + Social-Media-Leitlinien für die Hersteller alkoholhaltiger Getränke](#) (Code of conduct of the German Advertising Council, including Social Media Guidelines).

³⁵⁶ [Leitfaden zum Werbekodex](#) (Code of conduct of the *Deutscher Werberat*).



5.7.4. Financial products

ACCs for financial products are allowed.

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products (content and information requirements).

There is no co-/self-regulation for this topic.

5.7.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, information requirement, etc.).

There is no co-/self-regulation for this topic.

A complaint was filed against a German pharmaceutical company's advertisement for the homeopathic remedy "A1", which claimed it provided "rapid and reliable reduction of the intensity of typical cold symptoms." The Consumer Center North Rhine-Westphalia (*Verbraucherzentrale NRW*) sued to prohibit this claim. On September 23, 2022, the Dortmund Regional Court ruled that the statement was misleading under Sec. 3 Nr. 2a HWG, as it falsely implied guaranteed effectiveness. The company was ordered to stop using this advertising claim or face fines for each violation.³⁵⁷

5.7.6. Alternative and other medicinal products

ACCs for products offering alternative medicine options are generally permitted except for cannabis.

The German legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public. Alternative medicine options may be advertised,

³⁵⁷ [Landgericht Dortmund \(25. Zivilkammer\) 25 O 22/22](#) (Dortmund Regional Court, Civil chamber judgment) of 23.09.2022.

subject to advertising and medical rules that are applicable to the content of the ads themselves (content/information requirements).

There is no co-/self-regulation for this topic.

5.7.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

Additionally, advertising and any form of sponsorship for cannabis and cultivation associations are prohibited.

No other categories of products have been identified as subject to an advertising ban.

5.8. DK - Denmark³⁵⁸

5.8.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages with more than 0.5% ABV.	Guidelines for the Marketing of Alcohol (notes of section 2 of the guidelines) ³⁵⁹
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (applicable to broadcasters, VOD services VSPs, and influencers when meeting the criteria of Article 2(7) of Order No.1158 on VSP services and Section 2(5) of the Act on radio and television broadcasting) ³⁶⁰	Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships (Art. 12(2)) ³⁶¹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	No.	
Self-/Co-regulatory body	Yes, the Alcohol advertising board, it issues guidelines (Alcohol advertising board's guidelines). It applies to all traders doing business in Denmark. For instance, marketing of alcohol may only employ persons, including models, actors and the like, who are at least 25 years old.	SRO's website ³⁶²

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Games: Lottery, combination games and betting.	Gambling Act (Art. 5) ³⁶³

³⁵⁸ It was not possible to receive feedback on Denmark during the checking round with the national regulatory authority.

³⁵⁹ [Guidelines for the Marketing of Alcohol](#).

³⁶⁰ See country summary on Denmark in "[National rules applicable to influencers, European Audiovisual Observatory, Strasbourg, 2024](#)".

³⁶¹ [Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships](#).

³⁶² [Alcohol Advertising Board](#).

³⁶³ [Danish Gambling Act](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	<p>Lottery: Activities where a participant has a chance of winning a prize and where the chance of winning is solely based on chance.</p> <p>Combination bets: Activities where a participant has a chance of winning a prize and where the chance of winning is based on a combination of skill and chance.</p> <p>Betting: Activities where a participant has a chance to win a prize and where bets are placed on the outcome of a future event or the occurrence of a future event.</p>	
ACC rules for broadcasters, VOD services, VSPs, and influencers	Rules are specific to gambling products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Gambling Act (Art. 36)
Self-/Co-regulatory body	Gambling advertising board, which issued a code of conduct for socially responsible marketing of gambling.	SRO's website ³⁶⁴

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No legal definition of the term "financial product".	
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Legislations related to specific products (Credit Agreements Act, Marketing Practices Act, etc.)
Self-/Co-regulatory body	Danish Financial supervisory authority (code applicable to financial undertakings).	NRA's website ³⁶⁵

OTC MEDICINES	Yes / No / Details	Source
Definition	No (products without prescription, including herbal medicine products)	
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes	Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on

³⁶⁴ [Gambling advertising board](#)

³⁶⁵ [Financial Supervisory Authority](#)



OTC MEDICINES	Yes / No / Details	Source
		the conclusion of partnerships (Art. 13)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads (content requirement, information requirement, etc.).	Medicines Act (Chapter 7) ³⁶⁶
Self-/Co-regulatory body	Yes, the Patient Safety Authority issues guidance.	NRA's website ³⁶⁷

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No	
ACC rules for broadcasters, VOD services, VSPs, and influencers	No	
Self-/Co-regulatory body	No	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships (Artt. 15, 29, 32)
Other products	Bans on television ads for employers' organisations, trade unions, religious movements, political parties, and political candidates. It also forbids political ads.	Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships (Art. 14)

³⁶⁶ [Medicines Act.](#)

³⁶⁷ [Patient safety authority.](#)

5.8.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22 and 28b, AVMSD) applying to broadcasters, VOD services and VSPs.

Section 12 of the Order No 1155 on the Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships includes rules with the language taken from the AVMSD.

Alcohol marketing is regulated by the Alcohol Advertising Board. It drafted guidelines, made in collaboration with the industry and the authorities (such as the National council for alcohol policy, breweries associations, the Danish advertising agencies association, Ministry of business and industry, consumer Council, etc.).³⁶⁸ The guidelines apply to all traders doing business in Denmark (Section 2 of the guidelines).

The guidelines place emphasis on the ban for children and young people (section 2). Besides, according to the guidelines, the marketing of alcoholic beverages containing 0.5% or less by volume of alcohol must not be confused with alcoholic beverages containing more than 0.5% alcohol by volume. Additionally, marketing of alcohol may only employ persons, including models, actors and the like, who are at least 25 years old (section 6).

5.8.3. Gambling products

ACC rules are specific to gambling products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.

General rules are included in the Gambling Act, among which:

- Marketing of games must accurately present the chances of winning and should not exaggerate them.
- Games should be advertised as a form of entertainment and must not be aimed at children or young people under 18, neither by how the message is designed nor where it is shown.
- Advertisements cannot falsely suggest that celebrities owe their success to gambling, and they must not imply that gambling can solve financial problems or increase a person's social acceptance.
- Additionally, the Minister of Taxation has the authority to set further rules on how gambling can be marketed.

The Gambling Advertising Board sets up a code of conduct for socially responsible marketing of gambling.

³⁶⁸ [Alcohol Advertising Board's Guidelines](#).

5.8.4. Financial products

There are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

For instance, the marketing of financial products is subject to compliance with the Marketing practices Act, the Credit Agreements Act and other specific legislations.

The Danish Financial Supervisory Authority published guidelines that apply to financial undertakings when marketing financial products.³⁶⁹ All marketing of financial products must be clear, not misleading and contain the necessary information requirements (interest rates, fees and risks).

5.8.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services and VSPs. ACCs for prescription-only medicines is prohibited.

ACCs for OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). Rules applicable to the advertising of OTC medicines are contained in the Medicines Act (Chapter 7).

The Patient Safety Authority adopted the Order on Marketing of Healthcare Services³⁷⁰ and a Guidance on Healthcare Marketing.³⁷¹ For instance, the ad must be adequate and objective, must not mislead or exaggerate the properties of the product.

Regarding herbal medicinal products, ACCs are allowed and must follow the rules established by the Medicines Act and by the Patient Safety Authority.

5.8.6. Alternative and other medicinal products

The Danish legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs and influencers) regarding ACCs for products offering alternative

³⁶⁹ [Guidelines on good practice for financial undertakings.](#)

³⁷⁰ [Order on marketing of healthcare services.](#)

³⁷¹ [Guidance on healthcare marketing.](#)



options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.8.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Order on Advertising and Sponsorship of Programmes in radio, television and on-demand audiovisual media services and on the conclusion of partnerships forbids the advertisement on television for employers' organisations, trade unions, religious movements, political parties, and political candidates. It also forbids political ad.

5.9. EE - Estonia³⁷²

5.9.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beer with more than 0.5% ABV and any other drink with an ethanol content of more than 1.2% ABV	Alcohol Act (Art. 2(3)) ³⁷³
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers ³⁷⁴	Advertising Act (Art. 8(3) and 28(3)) ³⁷⁵
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Yes, prohibition during time frame (7am-10pm) and need for a warning message for broadcasters, VOD services, VSPs, and social media networks (except for the handler's account).	Advertising Act (Art. 28(5 and 7))
Self-/Co-regulatory body	No ³⁷⁶	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Game where the precondition for participating in a game that the player makes a bet, the player may win a price as a result of the game, the outcome of the game is partly or fully determined by an activity based on chance or depends on the occurrence of a previously unknown event.	Gambling Act (Art. 2) ³⁷⁷
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACCs for games of chance and <i>totos</i> are forbidden on TV, VOD services, VSPs, and influencers.	Advertising Act (Art. 29 ²)

³⁷² The national summary on Estonia incorporates the feedback received from Peeter Sookruus, Adviser, Information Society Division, at *Tarbijajakaitse ja Tehnilise Järelevalve Amet* (Consumer Protection and Technical Regulatory Authority – CPTRA).

³⁷³ [Alcohol act.](#)

³⁷⁴ Influencers are not directly mentioned in Article 4(1) of the Media Services Act defining AVMS but the CPTRA monitors their compliance with the act. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

³⁷⁵ [Advertising Act.](#)

³⁷⁶ The various guidance documents do not refer to the ICC Code and no SRO was identified in Estonia. The Estonian Marketing Association (*Turundajate Liit*, TULI) has co-written a guidance document for social media marketing professionals but does not have general codes for ACCs.

³⁷⁷ [Gambling act.](#)



GAMBLING PRODUCTS	Yes / No / Details	Source
	ACCs for lotteries are forbidden before/during children's programmes.	
Self-/Co-regulatory body	No	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	Services provided to customers by the subjects of financial supervision specified in the Financial Supervision Authority Act or the financial services provided by other persons within the meaning of the Credit Institutions Act.	Advertising Act (Art. 29)
ACC rules for broadcasters, VOD services, VSPs, and influencers	Bans on advertisements in which an amount of money is offered to consumers under a credit contract or the arrangement of such contracts is offered.	Advertising Act (Art. 29)
Self-/Co-regulatory body	No	

OTC MEDICINES	Yes / No / Details	Source
Definition	'Medicinal product' means a substance or combination of substances intended for the prevention, diagnosis or treatment of a disease or disease symptom, for the relief of a disease condition, or for the restoration or alteration of vital functions in a human through pharmacological, immunological or metabolic effect.	Medicinal Products Act ³⁷⁸
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes	Advertising Act (Art. 84(1))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	ACCs on television must contain information and content requirement (e.g., sign during the ad showing it is an ad for a medicinal product, a warning message, etc.). ACCs on television are prohibited before and during children's programmes. Other ACC rules are specific to the type of medicines and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Advertising Act (Art. 84(5))
Self-/Co-regulatory body	No	

³⁷⁸ [Medicinal Products Act.](#)



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition Narcotic drugs and psychotropic substances are defined (products listed or products belonging to isomers, esters, ethers, and salts of these substances)	Act on Narcotic Drugs and Psychotropic Substances and Precursors ³⁷⁹
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific ACC rules for alternative products except a general ban on the ad of narcotic drugs and psychotropic substances. Rules relating to ACCs for OTC medicines apply where relevant.	Advertising Act (Art. 18) Medicines Act (where relevant)
Self-/Co-regulatory body	No	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Advertising Act (Art. 17)
Other products	Bans on trustees in bankruptcy, on notaries and enforcement agents, on weapons and ammunitions, on explosive substances and pyrotechnic articles, on health services including artificial insemination, on infant formula, on works which contain pornography or promote violence or cruelty, on services offered for satisfaction of sexual desire.	Advertising Act (Artt. 14, 15, 19, 20, 22, 23, 24, 25).

5.9.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

³⁷⁹ [Act on Narcotic Drugs and Psychotropic Substances and Precursors.](#)

All alcoholic beverages are subject to the same advertising regulations, under the Advertising act. The rules apply to the ads themselves. Few of the rules are media-specific:

- At the end of television advertising of alcohol, the following text should be displayed as a horizontal text across the screen within a reasonable time and it shall be read out at the same time using the normal speed of speaking: *“Attention! This is an alcoholic beverage. Alcohol may cause damage to your health”* (Art. 28(5) Advertising Act).³⁸⁰ It applies to broadcasters, VOD services, VSPs and influencers.
- Advertising of alcohol is prohibited in television and radio programmes from 7am to 10pm and on social media networks except for the website and social media account of the handler (Art. 28(7) Advertising Act).

There are no co- and/or self-regulations in this field. The Consumer protection and technical regulatory authority provides for additional guidelines on the interpretation of the Advertising Act in this area.

5.9.3. Gambling products

The advertising of games of chance and *totos* (games where the outcome depends on the occurrence, non-occurrence, or manner of occurrence of an event predicted by the player)³⁸¹ is forbidden (Art. 29²(5-6) Advertising Act). Advertising of lotteries is prohibited on websites directed at children, before and during television (incl. VOD services and VSPs) and radio programmes which are mostly directed at children (Art. 29²(8) Advertising Act).

There are no co- and/or self-regulations in this field. The Consumer protection and technical regulatory authority provides for additional guidelines on the interpretation of the Advertising Act in this area.

5.9.4. Financial products

One of the Advertising Act provisions directly concerns advertising of financial products by broadcasters, VOD services, VSPs or influencers (Art. 29(9)):

- Advertisements in which an amount of money is offered to consumers under a credit contract or the arrangement of such contracts is offered are prohibited in television and radio programmes (incl. VOD services, VSPs and influencers).

Other advertising rules apply directly to the producer of the advertised financial products (content and information requirements).

³⁸⁰ In Estonian: *“Tähelepanu! Tegemist on alkoholiga. Alkohol võib kahjustada teie tervist.”*

³⁸¹ The definition of *totos* is available on the Tax and customs board [website](#).

There are no co- and/or self-regulations in this field. There are guidelines for fulfilling requirements for financial service advertising elaborated by the Financial Inspection and former Consumer Protection Board in 2017. These guidelines are available on the website³⁸² of the Association of Estonian Broadcasters as also other guidelines as regard gambling advertising or alcohol advertising, elaborated by the Consumer Protection and Technical Regulatory Authority.

5.9.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, VSPs and influencers. ACCs for prescription-only medicines products is prohibited.

The advertising of OTC medicines is allowed provided it respects certain rules, that are sometimes different based on the types of medicines. Few of the rules are media-specific (Artt. 83-84 Medicines Act):

- ACCs for OTC medicines must contain information and content requirement (e.g., sign during the ad showing it is an ad for a medicinal product, a warning message, etc.) (broadcasters, VOD services, VSPs, influencers),
- ACCs for OTC medicines are prohibited before and during children's programmes (broadcasters, VOD services, VSPs, influencers).

5.9.6. Alternative and other medicinal products

The Estonian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relate to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Rules relating to ACCs for OTC medicines apply where relevant. There is a general ban on the advertising of narcotic drugs and psychotropic substances.

³⁸² [Association of Estonian Broadcasters website - Guidelines.](#)

5.9.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Advertising Act bans other products (general bans applicable to all kind of medium):

- Advertising of trustees in bankruptcy (Advertising Act, Art. 14),
- Advertising of notaries and enforcement agents (Advertising Act, Art. 15),
- Advertising of weapons and ammunitions Advertising Act, Art. 19),
- Advertising of explosive substances and pyrotechnic articles (Advertising Act, Art. 20),
- Advertising of health services including artificial insemination (Advertising Act, Art. 22),
- Advertising of infant formula (Advertising Act, Art. 23),
- Advertising of works which contain pornography or promote violence or cruelty (Advertising Act, Art. 24),
- Advertising of services offered for satisfaction of sexual desire (Advertising Act, Art. 25).



5.10. ES – Spain³⁸³

5.10.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No general definition of alcoholic beverages in Spain.	
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs, influencers (the Law on general audiovisual communication introduced a definition of “users of special relevance” which corresponds to influencers matching certain criteria) ³⁸⁴	Law 13/2022 of 7 July on General Audiovisual Communication (Artt. 91(1-3), 94, 121-134, 123(3)) ³⁸⁵
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Yes, advertising scheduling rules (it applies to broadcasters, VOD services, VSPs and users of special relevance). ³⁸⁶ (>20% ABVV: prohibited, except during 1am-5am) (<20% ABV: prohibited, except during 20:30-5:00 outside such hours when such audiovisual commercial communications form an indivisible part of the acquisition of rights and the production of the signal to be broadcast)	Law on Advertising (Art. 5.5) ³⁸⁷ Law 13/2022 of 7 July on General Audiovisual Communication (Art. 123(4-5), Art. 91, Art.94.)
Self-/Co-regulatory body	Yes, Autocontrol has several codes of conduct applicable to all media service providers (incl. broadcasters, VOD services, VSPs, influencers)	SRO's website ³⁸⁸

³⁸³ The national summary on Spain incorporates the feedback received from Pedro Domingo Martín Contreras, Head of Area in the Audiovisual Unit at the *Comisión Nacional de los Mercados y la Competencia* (CNMC).

³⁸⁴ See country summary in [“National rules applicable to influencers, EAO, Strasbourg, 2024”](#).

³⁸⁵ [Law 13/2022 of 7 July on General Audiovisual Communication](#).

³⁸⁶ There is no definition of the concept of “influencer” in Spanish legislation, but Article 94 of Law No. 13/2022, of 7 July 2022, the LGCA, developed by Royal Decree No. 444/2024 of 30 April 2024 introduced a definition of “users of special relevance” (USR) which corresponds to influencers matching certain criteria.

For more information, refer to [National rules applicable to influencers, European Audiovisual Observatory, Strasbourg, 2024](#).

³⁸⁷ [Law 34/1988 on Advertising](#).

³⁸⁸ [Autocontrol's website](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Any activity in which “amounts of money or economically valuable objects are risked in any way on future and uncertain results, dependent to some extent on chance, and which allow their transfer between participants, regardless of whether the degree of skill of the players predominates or whether they are exclusively or fundamentally based on luck or chance.”	Law 13/2011 on the Regulation of Gambling (Art. 3a) ³⁸⁹
ACC rules	<p>Yes, obligation to verify gambling ad authorisations (Broadcasters, VOD services, VSPs, and users of special relevance).</p> <p>Broadcasters: advertising scheduling rule (ACCs allowed between 1am and 5am, subject to compliance with the principles of child protection, social responsibility, and responsible or safe gaming. Prohibited when broadcast alongside programmes aimed at a potential child audience).</p> <p>VOD services: same rules as for broadcasters.</p> <p>VSPs: gambling ACCs by VSPs on third-party games must be shown only on mainly gambling channels, with a minor’s access controlled, and promote responsible gambling.</p> <p>Users of special relevance: same as broadcasters.</p>	<p>Law 13/2011 on the Regulation of Gambling (Art. 7.3)</p> <p>Law 13/2022 of 7 July on General Audiovisual Communication (Art. 123.7)</p> <p>Law 13/2022 of 7 July on General Audiovisual Communication (Art. 91(2)(c))</p> <p>Law 13/2022 of 7 July on General Audiovisual Communication (Art. 94)</p>
Self-/Co-regulatory body	Yes, Autocontrol has several codes of conduct.	SRO’s website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition of “financial product” but reference to several financial instruments.	Law 6/2023 on Stock Markets and Investment Services ³⁹⁰
ACC rules for broadcasters, VOD services, VSPs, and influencers	Yes, obligation to verify financial products ad authorisations (Broadcasters, VOD services, VSPs, and influencers).	Law 6/2023 on Stock Markets and Investment Services (Art. 246.3)

³⁸⁹ [Law 13/2011 on the Regulation of Gambling.](#)

³⁹⁰ [Law 6/2023 on Stock Markets and Investment Services.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
Self-/Co-regulatory body	<p>The National security and exchange commissions published guidebooks on how to interpret financial advertising.</p> <p>The national central bank published a regulation establishing rules regarding the advertisement of banking products and services.</p> <p>Autocontrol has a general code of conduct for ACCs but nothing specific to financial products.</p>	<p>National Security and Exchange Commissions³⁹¹</p> <p>National Central Bank³⁹²</p>

OTC MEDICINES	Yes / No / Details	Source
Definition	<p>General definition of medicine. It is the need for a prior authorisation by the Spanish agency for medicines and health products which will determine whether a medicinal product is subject to medical prescription.</p>	<p>Law on Guarantees and Rational Use of Medicines and Health Products (Artt. 2a and 19)³⁹³</p>
ACC rules (AVMSD Artt. 9(1)(f), 28b)	<p>Yes, for broadcasters, VOD services, VSPs, users of special relevance (the Law on general audiovisual communication introduced a definition of “users of special relevance” which corresponds to influencers matching certain criteria).</p>	<p>Law 13/2022 of 7 July on General Audiovisual Communication (Artt. 91(1-3), 123.2)</p>
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	<p>There are no specific rules for broadcasters, VOD services, VSPs, or users of special relevance regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).</p>	<p>Law on Guarantees and Rational Use of Medicines and Health Products (Art. 80)</p>
Self-/Co-regulatory body	<p>Yes, together with the association for health (<i>Autocuidado de la salud</i>), Autocontrol adopted a code of practice regarding the marketing of ACCs for OTC medicines. It applies to undertakings marketing these products, though any stakeholder is free to voluntarily adhere.</p>	<p>SRO website</p>

³⁹¹ National Security and Exchange Commissions, “[How to interpret financial advertising](#)”.

³⁹² National Central Bank, [Regulation establishing rules regarding the advertisement of banking products and services](#).

³⁹³ [Law on Guarantees and Rational Use of Medicines and Health Products](#).



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	
ACC rules for broadcasters, VOD services, VSPs, and influencers	Some of these products may fall under the OTC medicines (no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	N/A	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Law 13/2022 of 7 July on General Audiovisual Communication (Art. 123.1)
Other products	Ban on herb-based products for smoking.	Law 13/2022 of 7 July on General Audiovisual Communication (Art. 123.1)

5.10.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Art. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and users of special relevance.

Advertising scheduling rules apply depending on the ABV of the beverage but when applicable, it applies to all type of media, except to VSPs (incl. broadcasters, VOD services, and users of special relevance). Broadcast advertising for beverages with a strength above 20% ABV is not permitted, except during the hours of 1:00 am to 5:00 am. Broadcast advertising for beverages with a strength below 20% ABV is not permitted, except during the hours of 20:30 to 5:00 am and outside such hours when such audiovisual commercial communications form an indivisible part of the acquisition of rights and the production of the signal to be broadcast.

Alcohol marketing is regulated by the self-regulatory organisation 'Autocontrol', with various codes of conduct dealing for instance with spirits and wines.³⁹⁴ Autocontrol's

³⁹⁴ [Code of conduct for spirits](#), [Code of conduct for wines](#).



codes generally apply to all types of media. Autocontrol established a code for influencers too.³⁹⁵

5.10.3. Gambling products

The advertising of gambling products is accepted provided the advertiser has the appropriate authorisation from the gambling regulatory authority. The audiovisual service providers (broadcasters, VOD services, VSPs and Users of special relevance) must verify the authorisation before running the ads.

Besides, broadcasters may only broadcast ACCs for gambling products between 1am and 5am (subject to compliance with the principles of child protection, social responsibility, and responsible or safe gaming). ACCs for gambling products are prohibited when broadcast alongside programmes aimed at a potential child audience.

VOD services follow the exact same rules except for the advertising scheduling rule.

VSP providers can allow ads for gambling products they do not organise or sell, but only if these ads appear on channels mainly dedicated to gambling content. These channels must have measures in place to prevent minors from accessing the platform and regularly share messages promoting safe or responsible gambling. In such cases, these ads do not need to follow the broadcaster's advertising scheduling rule.

Users of special relevance must respect the same rules of the Law on general audiovisual communication as broadcasters do (advertising scheduling rule, subject to compliance with the principles of child protection, social responsibility, and responsible or safe gaming, and general prohibition when broadcast alongside programmes aimed at a potential child audience).

Autocontrol produced a Code of conduct on commercial communications of gambling activities and a code for influencers too.³⁹⁶

5.10.4. Financial products

The advertising of financial products is accepted provided the advertiser has the appropriate authorisation from the national security and exchange commissions. The audiovisual service providers (broadcasters, VOD services, VSPs and influencers) must verify the authorisation before running the ads.

³⁹⁵ [Code of conduct for ACCs through influencers.](#)

³⁹⁶ [Code of conduct on commercial communications of gambling activities,](#) [Code of conduct for ACCs through influencers.](#)

The advertising rules apply directly to the producer of the advertised financial products as per Articles 246-247 of the Law 6/2023 on stock markets and investment services.

Autocontrol has a general code of conduct regarding ACCs but nothing specific to financial services.³⁹⁷

The National security and exchange commissions published guidebooks on how to interpret financial advertising. The National central bank published a regulation establishing rules regarding the advertisement of banking products and services.

5.10.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines products is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.) as provided by the Decree 1907/1996 of 2 August 1996 on advertising and commercial promotion of products,³⁹⁸ activities or services with an alleged health-related purpose. At present, there are no rules specifically concerning advertising of OTC products, whether by broadcasters, VOD services, VSPs, or users of special relevance. The advertising rules apply directly to the producer of the advertised OTC products.

Together with the association for health (*Autocuidado de la salud*), Autocontrol adopted a code of practice regarding the marketing of ACCs for OTC medicines.³⁹⁹ It applies to undertakings marketing these products, though any stakeholder is free to voluntarily adhere.

5.10.6. Alternative and other medicinal products

The Spanish legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions

³⁹⁷ Autocontrol, [General code of conduct](#).

³⁹⁸ [Royal Decree 1907/1996 on advertising and commercial promotion of products, activities or services with alleged health purposes](#).

³⁹⁹ [Code of ethical standards for the marketing, promotion and advertising of self-care medicines \(medicines not subject to prescription and not financed by the national health system\)](#).



for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Some of these products may fall under the section studied above (OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

The Royal Decree 1996 on advertising and commercial promotion of products, activities or services with alleged health purposes bans ACCs for some health-related products/services (Art. 4):

“(...) any type of direct or indirect, mass or individualized advertising or promotion of products, materials, substances, energies, or methods with purported health-related purposes is prohibited in the following cases:

- 1. Those intended for the prevention, treatment, or cure of communicable diseases, cancer and other tumors, insomnia, diabetes, and other metabolic diseases.*
- 2. Those that suggest specific weight-loss or anti-obesity properties.*
- 3. Those that claim therapeutic use for one or more diseases, without complying with the requirements and demands set forth in the Drug Law and its implementing provisions.*
- 4. Those that provide assurances of relief or a certain cure.*
- 5. Those that use any type of authorization, approval, or control from health authorities of any country as support.*
- 6. Those that refer to their use in health centres or distribution through pharmacies.*
- 7. Purporting to provide testimonials from healthcare professionals, famous or well-known individuals, or real or assumed patients, as a means of inducing consumption.*
- 8. Purporting to replace the normal diet or nutrition regimen, especially in cases of maternity, breastfeeding, childhood, or old age.*
- 9. Attributing specific and specific preventive, therapeutic, or curative properties to certain forms, presentations, or brands of food products for ordinary consumption.*
- 10. Attributing preventive, curative, or other properties to food products intended for dietary or special regimes other than those recognized for such products in accordance with their special regulations.*
- 11. Attributing properties to cosmetic products other than those recognized for such products in accordance with their special regulations.*
- 12. Suggesting or indicating that their use or consumption enhances physical, mental, athletic, or sexual performance.*
- 13. Those who use the term ‘natural’ as a characteristic linked to purported preventive or therapeutic effects.*
- 14. Those who attribute a superfluous nature to or attempt to replace the usefulness of legally recognized medicines or healthcare products.*
- 15. Those who attribute a superfluous nature to or attempt to replace the consultation or intervention of healthcare professionals.*
- 16. And, in general, those who attribute specific preventive or therapeutic effects that are not supported by sufficient accredited technical or scientific evidence expressly recognized by the State Health Administration.”*

5.10.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes and adds herb-based products for smoking.



5.11.FI – Finland⁴⁰⁰

5.11.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages with more than 1.2% ABV (and under 80%).	Alcohol Law (Art. 3) ⁴⁰¹
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers. ⁴⁰²	Alcohol Law (Art. 50)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Broadcasters: advertising scheduling rules (ban between 7 a.m. – 10 p.m.).	Alcohol Law (Art. 50)
Self-/Co-regulatory body	The Council of Ethics in Advertising (<i>Mainonnan eettinen neuvosto</i> , MEN), monitors general compliance with ethical guidelines for all advertising and thus indirectly also legal advertising of alcoholic beverages.	SRO's website ⁴⁰³

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	An activity in which participants may win a prize of monetary value based in full or in part on chance and in which there is a charge for participation.	Lottery Act (Art. 2) ⁴⁰⁴
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACCs for gambling must not be directed at minors or in media services that are directed at minors or that specifically appeal to minors and young people (broadcasters, VOD services, VSPs).	Lottery Act (Art. 14b) National Police Board's guidelines on the marketing of gambling services ⁴⁰⁵

⁴⁰⁰ The national summary on Finland incorporates the feedback regarding legal references received from Sanni Jokinen, Legal Counsel at the Finnish Transport and Communication Agency, Traficom.

⁴⁰¹ [Alcohol Law](#).

⁴⁰² Influencers may be considered as audiovisual media service (AVMS) providers, as per the definition laid out in Article 3, paragraph 2 of the Electronic Communications Services Act (917/2014). See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴⁰³ [Mainonnan eettinen neuvosto](#).

⁴⁰⁴ [Lottery Act](#).

⁴⁰⁵ [National Police Board's guidelines on the marketing of gambling services](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	Influencers may promote ACCs only on the official national lottery channel, not on their own channel.	
Self-/Co-regulatory body	The Council of Ethics in Advertising (MEN) monitors general compliance with ethical guidelines for all advertising and thus indirectly also legal gambling advertising.	SRO's website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition but specific ones applicable to each type of banking or insurance products and services.	
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	The national regulatory authority for finances provides information on marketing.	National Regulatory Authority for Finances website ⁴⁰⁶

OTC MEDICINES	Yes / No / Details	Source
Definition	No definition of OTC medicine.	
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs)	Medicines Act ⁴⁰⁷ (Art. 91a) Medicines Decree ⁴⁰⁸ (Art. 25 c)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Medicines Decree (Art. 25b)
Self-/Co-regulatory body	The national pharmaceutical marketing supervisory board for finances provides information on marketing.	National Pharmaceutical Marketing Supervisory Board website ⁴⁰⁹

⁴⁰⁶ [Finnish financial supervisory authority.](#)

⁴⁰⁷ [Medicines Act.](#)

⁴⁰⁸ [Medicines Decree.](#)

⁴⁰⁹ [National pharmaceutical marketing supervisory board.](#)



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition except specific (e.g. homeopathic, herbal products).	Medicines Act
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific rules	
Self-/Co-regulatory body	N/A	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Electronic Communications Services Act (Art. 217) ⁴¹⁰ and Tobacco Act (Art. 68) ⁴¹¹
Other products	No.	

5.11.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22 and 28b, AVMSD) applying to broadcasters, VOD services, VSPs and influencers.

The marketing of strong alcoholic beverages is prohibited (more than 80% ABV).

Broadcasters must respect advertising scheduling rules when showing ACCs for alcoholic beverages. Broadcast advertising for alcoholic beverages is not allowed between 7 a.m. and 10 p.m., or in connection with the public presentation of a visual programme in a cinema, the age limit of which is under 18 years.

Other rules apply, but they relate to the content of the advertisement itself and are not imposed on the provider broadcasting it.

The marketing of alcoholic beverages is primarily supervised by the Regional State Administrative Agencies. They supervise the marketing of alcoholic beverages in their respective regions. The National Supervisory Authority for Welfare and Health (*Valvira*) supervises the marketing of alcoholic beverages that takes place in the region of more than

⁴¹⁰ [Electronic Communications Services Act.](#)

⁴¹¹ [Tobacco Act.](#)



one Regional State Administrative Agency or that is implemented nationally.⁴¹² The Council of Ethics in Advertising (*Mainonnan eettinen neuvosto*, MEN), monitors general compliance with ethical guidelines for all advertising⁴¹³ and thus, indirectly, also advertising legal alcoholic beverages.

For influencers, *Valvira* produced guidelines highlighting that the restrictions on social media marketing laid down in the Alcohol Act apply to the commercial operator of alcohol advertising.⁴¹⁴

5.11.3. Gambling products

The advertising of gambling products is allowed provided it respects content and information requirements.

One rule is media-oriented: ACCs for gambling must not be directed at minors or in media services that are directed at minors or that specifically appeal to minors and young people (broadcasters, VOD services and VSPs).

Other rules apply, but that relate to the content of the advertisement itself and are not imposed on the provider broadcasting it.

The National Police Board monitors the legality of the marketing of the national lottery operator (*Veikkaus Oy*) (Art 14 b Lottery Act). The Council of Ethics in Advertising (MEN) monitors general compliance with the ethical guidelines for all advertising and thus, indirectly, also legal gambling advertising.

Influencers may promote ACCs only on the official national lottery channel, not on their own.⁴¹⁵

5.11.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

The Finnish Financial Supervisory Authority (FIN-FSA) provides information on marketing.

⁴¹² [The National Supervisory Authority for Welfare and Health \(Valvira\) website on alcohol marketing.](#)

⁴¹³ [The Council of Ethics in advertising..](#)

⁴¹⁴ [Valvira's Guidelines on marketing alcoholic beverages on social media.](#)

⁴¹⁵ [National Police Board's guidelines on the marketing of gambling services.](#)



5.11.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicinal products is prohibited. Besides, the marketing of OTC or prescription medicinal products prepared in a pharmacy for an individual patient is prohibited.

If a medicine is marketed, it is subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

The Finnish Pharmaceutical marketing supervisory board supervises and guides pharmaceutical marketing and drafts guidelines.⁴¹⁶

5.11.6. Alternative and other medicinal products

The Finnish legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs and influencers) regarding ACCs for products offering alternative options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.11.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

No other categories of products have been identified as subject to an advertising ban.

⁴¹⁶ [Finnish Pharmaceutical marketing supervisory board](#).



5.12. FR - France⁴¹⁷

5.12.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Drink with more than 1,2% ABV	Code of Public Health (Art. L. 3321-1) ⁴¹⁸
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	<p>General ban of ACCs for alcoholic beverages for broadcasters and VOD services.</p> <p>Allowed on online communications but with the exclusion of those which, by their character, presentation or purpose, appear to be primarily intended for young people, as well as those published by associations, societies and sports federations or professional leagues within the meaning of the sports code, provided that the propaganda or advertising is neither intrusive nor interstitial.</p>	Code of Public Health (Art. L. 3323-2)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers⁴¹⁹ (beyond AVMSD Artt. 9(1)(e) and 22)	<p>General ban of ACCs for alcoholic beverages, applicable to broadcasters and VOD services.</p> <p>The advertising of alcoholic beverages is allowed on online communication services (VSPs, influencers) provided the manufacture and sale of the beverages are not prohibited.</p>	<p>Decree No. 92-280 of March 27, 1992 issued for the application of Articles 27 and 33 of Law No. 86-1067 of September 30, 1986 and establishing the general principles defining the obligations of service providers in matters of advertising, sponsorship and teleshopping (Article 8)..⁴²⁰</p> <p>Decree No. 2021-793 of June 22, 2021 relating to on-demand</p>

⁴¹⁷ The national summary on France incorporates the feedback received from Alexandra Mielle, Head of Audience Protection Department at the *Autorité de régulation de la communication audiovisuelle et numérique*, Arcom.

⁴¹⁸ [Code of Public Health](#) (in French only).

⁴¹⁹ In France, influencers may be considered as on-demand audiovisual media services (AVMS) within the meaning of paragraph 6 of Article 2 of the Law of 30 September 1986 on freedom of communication. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴²⁰ [Decree No. 92-280 of March 27, 1992 issued for the application of Articles 27 and 33 of Law No. 86-1067 of September 30, 1986 and establishing the general principles defining the obligations of service providers in matters of advertising, sponsorship and teleshopping](#) (in French only).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
		audiovisual media services (Article 30) ⁴²¹ Code of Public Health (Art. L.3323-2)
Self-/Co-regulatory body	Yes, the <i>Autorité de régulation professionnelle de la publicité</i> (Professional advertising regulatory authority – ARPP) whose codes and rules apply to its members.	SRO website ⁴²²

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Any operations offered to the public, under any name whatsoever, to create the hope of a gain which would be due, even partially, to chance and for which a financial sacrifice is required from the participants are deemed to be games of chance and prohibited as such.	Code of Internal Security (art. L320-1) ⁴²³
ACC rules for broadcasters, VOD services, VSPs, and influencers	Advertising of gambling products is allowed in France (unless provided otherwise) and there is a general ban for minors. Rules applicable to broadcasters, VOD services, and VSPs. For influencers, gambling ACCs are allowed provided there is an excluding mechanism banning minors under 18 years old. ARCOM issues regulations on gambling ACC.	Code of Internal Security (Art. L320-12) Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks (Art. 4) Deliberation No. 2022-73 of October 19, 2022, on the conditions for broadcasting, by television, radio, and on-demand audiovisual media services, commercial communications in favour of a legally authorized gambling operator ⁴²⁴
Self-/Co-regulatory body	Yes, the ARPP whose codes and rules apply to its members.	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	

⁴²¹ [Decree No. 2021-793 of June 22, 2021 relating to on-demand audiovisual media services](#) (in French only).

⁴²² [ARPP – Autorité de régulation professionnelle de la publicité.](#)

⁴²³ [Code of Internal Security](#) (in French only).

⁴²⁴ [Deliberation No. 2022-73 of October 19, 2022, on the conditions for broadcasting, by television, radio, and on-demand audiovisual media services, commercial communications in favour of a legally authorized gambling operator.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs) involved. There are no specific rules applicable to broadcasters, VOD services and VSPs regarding the advertising of financial products.</p> <p>Influencers are generally banned from advertising some financial products (financial contracts, provision of service digital assets, etc.).</p>	<p>Consumption Code (Artt. L222-16-1,⁴²⁵ L312-5, L312-6⁴²⁶)</p> <p>Monetary and Financial Code (L533-12-7)⁴²⁷</p> <p>Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks (Art. 4)</p>
Self-/Co-regulatory body	The ARPP has specific sectorial codes (e.g., crypto, Forex and stock exchange), applicable to its members, but nothing specific to banking products.	SRO website

OTC MEDICINES	Yes / No / Details	Source
Definition	No definition, one must buy it without prescription.	
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services)	<p>Code of Public Health (Art. L5122-6)</p> <p>Decree No. 92-280 of March 27, 1992 issued for the application of Articles 27 and 33 of Law No. 86-1067 of September 30, 1986 and establishing the general principles defining the obligations of service providers in matters of advertising, sponsorship and teleshopping (Article 19)</p> <p>Decree No. 2021-793 of June 22, 2021 relating to on-demand audiovisual media services (Article 34)</p>
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves.	Code of Public Health (Artt. L5122-6 to L5122-7)
Self-/Co-regulatory body	The ARPP does not produce guidance on OTC medicinal products.	

⁴²⁵ [Consumption Code \(Art. L222-16-1\)](#).

⁴²⁶ [Consumption Code \(Art. L312-6\)](#).

⁴²⁷ [Monetary and Financial Code](#).



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No definition	
ACC rules for broadcasters, VOD services, VSPs, and influencers	No rules	
Self-/Co-regulatory body	N/A	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Code of Public Health (Art. L3513-4)
Other products	Literary publishing (television advertising) ⁴²⁸ Firearms and ammunitions (written, spoken or visual medium)	Decree No. 92-280 of March 27, 1992 issued for the application of Articles 27 and 33 of Law No. 86-1067 of September 30, 1986 and establishing the general principles defining the obligations of service providers in matters of advertising, sponsorship and teleshopping (Art. 8) Law No. 85-706 of 12 July 1985 on the advertising of firearms and ammunition (Art. 3) ⁴²⁹

5.12.2. Alcoholic beverages

National legislation goes beyond the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD):

- General ban of ACCs for alcoholic beverages for broadcasters and VOD services,

⁴²⁸ A transitional regime ([Decree of 5 April 2024 No. 2024-313](#)) allows TV service publishers to broadcast ads for the literary publishing sector for 24 months, after which the government will review its impact and decide on an extension.

⁴²⁹ [Law No. 85-706 of 12 July 1985 on the advertising of firearms and ammunition](#).



- Allowed on online communications but with the exclusion of those which, by their character, presentation or purpose, appear to be primarily intended for young people, as well as those published by associations, societies and sports federations or professional leagues within the meaning of the sports code, provided that the propaganda or advertising is neither intrusive nor interstitial.

The commercial influence law does not mention the advertising of alcoholic beverages but stipulates that any kind of ads by influencers must respect the European rules related to the broadcasting via public communication services as well as the French rules on online communication services.⁴³⁰

The Professional Advertising Regulatory Authority (ARPP) issues codes that are applicable to its members, notably the Recommendation dedicated to alcohol.⁴³¹

The French national regulatory authority (then the *Conseil supérieur de l'audiovisuel* – CSA, now Arcom) issued a code of good conduct in 1995 for French television channels regarding broadcasting of sporting events containing advertising billboards for alcoholic beverages.⁴³² At the time, the regulator had observed a growing trend of installing billboards around sports fields advertising alcoholic beverages sold exclusively or primarily in France. The producers of these alcoholic drinks were, according to the CSA, “clearly attempting to promote their beverages to the French public by taking advantage of the broadcast in France of events held in other countries.”

5.12.3. Gambling products

Commercial communications for gambling products are allowed in France but there is a general ban for minors (e.g., for television, the ban also applies thirty minutes before and after minors’ programmes). Arcom issues regulations for specifying the conditions for their broadcast.⁴³³ Besides, television and radio broadcasters in one hand and gambling operators in the other hand adopted charters dealing with ACCs for gambling products, under the auspices of Arcom and the National Gaming Authority (*Autorité nationale des jeux* – ANJ).⁴³⁴

The commercial communication must be accompanied by a warning message providing for the telephone number for addiction. These rules apply to broadcasters, VOD services, and VSPs.

⁴³⁰ Article 3, [Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks](#).

⁴³¹ ARPP's [Recommendation dedicated to alcohol](#).

⁴³² ARCOM's [Code of good conduct regarding broadcasting of sporting events containing advertising panels for alcoholic beverages](#).

⁴³³ [Deliberation No. 2022-73 of October 19, 2022, on the conditions for broadcasting, by television, radio, and on-demand audiovisual media services, commercial communications in favour of a legally authorized gambling operator](#).

⁴³⁴ [ARCOM, Charter related to gambling games](#).

It is prohibited if it encourages excessive gambling or make it seem trivial or glamorous, or if it suggests gambling leads to social success. It is also prohibited if it makes misleading claims about chances of winning, or suggests gambling can solve personal or professional problems, as well as if it presents gambling to earn a living or replace employment.

According to the commercial influence law, influencers are authorised only provided there is an exclusion mechanism banning minors under 18 years old.

The ARPP issues codes that are applicable to its members, notably the Recommendation dedicated to gambling products.⁴³⁵

On 9 February 2022, Arcom was alerted by the ANJ about unlabelled gambling product placements in episodes 3 and 7 of the series *Validé*, broadcast on Canal+ in October 2021. Arcom requested the channel comply with advertising rules and include clear warning messages in all gambling promotions. It also reminded all broadcasters of the proper conditions for gambling-related product placement.⁴³⁶

5.12.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers, though general prohibitions with regard exist to direct or indirect advertising distributed electronically, with regard for instance to risky financial contracts (Consumption Code, Art. L222-16-1).

The advertising rules apply directly to the producer of the advertised financial products.

Influencers are generally banned from advertising some financial products (financial contracts, provision of service digital assets, etc.) (Law No. 2023-451 of 9 June 2023 aimed at regulating commercial influence and combating abuses by influencers on social networks (Art. 4)).

In general, all ads must contain the mention “*Credit is a commitment and must be repaid. Check your ability to repay before committing yourself*”, and for credits under EUR 75 000, the ads must contain obligatory mentions (e.g. annual rate, credit amount, contract duration if possible, etc.) (Consumption Code, Artt. L312-5, L312-6). The language of Article L312-5 will be replaced from 20 November 2026 onwards by the following: “Any advertising relating to one of the transactions mentioned in Article L. 312-5, regardless of the medium, shall be clear, fair, and not misleading. It shall contain, regardless of the

⁴³⁵ ARPP, [Gambling recommendation](#).

⁴³⁶ [Placement de produit dans la série "Validé" : intervention auprès de Canal+, 3 May 2022, Arcom](#).

medium used, the following statement: "Warning! Credit costs money and must be repaid."⁴³⁷

Advertising of financial products such as the provision of investment services relating to financial contracts that are not admitted to trading on a regulated market or a multilateral trading facility is prohibited when addressed electronically to clients, (Art. L533-12-7, Monetary and financial code).

5.12.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, and VOD services. ACCs for prescription-only medicines products is prohibited.

There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves. For instance:

- Ads must not be misleading or undermine public health and can only promote non-prescription drugs with market authorisation that are not reimbursable by compulsory health insurance and have no advertising restrictions.
- Ads must clearly identify themselves as medicine advertisements, include the product name and key usage information, display relevant warnings, and advise consulting a pharmacist or doctor if symptoms persist. Generic ads must note the reference product and urge checking excipient information.
- Ads must not: suggest consultations or surgery are unnecessary; guarantee effects or claim superiority; imply health will suffer without the product (except some vaccines); target children; use endorsements; equate medicine with other consumer goods; claim safety due to "natural" ingredients; detail symptoms for self-diagnosis; use frightening images; exaggerate benefits; refer to recovery certificates or market authorisation; or offer bonuses or gifts.

5.12.6. Alternative and other medicinal products

The French legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relate to herbal smoking products (e.g. cannabidiol (CBD))

⁴³⁷ Article 8 of Ordinance 2025-880 of 3 September 2025 amends the Consumption Code ([Ordinance of 3 September 2025 on Consumption Credit](#)).



as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.12.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

In France, television advertising is prohibited by law for alcoholic beverages, tobacco products, e-cigarettes and for literary publishing, except on television services distributed exclusively by networks not using frequencies assigned by the Arcom (only applicable to literary publishing). However, a transitional derogation regime has been established by the Decree of 5 April 2024 No. 2024-313 of 5 April 2024 amending the television advertising regime.⁴³⁸ It provides for a period of twenty-four months from the entry into force of this decree, during which publishers of services using frequencies assigned by Arcom may broadcast advertising messages concerning the literary publishing sector. At the end of this period, the Government will have to decide on the advisability of extending this experiment after drafting and publishing a report assessing the impacts of the implementation of these provisions on the sector.

Firearms and ammunition must not be offered for sale or advertised in catalogues, prospectuses, periodicals or any other written, spoken or visual medium unless the purpose, title and main content of these media relate to hunting, fishing or shooting sports (e.g. hunting, fishing or shooting sports broadcasters).

⁴³⁸ [Decree of 5 April 2024 No. 2024-313 of 5 April 2024 amending the television advertising regime.](#)



5.13. GR – Greece⁴³⁹

5.13.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages containing ethyl alcohol in any percentage.	Code of Food and Beverage ⁴⁴⁰
ACC rules (AVMSD Art. 9(1)(e), 22, 28b)	Yes for broadcasters, VOD services and influencers (users of VSPs who produce and upload audiovisual content professionally are to be categorised as AVMS providers ⁴⁴¹).	Law 4779 of 20 February 2021 (Art. 14.4 and 26) ⁴⁴²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Art. 9(1)(e) and 22)	Additional rules exist and they are contained in the Guidelines for the development of responsible marketing communication for alcoholic beverages (see below).	
Self-/Co-regulatory body	<p>The Advertising Self-Regulation Council⁴⁴³ issued the Guidelines for the development of responsible marketing communication for alcoholic beverages. It applies to broadcasters, VOD services, VSPs, and influencers):</p> <ul style="list-style-type: none"> ■ Advertising scheduling rules (ACCs shown on TV after 7 p.m.), ■ ACCs on traditional media where at least 70% of the audience can be expected to be over the age of 18. 	Advertising Self-Regulation Council website ⁴⁴⁴

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	In order for a game to be classified as a game of chance, the following conditions must be met cumulatively: a) there must	Law 4002/2011 (Art. 25(b)) ⁴⁴⁵

⁴³⁹ The national summary on Greece incorporates the feedback received from Persa Lampropoulou, Legal Advisor at *Εθνικό Συμβούλιο Ραδιοτηλεόρασης* (the National council for Radio and Television – NCRTV).

⁴⁴⁰ [ΚΩΔΙΚΑΣ ΤΡΟΦΙΜΩΝ ΚΑΙ ΠΟΤΩΝ](#) (Code of Food and Beverage).

⁴⁴¹ See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴⁴² [Law 4779 of 20 February 2021](#).

⁴⁴³ [Advertising Self-Regulation Council website](#).

⁴⁴⁴ [Communication control council website](#).

⁴⁴⁵ [Law 4002/2011](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	be, even partially, an influence of luck on the outcome of the game And b) there must be a financial risk (wager or bet), which as such is understood as the player's choice to take on the risk of investing in the outcome of the game, any amount of money or other asset, regardless of the value of this asset, in order to seek direct or indirect financial benefit from the outcome of the game.	
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for gambling products; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.). ⁴⁴⁶	
Self-/Co-regulatory body	No	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for financial products; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	The Hellenic banking association published a code of ethics for the advertising of financial products and services offered by credit institutions. The code provides guidance for the advertisers of financial products.	Hellenic Banking Association ⁴⁴⁷

OTC MEDICINES	Yes / No / Details	Source
Definition	Only prescription-only medicine is defined.	Joint Decision of the Ministers of Development, Competitiveness, Infrastructure, Transport and

⁴⁴⁶ See [Decision 163/4r/9.7.2025 of the Hellenic Gaming Commission](#) for more on the regulation of gambling commercial communications. The rules laid down in the Decision are not specific to ACCs.

⁴⁴⁷ [Hellenic Banking Association](#).



		Networks and Health 32221/29.4.2013 (Art. 96) ⁴⁴⁸
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes, for broadcasters, VOD services, VSPs and influencers (users of VSPs who produce and upload audiovisual content professionally are to be categorised as AVMS providers).	Law 4779 of 20 February 2021 (Art. 14.3b)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs or influencers regarding the broadcast of ACCs for medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	<p>The Advertising Self-Regulation Council issued the Guidelines for the development of responsible marketing communication for OTC medicines (Appendix 10).</p> <p>The rules are very detailed and cover a wide range of products and marketing techniques as well as all kinds of means of dissemination.</p>	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No definition	
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for alternative medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	
Self-/Co-regulatory body	<p>The Advertising Self-Regulation Council issued the Guidelines for the development of responsible marketing communication for OTC medicines (Appendix 10).</p> <p>The rules are very detailed and cover a wide range of products and marketing techniques as well as all kinds of means of dissemination.</p>	

⁴⁴⁸ [Joint Decision of the Ministers of Development, Competitiveness, Infrastructure, Transport and Networks and Health 32221/29.4.2013.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Law 4779 of 20 February 2021 (Art. 3a)
Other products	Bans on firearms	Law 4779 of 20 February 2021 (Art. 3c)

5.13.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

There are no rules under the primary law specifically concerning advertising of alcoholic beverages, whether by broadcasters, VOD services, VSPs, or influencers. However, alcohol marketing is regulated by the self-regulatory code (Guidelines for the development of responsible marketing communication for alcoholic beverages)⁴⁴⁹ which applies to members of the Advertising Self-Regulation Council. The Guidelines impose restrictions on ACCs for alcoholic beverages when broadcasted:

- ACCs in electronic media must be shown after 7 p.m.;
- ACCs must be placed in traditional media (broadcasters) where at least 70% of the audience can be expected to be over the age of 18.

5.13.3. Gambling products

The advertising of gambling products is allowed if it is not illegal gambling products.

At present, there are no rules specifically concerning advertising of gambling products, whether by broadcasters, VOD services, VSPs or influencers.

The rules laid down in Decision 163/4r/9.7.2025 of the Hellenic Gaming Commission⁴⁵⁰ apply but are not specific to ACCs.

⁴⁴⁹ [Guidelines for the development of responsible marketing communication for alcoholic beverages.](#)

⁴⁵⁰ [Decision 163/4r/9.7.2025 of the Hellenic Gaming Commission.](#)

The advertising rules apply directly to the producer of the advertised gambling products (e.g. highlighting the risk of addiction and loss of property).

5.13.4. Financial products

At present, there are no rules specifically concerning advertising of financial products, whether by broadcasters, VOD services, VSPs or influencers.

The advertising rules apply directly to the producer of the advertised financial products. For instance, ACCs for credit agreements with specific interest rate must include standardised information.

The Hellenic banking association published a code of ethics for the advertising of financial products and services offered by credit institutions.⁴⁵¹ The code provides guidance for the advertisers of financial products.

5.13.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Art. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). The advertising rules apply directly to the producer of the advertised OTC products. There are no rules specifically concerning advertising of OTC products, whether by broadcasters, VOD services, VSPs or influencers.

OTC medicines marketing is regulated by the self-regulatory code (Guidelines for the development of responsible marketing communication, annex 10)⁴⁵² which directly applies to the content of the ads themselves.

5.13.6. Alternative and other medicinal products

The Greek legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public concerning herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for

⁴⁵¹ [Code of ethics for the advertising of financial products and services offered by credit institutions.](#)

⁴⁵² [Guidelines for the development of responsible marketing communication, Annex 10.](#)

cancer patients), nor personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Some of the products can fall under the OTC medicines list and must follow the corresponding ACC rules, which are applicable to the content of the ads themselves. The Guidelines for the development of responsible marketing communication and its Annex 10 may apply.

5.13.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

The Law 4779/2021 also forbids the advertisement of firearms.



5.14. HR – Croatia⁴⁵³

5.14.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beers (>0,5% ABV), wines (>1,2% ABV, <15% ABV and >15% ABV <18% ABV), other beverages obtained by fermentation other than beer and wine (>1,2% ABV, <10% ABV and >10%, <15% ABV), intermediate product and ethyl alcohol (>22% ABV).	Excise Duty Act Art. 61-66) ⁴⁵⁴
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services and influencers. ⁴⁵⁵	Electronic Media Act (Art. 21(6), 24(1) and 35(4,5)) ⁴⁵⁶
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	No additional rules for broadcasters, VOD services, VSPs and influencers.	
Self-/Co-regulatory body	Croatian Chamber of e Economy. It issued a self-regulatory Code of responsible marketing communication of beer producers, signed by 10 beer producers (not by media service providers).	There is no link on the internet for this document.

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	A game of chance shall be deemed to be any game in which, in exchange for the payment of a specified amount, participants are afforded the possibility of obtaining a prize in money, goods, services, or rights, whereby the gain or	Act on Games of Chance (Art. 2) ⁴⁵⁷

⁴⁵³ The national summary on Croatia incorporates the feedback received from *Agencija za elektronicke medije* (the Agency for Electronic Media – AEM).

⁴⁵⁴ [Excise Duty Act](#).

⁴⁵⁵ An influencer's activity may be considered as an on-demand audiovisual media service (AVMS) if it meets the criteria laid out in the amended Law of 27 July 1991 on Electronic Media. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴⁵⁶ [Electronic Media Act](#).

⁴⁵⁷ [Act on Games of Chance](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	<p>loss depends predominantly on chance or another uncertain event.</p>	
<p>ACC rules for broadcasters, VOD services, VSPs, and influencers</p>	<p>Electronic Media Act Art 21(10) Audiovisual commercial communications related to games of chance may not be broadcast in programmes intended for children.</p> <p>Act on Games of Chance Art. 67.a Advertising of games of chance is prohibited in all media, content, and events intended for children and minors. This prohibition applies to organizers of games of chance, media service providers, electronic publication providers, publishers, and event organizers.</p> <p>Art. 67.b Advertising of games of chance via the internet, in all audiovisual and radio programmes, as well as in the content of electronic publications, is prohibited between 6:00 and 23:00 hours. This prohibition applies to organizers of games of chance, media service providers, electronic publication providers, advertising service providers, and publishers.</p> <p>Content published in electronic publications must not contain links that in any way lead to the websites of organizers of games of chance. By way of exception, advertising of low-risk lottery games is permitted. Low-risk lottery games are those in which the player learns the outcome of the game no more than once per day, as well as instant and express lottery games using paper tickets.</p>	<p>Act on Games of Chance (Art. 67a, 67b, 67d)</p> <p>Electronic Media Act (Art. 21(10,11), 24 (3))</p>



GAMBLING PRODUCTS	Yes / No / Details	Source
	Art. 67.d Sponsorship advertising by organizers of games of chance may contain the company name, the display of the logo, and distinctive service marks of the organizer, but may not contain any other elements that call for or refer to participation in games of chance. Creators of content (influencers) on social media are prohibited from promoting and advertising games of chance and live-streaming (live stream) of games of chance.	
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition. References to “financial instruments”, “financial services” and “investment services”.	Capital Market Act, ⁴⁵⁸ Credit institutions Act ⁴⁵⁹
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	The Croatian financial services supervisory agency (HANFA) oversees financial services but has not issued specific guidelines.	

OTC MEDICINES	Yes / No / Details	Source
Definition	No specific definition of medicinal product without prescription, only a categorisation of medicinal products based on method of dispensing medicinal products.	Medicinal Products Act ⁴⁶⁰
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes, for broadcasters, VOD services, VSPs and influencers. ⁴⁶¹	Electronic Media Act (Art. 21 (7)), Art. 22 (3), Art. 23 (4), Art. 35 (2,3), Ordinance on the method of

⁴⁵⁸ [Capital Market Act.](#)

⁴⁵⁹ [Credit Institutions Act.](#)

⁴⁶⁰ [Medicinal Products Act.](#)

⁴⁶¹ An influencer’s activity may be considered as an on-demand audiovisual media service (AVMS) if it meets the criteria laid out in the amended Law of 27 July 1991 on Electronic Media. See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”.



OTC MEDICINES	Yes / No / Details	Source
		advertising of medicinal products (Art. 7(2)) ⁴⁶²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	<p>Inclusion of a warning message in television and online advertising.</p> <p>There are no other rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).</p>	<p>Ordinance on the manner and duration of labelling sponsored programming (Art. 3(3))</p> <p>Ordinance on the method of advertising of medicinal products (Artt. 8-9)</p>
Self-/Co-regulatory body	No.	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition. It can cover for instance herbal medicinal product, traditional herbal medicinal product, herbal preparation.	Medicinal Products Act
ACC rules	<p>OTC medicines rules applicable.</p> <p>Inclusion of a warning message in television and online advertising.</p>	Ordinance on the method of advertising of medicinal products (Artt. 8-9)
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Electronic Media Act (Art. 21 (5), 22 (2), 23 (4), 24(1), 35(1))
Other products	Bans on weapons, ammunitions and pyrotechnics.	Electronic Media Act, Art. 35(1), Media Act (Art. 20 (7)) ⁴⁶³

⁴⁶² [Ordinance on the method of advertising of medicinal products.](#)

⁴⁶³ [Media Act.](#)



The ICC's advertising and marketing communications code is implemented by the Croatian association of communications agencies (HURA),⁴⁶⁴ implementing its advertising and marketing communication code.⁴⁶⁵

5.14.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.⁴⁶⁶

There are no additional rules.

Self-regulatory rules from the Croatian Chamber of Economy applies but to beer producers directly, not to audiovisual media service providers, VSPs or influencers.⁴⁶⁷

5.14.3. Gambling products

As of 1 January 2026, the following rules from the act on games of chance apply.

The advertising of gambling products is forbidden in all content aimed at children and youth. Besides, is it forbidden between 6am and 11pm on the internet, in audiovisual and radio programmes and in electronic publications.

Sponsorship advertising by organizers of games of chance may contain the company name, the display of the logo, and distinctive service marks of the organizer, but may not contain any other elements that call for or refer to participation in games of chance. In short, advertising is prohibited but sponsorship is allowed. The provisions of the Electronic Media Act of 2013 are a lot broader, and those from the Act on Games of Chance from 2025 are stricter and more detailed.

Content creators (influencers) are forbidden from promoting, advertising, or live streaming games of chance on social networks. Besides, celebrities and influencers cannot appear in gambling advertisements on the internet, in audiovisual and radio programmes, and electronic publications.

There is no self-regulation in this field.

⁴⁶⁴ [Croatian association of communications agencies \(HURA\)](#).

⁴⁶⁵ [Croatian advertising and marketing communication code](#).

⁴⁶⁶ An influencer's activity may be considered as an on-demand audiovisual media service (AVMS) if it meets the criteria laid out in the amended Law of 27 July 1991 on Electronic Media. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴⁶⁷ [Code of responsible marketing communication for beer producers](#), Croatian chamber of economy.



5.14.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

The Croatian financial services supervisory agency oversees financial services but has not issued specific guidelines related to ACCs for financial products.

5.14.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, VSPs, and influencers. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

Regarding ACCs on television, the ACC must include the following message: “Before use, carefully read the leaflet and ask your doctor or pharmacist about the risks and side effects”, which should be shown independently in a separate frame and read clearly. In the case of online advertising, the warning must be an integral part of the main page of the advertisement.

There are no relevant self-regulations addressing this topic.

5.14.6. Alternative and other medicinal products

The Croatian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relate to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Rules presented in the OTC medicines section apply when relevant.

There are no relevant self-regulations addressing this topic.

5.14.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Media Act forbids the advertisement of weapons, ammunitions and pyrotechnics. The bans apply to all services.

5.15. HU – Hungary⁴⁶⁸

5.15.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No general definition	
ACC rules (AVMSD Arts. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs, and influencers (when meeting the AVMS criteria under the Act on Media services and Mass Communication). ⁴⁶⁹	Act CLXXXV of 2010 on Media Services and Mass Communication (Art. 24(2)) ⁴⁷⁰ Act CVIII of 2001 on certain issues concerning e-commerce services and services related to the information society (Artt. 15/D(2); 15/D(1) point a), 15/D(1) point d); 15/F(1); 15/D(3); 15/E(2); 15/G point b); 15/M(5)) ⁴⁷¹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Yes, ACCs for alcoholic beverages must not be broadcast right before/after or during children's programmes (applicable to broadcasters and VOD services). ACCs must not give the impression that that immoderate alcohol consumption may be avoided by consuming beverages with low alcohol content (applicable to broadcasters and VOD services).	Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities (Art. 18(2)) ⁴⁷² Act CLXXXV of 2010 on Media Services and Mass Communication (Art. 24(2))
Self-/Co-regulatory body	Yes, the Hungarian Advertising Association and the Hungarian Advertising Self-Regulatory Board together issued the Hungarian advertising code of ethics. It applies to all commercial practices directed at consumers.	SRO website ⁴⁷³

⁴⁶⁸ The national summary on Hungary incorporates the feedback received from György Ocskó, International Legal Advisor at *Nemzeti Média- és Hírközlési Hatóság - Médiatelepülés* (the Media Council of the National Media and Infocommunications Authority – NMHH).

⁴⁶⁹ See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁴⁷⁰ [Act CLXXXV of 2010 on Media Services and Mass Communication](#).

⁴⁷¹ [Act CVIII of 2001 on certain issues concerning e-commerce services and services related to the information society](#).

⁴⁷² [Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities](#).

⁴⁷³ [Önszabályozó Reklám Testület \(Hungarian Advertising Self-Regulatory Board\)](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Any game in which the player pays money or provides something of monetary value in exchange for the right to win money or something else of monetary value if certain conditions are met or occur.	Act XXXIV of 1991 on the organisation of gambling ⁴⁷⁴
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>General ban of ACCs for unlicensed gambling products in all media content.</p> <p>General ban of ACCs for gambling products encouraging children or minors to participate in gambling (in all media content).</p> <p>Broadcasters and VOD services must not receive financial remuneration from those businesses, nor may their programmes contain product placement for those gambling ads.</p>	<p>Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities (Art. 21(1))⁴⁷⁵</p> <p>Act CIV of 2010 on the freedom of the press and the fundamental rules of media content (Art. 20(7))⁴⁷⁶</p> <p>Act CLXXXV of 2010 on Media Services and Mass Communication (Art. 23; 30(4) point e); 27(1) point c)</p>
Self-/Co-regulatory body	Yes, the Hungarian Advertising Association and the Hungarian Advertising Self-Regulatory Board together issued the Hungarian advertising code of ethics. It applies to all commercial practices directed at consumers.	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	“Financial services”: commercial activities including deposits and other repayable funds from the public, credits and loans, financial leasing, payment services, issuing electronic money (incl. money tokens), issuing paper-based cash substitute payment instruments, suretyship and guarantees, trading in currency, etc.	Act CCXXXVII of 2013 on credit institutions and financial enterprises (Art. 3(1)) ⁴⁷⁷

⁴⁷⁴ [Act XXXIV of 1991 on the organisation of gambling.](#)

⁴⁷⁵ [Act XLVIII of 2008 on the basic conditions and certain restrictions on economic advertising activities.](#)

⁴⁷⁶ [Act CIV of 2010 on the freedom of the press and the fundamental rules of media content.](#)

⁴⁷⁷ [Act CCXXXVII of 2013 on credit institutions and financial enterprises.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not the type of audiovisual media service providers (or VSPs, influencers) involved. ACCs for most financial products are allowed under strict conditions (information disclosure requirement).	Act CCXXXVII of 2013 on credit institutions and financial enterprises (Artt. 268 and followings) Act CLXII of 2009 on consumer credit ⁴⁷⁸
Self-/Co-regulatory body	No.	

OTC MEDICINES	Yes / No / Details	Source
Definition	No definition of OTC medicines	Act XCV of 2005 on medicinal products for human use and on amendments to certain acts regulating the pharmaceutical market ⁴⁷⁹ Act XCVIII of 2006 on the general rules for the safe and economical supply of medicines and medical devices and for the distribution of medicines ⁴⁸⁰
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes, for broadcasters, VOD services, VSPs, and influencers (when meeting the AVMS criteria under the Act on Media services and Mass Communication).	Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (Art. 20(7)) and Act CLXXXV of 2010 on Media Services and Mass Communication (Artt. 23; 27(3); 30(4) point d))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	General ban on ACCs for OTC medicines if aimed at children, including advertising published in programs or publications intended for children. There are no other rules for broadcasters, VOD services, VSPs or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Act XCVIII of 2006 on the general rules for the safe and economical supply of medicines and medical devices and the distribution of medicines (Art. 17)
Self-/Co-regulatory body	Yes, the Hungarian Advertising Association and the Hungarian Advertising Self-Regulatory Board	SRO website

⁴⁷⁸ [Act CLXII of 2009 on consumer credit.](#)

⁴⁷⁹ [Act XCV of 2005 on medicinal products for human use and on amendments to certain acts regulating the pharmaceutical market.](#)

⁴⁸⁰ Act XCVIII of 2006 on the general rules for the safe and economical supply of medicines and medical devices and for the distribution of medicines.

OTC MEDICINES	Yes / No / Details	Source
	together issued the Hungarian advertising code of ethics. It applies to all commercial practices directed at consumers.	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No.	
ACC rules	No.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	Media content may not contain commercial communications aimed to promote or present cigarettes and other tobacco products, e-cigarettes, refill containers, weapons, ammunition, explosives, gambling products organised without the permission of the state tax authority, prescription medication and therapeutic procedures. This restriction shall not apply to the exemptions set forth in the Act on commercial advertising and other relevant legislation.	Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (Art. 20(7)) and Act CLXXXV of 2010 on Media Services and Mass Communication (Art. 23; 27(1) point b) and (2); 30(4) point a) and b))
Other products	Bans on weapons, ammunition and explosives.	Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (Art. 20(7))

5.15.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Arts. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

Broadcasters and VOD services must not broadcast ACCs for alcoholic beverages immediately before/after or during children's programmes. Besides, ACCs must not give the impression that that immoderate alcohol consumption may be avoided by consuming beverages with low alcohol content (applicable to broadcasters and VOD services).

ACCs are regulated by the self-regulatory code (Hungarian advertising code of ethics) which applies to all ACCs directed at consumers.⁴⁸¹ The ACCs must follow some content requirement (e.g., ACC must not claim or suggest that alcohol or alcohol consumption is a means of becoming an adult; regarding websites, the website must indicate that it is only for people over the legal age for drinking/buying alcohol).

5.15.3. Gambling products

The advertising of gambling products organised without license from the Supervisory Authority for regulated activities is prohibited in all media content.

Broadcasters and VOD services may not receive support from businesses that organise gambling without a license from the Authority for the supervision of regulated activities. Additionally, their programmes must not include product placement for gambling services provided without such authorisation.

Broadcasters, VOD services, VSPs and influencers are prohibited from displaying ads that encourage children or minors to participate in gambling.

ACCs are regulated by the self-regulatory code (Hungarian advertising code of ethics) which applies to all ACCs directed at consumers. The ACCs must follow some content requirement (e.g., ACC must not claim that gambling can be a substitute for income from work).

5.15.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products (content and information requirements).

The Hungarian national bank supervises the financial intermediary system but has not published guidelines that apply to advertisements when marketing financial products (by broadcasters, VOD services, VSPs and influencers).

The Hungarian advertising code does not contain any rules relating to financial services.

⁴⁸¹ [Hungarian advertising code of ethics](#).

5.15.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Arts. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). At present, there are no rules specifically concerning advertising of OTC products, whether by broadcasters, VOD services, VSPs, or influencers. The advertising rules apply directly to the producer of the advertised OTC products.

There is one general ban on ACCs for OTC medicines aimed at children, including advertising published in programs or publications intended for children.

ACCs are regulated by the self-regulatory code (Hungarian advertising code of ethics) which applies to all ACCs directed at consumers. The ACCs must follow some content requirement (e.g., ACCs must not give the impression that they are medicines or medical devices).

5.15.6. Alternative and other medicinal products

The Hungarian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public concerning herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), nor personal care devices to provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Regarding naturopathic medicine, a person who is not authorised to perform activities requiring a medical degree in Hungary and who performs non-conventional activities may not, in the course of performing such activities, including advertising such activities, give the impression that the activities replace conventional medical treatment, and must indicate their name and professional qualification in such a way that it does not give the false impression that they are entitled to use a medical title and practice medicine.⁴⁸²

⁴⁸² [Decree 11/1997 \(V. 28.\) NM on certain issues relating to the practice of naturopathic medicine](#), §3.

5.15.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Act on the freedom of the press and fundamental rules of media content forbids the advertisement of weapons, ammunition and explosives.

Additionally, various categories of ACCs are forbidden under the Act and certain restrictions on economic advertising activities, such as ACCs containing sexuality or promoting gender deviation if accessible to minors, pornographic and sexually explicit ads, as well as those for sexual services or products meant to arouse desire, are banned, except within licensed sex shops. Ads for illegal goods or ads designed to be hidden are prohibited. Finally, promoting gifts, discounts, or prize draws with product demonstrations is not allowed.

5.16. IE – Ireland⁴⁸³

5.16.1. Overview of the legislative framework⁴⁸⁴

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	<p>Beer made from malt and any beverage containing a mixture of such beer with any non-alcoholic beverage where >0.5% ABV.</p> <p>Cider and perry: >1.2%ABV <15%ABV (fermentation of apple or pear juice).</p> <p>Intermedia beverage: other than beer, wine or other fermented beverage, where part of the alcohol content is fermented and >10% ABV (still beverage) or >13% ABV (sparkling beverage) and is under 22% ABV.</p> <p>Spirit: >1.2% ABV and contains partly distilled alcohol.</p>	Finance Act (Art. 73) ⁴⁸⁵
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services and VSPs)	<p>General Communication Code 2024 (Artt. 18.2, 18.3, 18.7, 18.8)⁴⁸⁶</p> <p>Public Health Act (Alcohol) 2018 (Art. 19)⁴⁸⁷</p> <p>Media Service Code And Rules (Artt. 13.3, 13.4, 13.5)⁴⁸⁸</p> <p>Online Safety Code (Artt. 10.3, 10.6.b., 11, 13.13)⁴⁸⁹</p>
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>Broadcasters are subject to additional rules:</p> <ul style="list-style-type: none"> ■ No ACCs for beverages >25% ABV 	General Communication Code 2024 (Artt. 18.2, 18.3, 18.7, 18.8) ⁴⁹⁰

⁴⁸³ The national summary on Ireland incorporates the feedback received from Brian Moran, Assistant Director, Regulatory Policy at *Coimisiún na Meán* (the Media Commission).

⁴⁸⁴ At the time of writing, influencers are under the quasi-oversight of the Advertising Standards Authority and the Competition and Consumer Protection Commission (and not *Coimisiún na Meán*'s).

⁴⁸⁵ [Finance Act](#).

⁴⁸⁶ [General Communication Code 2024](#) (*Coimisiún na Meán*).

⁴⁸⁷ [Public Health Act](#) (Alcohol).

⁴⁸⁸ [Media Service Code and Rules](#) (*Coimisiún na Meán*).

⁴⁸⁹ [Online Safety Code](#) (*Coimisiún na Meán*).

⁴⁹⁰ [General Communication Code 2024](#) (*Coimisiún na Meán*).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
(beyond AVMSD Artt. 9(1)(e), 22 and 28b)	<ul style="list-style-type: none"> ■ No more than one ad per advertising break may be dedicated to alcohol ■ No ACCs for alcoholic beverages during solus/whistle breaks during sports programmes ■ Ensuring that the targeted audience is predominantly adult ■ A general ban in and during children's programmes ■ Advertising scheduling rule (no ACCs for alcoholic beverages between 3am and 9pm). 	Public Health Act (Alcohol) 2018 (Art. 19) ⁴⁹¹
Self-/Co-regulatory body	The Advertising Standards Authority issued the Code of standards for advertising and marketing communications and applies to advertising across all media.	Advertising Standards Authority website ⁴⁹²

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Gambling means, whether in-person or by remote means, betting, gaming or participating in a lottery (definition used in the Gambling regulation act).	General Communication Code 2024 (Appendix one)
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>Children must not be targeted by gambling ads (all services).</p> <p>Broadcasters and VOD services must respect an advertising scheduling rule: no ACCs for gambling products between 5.30am and 9pm.</p> <p>Broadcasters shall only broadcast ACCs related to an entity licenced to operate gambling services and they must ensure the ACCs do not contain anything which could be deemed to be a direct encouragement to gamble or encourage irresponsible behaviour</p> <p>For VOD services and VSPs, the media service code and rules and the online safety codes refer to the Gambling regulation act (no gambling ACCs for children).</p>	<p>Gambling Regulation Act (Artt. 148-149)⁴⁹³</p> <p>General Commercial Communication Code (Artt. 25.3-25.6)</p> <p>Media Service Code And Rules</p>

⁴⁹¹ [Public Health Act](#) (Alcohol).

⁴⁹² [Advertising Standards Authority](#) website.

⁴⁹³ [Gambling Regulation Act](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Self-/Co-regulatory body	Gambling marketing is regulated by the self-regulatory code (Code of standards for advertising and marketing communications) which refers to advertising across all media. The Regulator of the national lottery maintains a code of practice covering advertising and promotion and refers to the Code of Standards for Advertising and Marketing Communications, according to which the ACCs must respect some content requirements.	Advertising Standards Authority Website Regulator Of The National Lottery ⁴⁹⁴

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	S2 of the consolidated Central Bank Act 1942 indicates that "financial services' include financial products". ⁴⁹⁵ The website Citizens Information refers to "buying shares in a company, opening a bank account, getting a loan or credit care or other financial service".	Central Bank Act 1942 ⁴⁹⁶ Citizens information website ⁴⁹⁷
ACC rules for broadcasters, VOD services, VSPs, and influencers	Broadcasters are required to ensure that commercial communications relating to financial services and products are clear, not misleading, and presented without exaggeration or omission. Broadcasters must ensure that all mandatory regulatory disclosure and warning statements included in these communications fully adhere to the requirements of the General commercial communication code.	General Commercial Communication Code (Art. 24)
Self-/Co-regulatory body	No.	

OTC MEDICINES	Yes / No / Details	Source
Definition	"Non-prescription medicinal product": a medicinal product which may be supplied to the public otherwise than in accordance with a prescription. There are two subcategories:	S.I. No. 87/2015 - Medicinal Products (Prescription and Control of Supply) (Regulations 16 and 12) ⁴⁹⁸

⁴⁹⁴ [Regulator of the National Lottery.](#)

⁴⁹⁵ [The Central Bank of Ireland's registers set out a range of regulated financial service providers.](#)

⁴⁹⁶ [Central Bank Act 1942.](#)

⁴⁹⁷ [Citizens information website](#), "Your rights when you buy a financial product".

⁴⁹⁸ [S.I. No. 87/2015 - Medicinal Products](#) (Prescription and Control of Supply).



OTC MEDICINES	Yes / No / Details	Source
	<p>“Pharmacy-only status” which refers to medicinal products only available under the supervision of a pharmacist,</p> <p>“General sale products” which can be sold without the supervision of a pharmacist.</p>	
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes.	<p>General Commercial Communication Code 2024 (Art. 19.6)</p> <p>Media Service Code and Rules (Art. 13.3)</p> <p>Guidance On Influencer Advertising and Marketing (Art. 11.13)⁴⁹⁹</p> <p>Online Safety Code (10.3, 10.6.B., 11)⁵⁰⁰</p>
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	Broadcasters must respect content/information requirements when displaying ACCs for health products, as provided by <i>Coimisiún na Meán’s</i> General commercial communication code.	<p>S.I. No. 541 of 2007, Medicinal Products (Control of Advertising)⁵⁰¹</p> <p>General Commercial Communication Code 2024 (Art. 19.1-19.3, 19.9-19.10)</p>
Self-/Co-regulatory body	The Health products regulatory authority (HPRA) publish a guide to advertising compliance, which contains information and content requirements ACCs must respect.	HPRA website ⁵⁰²

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition but a recent report considers “complementary and alternative medicine” as a healing philosophy or tradition that offers health-related advice and treatment that is considered to be of a different use, acceptance, study and understanding to	Irish Institute of Public Administration’s report on the regulation of practitioners of complementary and alternative medicine in Ireland ⁵⁰³

⁴⁹⁹ [Guidance On Influencer Advertising And Marketing.](#)

⁵⁰⁰ [Online Safety Code.](#)

⁵⁰¹ [S.I. No. 541 of 2007, Medicinal Products \(Control of Advertising\).](#)

⁵⁰² [HPRA website.](#)

⁵⁰³ [Report on the regulation of practitioners of complementary and alternative medicine in Ireland.](#)



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
	<p>mainstream western, conventionally practised medicine.</p> <p>The medicinal products regulations only include two categories: herbal medicinal products and homeopathic medicines.</p>	S.I. 540 of 2007, Medicinal Products (Control of Placing On The Market) Regulations 2007 ⁵⁰⁴
ACC rules	<p>ACCs for herbal medicinal products and homeopathic medicinal products are allowed, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).</p> <p>In case of herbal medicinal products, broadcasters must ensure the ACC contains mandatory message.</p>	<p>S.I. No. 541 of 2007, Medicinal Products (Control of Advertising)</p> <p>General Commercial Communication Code 2024 (Art. 19.10(e))</p>
Self-/Co-regulatory body	No	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	<p>General Commercial Communication Code 2024 (Art. 13.2(g))</p> <p>Media Service Code And Rules (Art. 13.3.(v))</p> <p>Online Safety Code (Art. 13.1)</p>
Other products	Bans on infant formula for use by infants during the first six months of life (broadcasters).	General Commercial Communication Code 2024 (Art. 13.2)

5.16.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Art. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, and VSPs.

Additionally, broadcasters must not display ACCs for alcoholic beverages with an alcohol content exceeding 25% ABV (e.g., vodka, whiskey, tequila) and no more than one ad per advertising break may be dedicated to alcohol. Broadcasters are also required to

⁵⁰⁴ [S.I. 540 of 2007, Medicinal Products \(Control Of Placing On The Market\) Regulations 2007.](#)

ensure that solus or whistle breaks during sports programmes do not feature ACCs for alcoholic beverages. Furthermore, broadcasters must ensure that advertisements are targeted at predominantly adult audiences (at least 75% adults) and not at minors, and that ACCs for alcoholic beverages are not shown in or around children's programmes. More generally, broadcasters must observe advertising scheduling restrictions, meaning that no ACCs for alcoholic beverages may be broadcast between 3am and 9pm.

Alcohol marketing is regulated by the self-regulatory code (Code of standards for advertising and marketing communications)⁵⁰⁵ which refers to advertising across all media. The code was established by the Advertising Standards Authority. The code imposes content requirements.

5.16.3. Gambling products

The Gambling Regulation Act empowers the Gambling Regulatory Authority to make regulations prohibiting the times, places and events at which advertisements relating to relevant content may be shown. The Authority may also prescribe the frequency with which gambling advertisements may be shown or broadcast, and/or the duration of such advertisements. In doing so, the Authority may take into account "the medium through which advertisements are made including the medium of an audiovisual on-demand media service, an on-demand sound service communication, a social media service, a video-sharing platform service, a website, an app, television, radio or print".

The Gambling Regulation Act already provides for some rules according to which children must not be targeted by gambling ads. Besides, broadcasters and VOD services must respect an advertising scheduling rule: no ACCs for gambling products between 5.30am and 9pm.

The General Commercial Communication Code by *Coimisiún na Meán* requires broadcasters to comply with the Gambling Regulation Act. Besides, broadcasters shall only broadcast ACCs related to an entity licenced to operate gambling services and they must ensure the ACCs do not contain anything which could be deemed to be a direct encouragement to gamble or encourage irresponsible behaviour.

The Online Safety Code refers to *Coimisiún na Meán's* statutory obligation to regulate gambling under the Broadcasting Act's Section 7 and co-operate with any public body concerned with that matter.

There can be no gambling ACCs for children. Influencers must respect obligations under the consumer protection law.

Gambling marketing is regulated by the self-regulatory code (Code of standards for advertising and marketing communications) which refers to advertising across all media. The Regulator of the national lottery maintains a code of practice covering advertising and

⁵⁰⁵ [Code of standards for advertising and marketing communications.](#)

promotion and refers to the Code of Standards for Advertising and Marketing Communications,⁵⁰⁶ according to which the ACCs must respect some content requirements.

5.16.4. Financial products

Coimisiún na Meán's General Commercial Communication Code establishes rules for broadcasters only. None of the other relevant texts include rules for VOD services, VSPs or influencers (Audiovisual On-Demand Service Code and Media Services, Online safety code, and self-regulation, respectively).

Broadcasters are required to ensure that commercial communications relating to financial services and products are clear, not misleading, and presented without exaggeration or omission. They must also take all necessary steps to ensure that such communications comply with all relevant Irish and European laws, as well as the rules, regulations, and codes of practice issued by the Central Bank of Ireland or any other competent authorities. Additionally, broadcasters must ensure that all mandatory regulatory disclosure and warning statements included in these communications fully adhere to the requirements of the General commercial communication code.

The Central Bank of Ireland may issue codes relating to the marketing, advertising or other promotional material associated with financial services.

There are no self- and/or co-regulations for this topic.

5.16.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, VSPs and influencers. ACCs for prescription-only medicines is prohibited.

Broadcasters must respect content/information requirements when displaying ACCs for health products, as provided by *Coimisiún na Meán's* General Commercial Communication Code.

Broadcasters must not display ACCs for health products, treatments, or services intended for serious medical conditions that require a registered medical practitioner's attention, except for approved vaccination or disease awareness campaigns without product references. ACCs for health products must not target children and must avoid content that induces fear, misleads about health improvements or dangers, exaggerates claims, employs inappropriate testimonials, or undermines the necessity of medical

⁵⁰⁶ [Regulator of national lottery's code of practice covering advertising and promotion.](#)

consultation. Ads should not suggest unnecessary, indiscriminate, or excessive use of products, misrepresent safety or efficacy, or reference non-existent institutions. For medicinal products, commercials must strictly comply with product information, promote rational use without exaggeration, be clear and not misleading, and make it evident to viewers that the message is an advertisement. Key product information and usage instructions must be provided, with additional requirements for traditional herbal medicines to emphasize their use is based on long-standing tradition.

No other additional rules exist for VOD services, VSPs and influencers.

The Health Products Regulatory Authority publishes a guide to advertising compliance which contains information and content requirements ACCs must respect.⁵⁰⁷

5.16.6. Alternative and other medicinal products

Without a clear legal definition of this category, the corresponding ACC rules do not exist for such a category.

According to the S.I. No. 541 of 2007, Medicinal Products (Control of Advertising), medicinal products which are regarded as controlled drugs under Section 2 of the Misuse of Drugs Act (1977) shall not be advertised.⁵⁰⁸ CBD could fall under this category (although there is some legal ambiguity in this regard.).

ACCs for herbal medicinal products and homeopathic medicinal products are allowed, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.) (S.I. No. 541 of 2007, Medicinal Products (Control of Advertising)).

According to *Coimisiún na Meán's* General commercial communication code, in case of herbal medicinal products, broadcasters must ensure the ACC is clear and include the following words “Traditional herbal medicinal product for use in”, followed by a statement of one or more therapeutic indications for the product compatible with the terms of the certificate of traditional-use registration for that product, followed by the words “exclusively based upon long-standing use”.

No other additional rules exist for VOD services, VSPs and influencers.

The Guidance on influencer advertising and marketing document notes with regard to, respectively, traditional herbal medicinal products and homeopathic medicinal products, that both should include mandatory information as outlined in S.I. 541 of 2007.

⁵⁰⁷ [Guide to advertising compliance.](#)

⁵⁰⁸ [Misuse of drugs act.](#)



5.16.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Beyond this, *Coimisiún na Meán's* General Commercial Communication Code forbids broadcasters to broadcast ACCs that are for infant formula for use by infants during the first six months of life.

5.17. IT – Italy⁵⁰⁹

5.17.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages with more than 1.2% ABV. “Super-alcoholic beverages” is any product with more than 21% ABV.	Legislat. ve decree No. 125/2001 on alcohol and alcohol-related problems (Art. 1(2)) ⁵¹⁰
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs, and influencers (when meeting the criteria to qualify as significant influencers, according to the Guidelines to ensure compliance with the provisions of the Consolidated Law by influencers attached to the resolution of the Italian Communication Authority No. 7/24/CONS as amended by Resolution No. 197/25/CONS). ⁵¹¹	Legislative decree No. 208/2021 on audiovisual media services (Artt. 9(1,e), 43, 44) ⁵¹² Code of conduct for media and minors (Ministry of Enterprises and Made in Italy) (Artt. 4.2 and 4.4) ⁵¹³
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Applicable to broadcasters, VOD services, VSPs and influencers: <ul style="list-style-type: none"> ■ No ACCs 15 minutes before or after children’s programmes ■ No ACCs for super-alcoholic beverages between 4 p.m. and 7 p.m. In addition, influencers must use the tools currently made available VSPs and social media to restrict access to advertising on alcoholic beverages by minors at least for the period immediately following publication (meaning at least 7 days from the end of the campaign). ⁵¹⁴	Legislative decree No. 125/2001 on alcohol and alcohol-related problems (Art. 13) AGCOM resolution No. 197/25/CONS of 23 July 2025 establishing the Code of Conduct for influencers (Annex B). AGCOM Resolution No. 7/24/CONS of 10 January 2024 establishing the Guidelines to ensure compliance with the provisions of the Consolidated Law by influencers and the establishment of a technical round table (Annex A).

⁵⁰⁹ The national summary on Italy incorporates the feedback received from Francesco Di Giorgi, Senior Legal Officer, Digital Services Department, at *Autorità per le garanzie nelle comunicazioni* (AGCOM).

⁵¹⁰ [Law No. 125/2001 on alcohol and alcohol-related problems](#) (in Italian).

⁵¹¹ See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”. See also [Resolution No. 197/25/CONS of July 23, 2025](#), which amended the Guidelines introduced by Resolution No. 7/24/CONS.

⁵¹² [Law No. 208/2021 on audiovisual media services](#) (in Italian).

⁵¹³ [Code of conduct for media and minors](#).

⁵¹⁴ See [Codice di condotta per gli influencer](#) (Code of conduct for influencers) introduced with Resolution No. 197/25/CONS.



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Self-/Co-regulatory body	<p>Self-regulatory advertising institute (IAP) adopted the Code on commercial communications and applies to all businesses.</p> <p>The Ministry of enterprises and Made in Italy drafted the Self-regulatory code for media and minors, touching upon ACCs for alcoholic beverages (applicable to broadcasters).</p>	<p>SRO website⁵¹⁵</p> <p>Ministry of enterprises and Made in Italy's Self-regulatory code for media and minors⁵¹⁶</p>

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	<p>Gambling product: games of skill and prediction contests for which a reward of any kind is paid and for which participation requires the payment of a stake in cash.</p> <p>Games with monetary winnings: a game in which the aim is to make a profit and the winnings or losses are entirely or partially random, excluding games played purely for entertainment without monetary winnings.</p>	<p>Legislative decree No. 496 of 14 April 1948 (Art. 1)⁵¹⁷</p> <p>AGCOM Resolution No. 132/19/CONS (Annex A, Art. 3(1)(A))⁵¹⁸</p>
ACC rules for broadcasters, VOD services, VSPs, and influencers	Ban on ACCs for gambling products on audiovisual media services	<p>Law decree No. 87 of 12 July 2018 (Art. 9)⁵¹⁹</p> <p>Legislative decree No. 208/2021 on audiovisual media services (Art. 43(1)(h))</p>
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	<p>Financial instruments and any other kind of investment of a financial nature (e.g. securities, money market instruments, units of collective investment schemes); banking or postal deposits are not deemed to be financial products unless those are represented by financial instruments.</p>	<p>Legislative decree No. 58/1998, Italian Financial Act (Art. 1(1(u))⁵²⁰</p>

⁵¹⁵ [Istituto dell' autodisciplina pubblicitaria website..](#)

⁵¹⁶ [Ministry of enterprises and Made in Italy's Self-regulatory code for media and minors;](#)

⁵¹⁷ [Legislative Decree No. 496 of 14 April 1948.](#)

⁵¹⁸ [AGCOM Resolution No. 132/19/CONS.](#)

⁵¹⁹ [Law Decree No. 87 of 12 July 2018.](#)

⁵²⁰ [Legislative Decree No. 58/1998, Italian Financial Act.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers).	Legislative decree No. 58/1998, Italian Financial Act Legislative decree No. 385/1993, Italian Banking Act ⁵²¹ Legislative decree No. 209/2005, Italian Insurance Code ⁵²²
Self-/Co-regulatory body	Self-regulatory advertising institute (IAP) adopted the Code on commercial communications and applies to all businesses.	Resolution No. 11971/1999, CONSOB's Regulation on Issuers (<i>Commissione Nazionale per le Società e la Borsa</i> - Italian Authority for monitoring capital markets) Self-regulatory Code on commercial communications

OTC MEDICINES	Yes / No / Details	Source
Definition	Definitions of: <ul style="list-style-type: none"> ■ Non-prescription medicines: substance dispensed without medical prescription and which is presented as having curative/preventive properties OR that is used for restoring, correcting, or modifying physiological functions by exerting a pharmacological, immunological, or metabolic action, or to make a medical diagnosis ■ Medical devices: medical device which can be dispensed without a medical prescription (any instruments or other articles intended for medical purposes such as diagnosis, prevention, prediction). ■ Food supplements: Food products intended to supplement the normal diet and which are a concentrated source of nutrients, such as vitamins and minerals, or of other substances having a nutritional or 	Legislative decree No. 219/2006 relating to medicinal products for human use ⁵²³ Legislative decree No. 137/2022 relating to medical devices ⁵²⁴ Legislative decree No. 169/2004 relating to food supplements ⁵²⁵

⁵²¹ [Legislative Decree No. 385/1993, Italian Banking Act.](#)

⁵²² [Legislative Decree No. 209/2005, Italian Insurance Code.](#)

⁵²³ [Legislative Decree No. 219/2006 relating to medicinal products for human use.](#)

⁵²⁴ [Legislative Decree No. 137/2022 relating to medical devices.](#)

⁵²⁵ [Legislative Decree No. 169/2004 relating to food supplements.](#)



OTC MEDICINES	Yes / No / Details	Source
	<p>physiological effect, in particular, but not exclusively, amino acids, essential fatty acids, fiber, and plant extracts, whether single or combined, in pre-dosed forms.</p>	
<p>ACC rules (AVMSD Art. 9(1)(f), 28b)</p>	<p>Yes, for broadcasters, VOD services, VSPs, and influencers (when meeting the criteria to qualify as significant influencers, according to the Guidelines to ensure compliance with the provisions of the Consolidated Law by influencers attached to the resolution of the Italian Communication Authority No. 7/24/CONS) as amended by Resolution No 197/25/CONS)⁵²⁶</p>	<p>Legislative decree No. 208/2021 on audiovisual media services (Art. 43(1)(f))</p> <p>AGCOM Resolution No. 7/24/CONS of 10 January 2024 establishing the Guidelines to ensure compliance with the provisions of the Consolidated Law by influencers and the establishment of a technical round table (Annex A) (Artt. 8 and 11)⁵²⁷</p> <p>AGCOM Resolution No. 197/25/CONS of 23 July 2025 modifying the “Guidelines pursuant to Resolution No. 7/24/CONS and approval of the code of conduct for influencers”</p>
<p>Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)</p>	<p>ACC rules are specific to the type of products and not to the type of audiovisual media service providers (broadcasters and VOD services).</p> <p>The Italian Ministry of Health’s Guidelines on the advertising of non-prescription medicines regulate promotional activities on VSPs such as YouTube, Facebook, Instagram and TikTok (e.g. limiting sharing options of videos and comments when going beyond the validated original video content).</p>	<p>Ministry of Health’s Guidelines on the advertising of non-prescription medicines ⁵²⁸</p> <p>Legislative Decree No. 219/2006 relating to medicinal products (Art. 117)</p> <p>Administrative case law</p>

⁵²⁶ See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”. See also [Resolution No. 197/25/CONS of July 23, 2025](#), which amended the Guidelines introduced by Resolution No. 7/24/CONS.

⁵²⁷ [AGCOM Resolution No. 7/24/CONS](#), of 10 January 2024 establishing the Guidelines to ensure compliance with the provisions of the Consolidated Law by influencers and the establishment of a technical round table (Annex A).

⁵²⁸ [Linee guida sulla pubblicità sanitaria dei medicinali di automedicazione \(OTC\) e dei medicinali senza obbligo di prescrizione \(SOP\)](#) (Ministry of Health’s Guidelines on the advertising of non-prescription medicines).



OTC MEDICINES	Yes / No / Details	Source
	Influencers should not use testimonials in promotional videos implying any form of recommendation or preference.	
Self-/Co-regulatory body	Self-regulatory advertising institute (IAP) adopted the Code on commercial communications and applies to all businesses.	Self-regulatory Code on commercial communications

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition but product-related definition.	
ACC rules	ACCs in audiovisual media services for substances classified as narcotics (e.g. CBD) are forbidden. Devices including light therapy, electrotherapy, pain relief devices and sleep aids, when considered as medical devices, must follow the rules outlined in the section above (the products may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves).	Presidential decree No. 309/1990 ⁵²⁹
Self-/Co-regulatory body	When the rules relating to ACCs for OTC medicines apply, the Self-regulatory advertising institute (IAP) Code on commercial communications may also apply.	Self-regulatory Code on commercial communications

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Legislative decree No. 208/2021 on audiovisual media services (Art. 43(1)(d)) ⁵³⁰
Other products	The Legislative decree on audiovisual media services does not forbid other product categories, though there may be restrictions or bans in other legislations.	

⁵²⁹ [Presidential decree No. 309/1990](#).

⁵³⁰ The ban on advertising for cigarettes and other tobacco products, e-cigarettes and refill containers is also included in other pieces of legislation.



5.17.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

Additionally, ACCs for alcoholic and super-alcoholic beverages should not be shown 15 minutes before or after programmes targeting minors. Besides, ACCs for super-alcoholic beverages are forbidden on radio and television programmes from 4 p.m. to 7 p.m. These rules apply to all broadcasters, VOD services, VSPs and influencers as Article 13 of the Legislative decree No. 125/2001 on alcohol and alcohol-related problems focuses on minors' protection, without relevance for the type of media services providers involved.

In addition, according to the “Code of Conduct for influencers” (attached to AGCOM’s resolution No. 197/25/CONS of 23 July 2025, Annex B), influencers must use the tools currently made available by video sharing platforms and social media to restrict access to advertising on alcoholic beverages by minors at least for the period immediately following publication (meaning at least 7 days from the end of the campaign).

Alcohol marketing is self-regulated by the self-regulatory code on commercial communications, established by the Self-regulatory advertising institute (IAP). Article 22 of this code specifically addresses alcoholic beverages. Its provisions closely resemble those of Article 22 AVMSD, adding further details on forms of advertising. The rules apply to broadcasters, VOD services, VSPs, and influencers. Many Italian businesses subscribe to the IAP Code and include acceptance clauses in their advertising contracts, requiring business partners to comply with it. Although the IAP Code is formally binding only on a voluntary basis, Italian Supreme Court case law has confirmed that breaching its provisions, even by companies that have not formally adhered to it, may constitute unfair competition under Article 2598 of the Italian Civil Code, as such conduct is considered contrary to generally accepted market standards of professional ethics.⁵³¹

The protection of minors in the case of ACCs for alcoholic beverages is also ensured by the “Code for media and minors” issued by the Ministry of enterprises and Made in Italy (Artt. 4.2 and 4.4).⁵³² This Code is also binding for all broadcasters,⁵³³ and will be adapted in the future for VOD services too.

In December 2023, the AGCOM fined a local channel for broadcasting an ACC for a super-alcoholic beverage “*Vecchio amaro del capo*” during the advertising scheduling rule (4-7 p.m.) (administrative sanction equal to EUR 9 000 for breach of Article 4.4 of the “Code for media and minors” and of Article 37(7) of “Legislative decree on audiovisual media services”).⁵³⁴

⁵³¹ See judgment of the Italian Supreme Court, *Corte di Cassazione*, No. 1259 of 15 February 1999.

⁵³² [Ministry of enterprises and Made in Italy’s Self-regulatory code for media and minors](#).

⁵³³ Article 37, Paragraph 6 of the Consolidated Text on Audiovisual Media Services sets forth that providers of media services distributed through any channel or platform are required to comply with the provisions for the protection of minors set out in the Code of Self-Regulation for Media and Minors.

⁵³⁴ [AGCOM’s Resolution No. 229/23/CSP, 20 December 2023](#).

5.17.3. Gambling products

Article 9 of the Legislative decree No. 87/2018 introduced a general ban on any form of advertising, also indirectly, related to gambling, carried out in any way and on any medium, except for national lotteries with deferred drawing, local lotteries and the logos on safe and responsible gaming of the Customs and Monopolies Agency. This includes sports, cultural or artistic events, television or radio broadcasts, daily and periodical press, publications in general, billboards, and digital, telematic, and IT channels, including social media. Some exceptions to this ban are provided by Articles 5 and 7 of AGCOM's Resolution No. 132/19/CONS (e.g., communications limited to the characteristics of the gambling products and services, only when issued in the context in which the gambling services are offered; the free indexing services provided by search engines or marketplaces, that enable the gambling brand to have a better position in the user's search results).

In addition, recalling the Legislative decree No. 87/2018, the Legislative decree on audiovisual media services also prohibits the advertising of gambling products.

This ban therefore applies not only to the well-known and traditional one-to-many advertising formats typical of radio and television communication, but also to modern forms of advertising such as product placement and, more broadly, any type of indirect advertising, regardless of the method or medium used (from billboards to TV to the Internet, including social networks). It also extends to sponsorships of events, activities, shows, programmes, products, or services, and to all other forms of promotional content communication, including visual and audio references and the overlay of names, brands, symbols, activities, or products.

In order to reinforce the deterrent effect of the sanction supporting the prohibition established, the law identifies a series of parties who are all individually liable for the aforementioned violation. These include: (1) the "advertiser", (2.1) the "owner of the dissemination medium or site", (2.2) the "owner of the destination medium or site" and (3) the "organizer of the event, activity, or initiative."

There is no self-regulatory code for this topic as a general ban on ACCs for gambling products applies.

5.17.4. Financial products

There are no rules on ACCs concerning financial products in relation to broadcasters, VOD services, VSPs and influencers. The advertising rules apply directly to the different types of financial products. Advertising of financial products and investment services are subject to rules of conduct specifically provided for by financial services laws and regulations.

The relevant supervisory authorities enforcing the rules relating to ACCs for financial products are: the Bank of Italy, CONSOB (*Commissione Nazionale per le Società e la*

Borsa - Italian Authority for monitoring capital markets) and IVASS (*Istituto per la vigilanza sulle Assicurazioni* - Italian Insurance Authority).

ACCs for financial products is self-regulated by the Self-regulatory code on commercial communications”, established by the Self-regulatory advertising institute (IAP). Articles 17 and 27 of this Code specifically addresses financial products. The rules apply to all businesses (including broadcasters, VOD services, VSPs, and influencers).

5.17.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines, medical devices, and food supplements may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

The Italian Ministry of Health’s Guidelines on the advertising of non-prescription medicines regulate promotional activities on VSPs such as YouTube, Facebook, Instagram and TikTok:⁵³⁵

- Comments, reactions, and sharing functionalities must be disabled. Where it is not technically feasible to disable sharing, the post must include the following disclaimer: *“The Ministry of Health authorizes only the content of this advertisement. Any user-generated comments are the sole responsibility of the users. The company disclaims any association with such comments”*.
- Hyperlinks included in the ad are permitted only if they direct users to websites or social media pages containing other promotional content that has been approved by the Ministry of Health. The advertisement must include the following warning: *“You are leaving the [name] site, which contains promotional content authorized under current health advertising regulations”*.
- Finally, when submitting an application for advertising approval, the company must disclose all websites and social media pages to which the advertisement will link - including those not explicitly mentioned in the ad (e.g., links embedded in a “Learn more” button).

Under the Legislative decree No. 219/2006 relating to medicinal products, influencers may be allowed to use testimonials in ACCs for medicinal products and medical devices only

⁵³⁵ [Linee guida sulla pubblicità sanitaria dei medicinali di automedicazione \(OTC\) e dei medicinali senza obbligo di prescrizione \(SOP\), Ministry of Health’s Guidelines on the advertising of non-prescription medicines.](#)



where their presence does not imply any form of recommendation or preference, whether explicit or implicit, for the use of the product (as confirmed by administrative case law, in particular by the Administrative Court of Lazio in Judgments No. 8943 of 12 August 2014 and No. 5859 of 17 May 2016).

ACCs for OTC medicines, food supplements, physical and aesthetic treatments, medicinal products and curative treatments is self-regulated by the Self-regulatory code on commercial communications, established by the Self-regulatory advertising institute (IAP). Articles 23 and 23-bis of this code specifically addresses the topic. The rules apply to all businesses (incl. broadcasters, VOD services, VSPs, and influencers).

Recently, the Self-Regulatory Advertising Body issued a decision⁵³⁶ on a video made by two influencers (TikTok) promoting a weight loss food supplement. The Self-Regulatory Advertising Body found the video transcended the nature of the product, potentially leading consumers to believe that simply using it would naturally result in weight loss. The expressions used in the video were not compatible with the nature of the advertised products. The claims were misleading.

5.17.6. Alternative and other medicinal products

ACCs in audiovisual media services for substances classified as narcotics (e.g. CBD) are forbidden (Presidential decree No. 309/1990).

Devices including light therapy, electrotherapy, pain relief devices and sleep aids, when considered as medical devices, must follow the rules outlined in the section above (the products may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves).

5.17.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes. The Legislative Decree on audiovisual media services does not forbid other product categories, though there is a general ban on any form of advertising, also indirectly, related to gambling⁵³⁷

⁵³⁶ [Istituto dell'autodisciplina pubblicitaria. Ingiunzione 21/2025.](#)

⁵³⁷ Refer to Section 5.17.3.

5.18.LT – Lithuania⁵³⁸

5.18.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Alcoholic beverage – a beverage with an ethyl alcohol concentration of more than 1.2 percent by volume (beer – more than 0.5 percent).	Law on Alcohol Control of the Republic of Lithuania (Official Gazette, 1995, No. 44-1073; 2004, No. 47-1548), Article 2(1) ⁵³⁹
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	General ban on alcohol advertising (including for broadcasters, VOD services, VSPs and influencers).	Law on Alcohol Control of the Republic of Lithuania, Art. 29(1)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	General ban of ACCs for alcoholic beverages, applicable to broadcasters and VOD services.	Law on Alcohol Control of the Republic of Lithuania, Art. 29(1) Law on Advertising of the Republic of Lithuania ⁵⁴⁰
Self-/Co-regulatory body	No.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Gambling is a game or mutual betting according to established rules, in which participants, seeking to win money, voluntarily risk losing the amount they have bet, and the outcome of the game is determined by chance, the result of an event or a sports competition. ⁵⁴¹	Law on Gambling of the Republic of Lithuania (Official Gazette, 2001, No. 43-1495, Art. 2(1)). ⁵⁴²
ACC rules for broadcasters, VOD services, VSPs, and influencers	General ban on gambling advertising (including for broadcasters, VOD services, VSPs and influencers).	Law on Gambling of the Republic of Lithuania, Art. 10(9). Law on Advertising of the Republic of Lithuania.
Self-/Co-regulatory body	No.	

⁵³⁸ It was not possible to receive feedback on Lithuania during the checking round with the national regulatory authority.

⁵³⁹ [Law on Alcohol Control of the Republic of Lithuania \(Official Gazette, 1995, No. 44-1073; 2004, No. 47-1548\).](#)

⁵⁴⁰ [Law on Advertising of the Republic of Lithuania.](#)

⁵⁴¹ Additional definitions are provided in Article 3 of the Law on Gambling of the Republic of Lithuania.

⁵⁴² [Lietuvos Respublikos azartinių lošimų įstatymas \(Žin., 2001, Nr. 43-1495\) \(Law on Gambling of the Republic of Lithuania \(Official Gazette, 2001, No. 43-1495\)\).](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	Consumer Credit Law of the Republic of Lithuania ⁵⁴³ Insurance Law of the Republic of Lithuania ⁵⁴⁴ Law on Advertising of the Republic of Lithuania
Self-/Co-regulatory body	No. ⁵⁴⁵	

OTC MEDICINES	Yes / No / Details	Source
Definition	<p>There is no definition of non-prescription medicinal products.</p> <p>Medicine (medicinal product) is defined as a medicinal substance or combination thereof, manufactured and supplied for use, as it meets at least one of the following criteria: 1) has properties that make it suitable for the treatment or prevention of human diseases; 2) due to its pharmacological, immunological, or metabolic effects, it can be used or prescribed to restore, correct, or modify human physiological functions or to diagnose human diseases.</p> <p>The law establishes however that upon registration they must be classified as prescription or non-prescription.</p>	Law on Pharmacy of the Republic of Lithuania, Art. 2(50) ⁵⁴⁶
ACC rules (AVMSD Art. 9(1)(f), 28b)	Advertising of non-prescription medicinal products is permitted.	Law on Pharmacy of the Republic of Lithuania, Art. 50
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	The rules are general and apply to all advertising regardless of the medium.	Law on Pharmacy of the Republic of Lithuania, Artt. 49, 50 Law on Advertising of the Republic of Lithuania

⁵⁴³ [Lietuvos Respublikos vartojimo kredito įstatymas \(Žin., 2011, Nr. 1-1; 2011, Nr. 146-6830\) \(Consumer Credit Law of the Republic of Lithuania \(Official Gazette, 2011, No. 1-1; 2011, No. 146-6830\)\)](#).

⁵⁴⁴ [Lietuvos Respublikos draudimo įstatymas \(Žin., 2003, Nr. 94-4246; 2011, Nr. 145-6816; 2012, Nr. 127-6385\) \(Insurance Law of the Republic of Lithuania \(Official Gazette, 2003, No. 94-4246; 2011, No. 145-6816; 2012, No. 127-6385\)\)](#).

⁵⁴⁵ [The Bank of Lithuania has guidelines on advertising financial services](#).

⁵⁴⁶ [Lietuvos Respublikos farmacijos įstatymas \(Žin., 2006, Nr. 78-3056\) \(Law on Pharmacy of the Republic of Lithuania \(Official Gazette, 2006, No. 78-3056\)\)](#).



OTC MEDICINES	Yes / No / Details	Source
Self-/Co-regulatory body	Lithuanian Association of Pharmaceutical Industry Enterprises (LAPI).	Lithuanian Code of Ethics for Pharmaceutical Marketing ⁵⁴⁷

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Complementary and alternative healthcare product – a product, other than a medicinal product, specifically manufactured for the provision of complementary and alternative healthcare services.	Law on Complementary and Alternative Healthcare of the Republic of Lithuania, Art. 2 (6) ⁵⁴⁸
ACC rules	The rules are general and apply to all advertising regardless of the medium.	Law on Complementary and Alternative Healthcare of the Republic of Lithuania Law on Advertising of the Republic of Lithuania
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of advertising for tobacco products are prohibited.	Lithuanian Law on the control of tobacco, tobacco products and related products, Artt. 3(5), 17, 17-1 ⁵⁴⁹
Other products	Ban on ACCs for infant formula.	

⁵⁴⁷ [Lithuanian Code of Ethics for Pharmaceutical Marketing.](#)

⁵⁴⁸ [Lietuvos Respublikos papildomosios ir alternatyviosios sveikatos priežiūros įstatymas \(TAR, 2020-01-29, Nr. 2020-02006\) \(Law on Complementary and Alternative Healthcare of the Republic of Lithuania \(TAR, 2020-01-29, No. 2020-02006\)\).](#)

⁵⁴⁹ [Lietuvos Respublikos tabako kontrolės įstatymo pakeitimo ir Lietuvos Respublikos tabako kontrolės įstatymo įgyvendinimo įstatymo pripažinimo netekusiu galios įstatymas \(Lithuanian Law on the control of tobacco, tobacco products and related products\).](#)

5.18.2. Alcoholic beverages

National legislation goes beyond the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) with a general ban of ACCs for alcoholic beverages for broadcasters and VOD services.

A 2021 decision by the Supreme Administrative Court of Lithuania⁵⁵⁰ confirmed that the general ban also applies to VSPs: The Court decided that a beer brewery had violated the ban on alcohol advertising by providing information about its trademarks on a programme shown on YouTube. The ruling is not subject to appeal.

The same year, the Vilnius Chamber (Regional Administrative Court) confirmed a decision by the Department of Drug, Tobacco and Alcohol Control to impose economic sanctions for violations of the Law on Alcohol Control of the Republic of Lithuania.⁵⁵¹

In its decision, the Department found that a website and Facebook page depicting grapes and using a trademark and an inscription associated with the wines "Beaujolais" sold in Lithuania constituted alcohol advertising. The court concluded that the Department had essentially applied the legal norms correctly, examined the facts of the case in detail, and adopted a reasonable and lawful decision, and that there were no legal grounds for the applicant's claim based on the arguments set out in the complaint, and therefore the Department's decision was left unchanged.

There is no self-regulation for this topic.

5.18.3. Gambling products

Amendments to the Law on Gambling of the Republic of Lithuania entering into force on 1 July 2025 introduce a general ban on ACCs for gambling products, as per Article 10(9). Article 10(9) further includes a list of exceptions to the general ban, but none of the exceptions concern ACCs. A transition period is planned until 1 January, 2028, during which gambling advertising will be more restricted but still permitted.

On 25 September, 2025, the Lithuanian Radio and Television Commission (*Lietuvos radijo ir televizijos komisija* – LRTK) completed its monitoring of several internet content channels and decided to fine a content creator who had subjected viewers to a variety of information harmful to minors including information related to the use of alcohol, tobacco, drugs, gambling and money games.

Such content should have been restricted to minors, but in most cases it was not. The LRTK determined that such content fell under several categories prohibited by the Law on the Protection of Minors from the Negative Impact of Public Information, ranging from

⁵⁵⁰ [Decision of the Supreme Administrative Court, case No. eA-2251-822/2020](#) (in Lithuanian).

⁵⁵¹ Decision No. e12-2186-1066/2021 of the Vilnius Chamber (Regional Administrative Court) of May 24, 2021.



violent content and the promotion of gambling to the degradation of human dignity and the depiction of sexual acts.

The content creator was issued an administrative offense report and fined EUR 275.⁵⁵²

There is no self-regulation for this topic.

5.18.4. Financial products

ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.

While no general definition of what constitutes financial products exists, specific rules from different pieces of legislation apply to ACCs for financial products:

- Consumer Credit Law of the Republic of Lithuania
- Insurance Law of the Republic of Lithuania
- Law on Advertising of the Republic of Lithuania.

There is no self-regulation for this topic, but the Bank of Lithuania has published guidelines on advertising for financial services.⁵⁵³ They aim to ensure that advertising of such services is accurate, clear, non-misleading, and complies with Lithuanian and EU laws. They apply to all financial market participants supervised by the Bank of Lithuania, including broadcasters, VOD services, VSPs, and influencers.

As per the guidelines, advertising must:

- be clearly identifiable;
- not mislead consumers or distort economic behaviour;
- balance benefits and risks when promoting financial products;
- include the name of the financial service provider.

Claims must be truthful, verifiable, and not exaggerated. The use of terms like “free”, “guaranteed”, or “safe” must be justified. Comparative advertising must be objective, fair, and non-disparaging. Important information (e.g., risks, fees) must be clearly visible, readable, and not obscured.

In ACCs, warnings must be audible and/or readable for enough time.

⁵⁵² [LRTK nubaudė „TikTok“ paskyros „hoodpriest_clip“ turinio kūrėją už nepilnamečiams žalingą turinį, 25 September 2025](#) (in Lithuanian).

⁵⁵³ [The Bank of Lithuania has guidelines on advertising financial services.](#)



5.18.5. Health products without prescription (over-the-counter medicines)

Article 2(50) of the Law on Pharmacy of the Republic of Lithuania does not define non-prescription medicinal products.

However, it defines medicine (medicinal product) as a medicinal substance or combination thereof, manufactured and supplied for use, as it meets at least one of the following criteria:

- has properties that make it suitable for the treatment or prevention of human diseases;
- due to its pharmacological, immunological, or metabolic effects, it can be used or prescribed to restore, correct, or modify human physiological functions or to diagnose human diseases.

While no definition of non-prescription medicinal products, Article 9(8) of the Law on Pharmacy of the Republic of Lithuania establishes that upon registration they must be classified as prescription or non-prescription.

Advertising of non-prescription medicinal products is permitted, as per Article 50 of the Law on Pharmacy of the Republic of Lithuania, if the necessary information and references specified by the Minister of Health are provided.

As per the Rules for the Advertising of Medicinal Products approved by the Health Minister⁵⁵⁴ the determining factor is not who is advertising but how – there are general rules and rules that apply to non-prescription advertising and those applicable to advertising disseminated via electronic communications networks.

5.18.6. Alternative and other medicinal products

Article 2(6) of the Law on Complementary and Alternative Healthcare of the Republic of Lithuania defines a complementary and alternative healthcare product as a product, other than a medicinal product, specifically manufactured for the provision of complementary and alternative healthcare services.

The rules of the Law on Complementary and Alternative Healthcare of the Republic of Lithuania are general and apply to all advertising regardless of the medium.

There is no self-regulatory code for this type of product.

⁵⁵⁴ [*Order No. V-1128 of the Minister of Health of the Republic of Lithuania of December 28, 2006. "On the Approval of the Rules for the Advertising of Medicinal Products" \(Official Gazette, 2007, No. 2-98\).*](#)

5.18.7. Forbidden ACCs for some categories of products

All forms of advertising for tobacco products are prohibited, as per the Lithuanian Law on the control of tobacco, tobacco products and related products, Artt. 3(5), 17, 17-1.

ACCs for infant formula are prohibited.



5.19. LU – Luxembourg⁵⁵⁵

5.19.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No specific definition, the Customs and excise Agency refers to the Directive on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages.	Customs and Excise agency ⁵⁵⁶
ACC rules (AVMSD Art. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers. ⁵⁵⁷	Electronic Media Act (Art. 27bis 3, 28 septies) ⁵⁵⁸ Amended Grand-Ducal Regulation of 5 April 2001 laying down the rules applicable to advertising, sponsorship, teleshopping and self-promotion in television programmes and video on demand services (Art. 4(4)) deemed to fall within the jurisdiction of Luxembourg (Art. 4(3)) ⁵⁵⁹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Art. 9(1)(e) and 22)	No.	
Self-/Co-regulatory body	The Advertising council (<i>Conseil de la publicité du Grand-Duché de Luxembourg</i>) – CPL) established the Code of ethics which imposes content requirements to the advertisers.	Advertising Council website ⁵⁶⁰

⁵⁵⁵ The national summary on Luxembourg incorporates the feedback received from the *Autorité Luxembourgeoise Indépendante de l'Audiovisuel* (ALIA).

⁵⁵⁶ [Customs and Excise Agency](#).

⁵⁵⁷ An influencer's activity may be considered as an on-demand audiovisual media service (AVMS) if it meets the criteria laid out in the amended Law of 27 July 1991 on Electronic Media. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁵⁵⁸ [Electronic Media Act](#).

⁵⁵⁹ Amended [Grand-Ducal Regulation of 5 April 2001 laying down the rules applicable to advertising, sponsorship, teleshopping and self-promotion in television programmes and video on demand services](#).

⁵⁶⁰ [Conseil de la publicité \(Advertising Council\)](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Lotteries are any operation offered to the public and intended to provide a prize by random draw.	Criminal Code (Art. 301) ⁵⁶¹
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific disposition. ⁵⁶²	
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	Financial instruments are listed in the Annex II of the Law on the financial sector (e.g. transferable securities, money-market instruments, options and swaps, etc.).	Law of 5 April 1993 on the Financial Sector ⁵⁶³
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial or insurance products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	<p>The Luxembourg bankers' association established a code of conduct but it does not address broadcasters, VOD services, VSPs or influencers.</p> <p>The Advertising council established the Code of ethics which imposes content requirements to the advertisers.</p>	<p>Luxembourg bankers' association⁵⁶⁴</p> <p>Advertising council website</p>

OTC MEDICINES	Yes / No / Details	Source
Definition	OTC medicinal products are those which do not meet the criteria for prescription-only medicines.	Amended Grand-Ducal Regulation of 15 December 1992 on the sale of medicinal products (Art. 31-32) ⁵⁶⁵
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes.	Electronic Media Act (Art. 27bis 4)
Additional ACC rules for broadcasters, VOD services,	There are no specific rules for broadcasters, VOD services, VSPs, or	Amended law of 11 April 1983 regulating the marketing and

⁵⁶¹ [Criminal Code](#).

⁵⁶² No specific dispositions but general prohibition of the advertising of gambling products if the latter are not authorised - Criminal Code (Art. 303).

⁵⁶³ [Law of 5 April 1993 on the Financial Sector](#).

⁵⁶⁴ [Luxembourg bankers' association](#).

⁵⁶⁵ [Amended Grand-Ducal Regulation of 15 December 1992 on the sale of medicinal products](#).



OTC MEDICINES	Yes / No / Details	Source
VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	advertising of proprietary medicinal products and prefabricated medicinal products (Art. 19(2)) ⁵⁶⁶ Amended Grand-Ducal Regulation of 15 December 1992 on the sale of medicinal products (Art. 18(3)) ⁵⁶⁷
Self-/Co-regulatory body	The Advertising council established the Code of ethics which imposes content requirements to the advertisers.	Advertising council website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition	
ACC rules	No.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Electronic Media Act (Art. 27bis 2)
Other products	Bans on weapons and ammunitions.	Law of 2 February 2022 on Weapons and Ammunition ⁵⁶⁸

⁵⁶⁶ [Amended law of 11 April 1983 regulating the marketing and advertising of proprietary medicinal products and prefabricated medicinal products.](#)

⁵⁶⁷ [Amended Grand-Ducal Regulation of 15 December 1992 on the sale of medicinal products.](#)

⁵⁶⁸ [Law of 2 February 2022 on weapons and ammunition.](#)



5.19.2. Alcoholic beverages

The Electronic Media Act and the Amended Grand-Ducal Regulation of 5 April 2001 closely copy the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to television services, VOD services, and VSPs.

There are no additional rules.

Alcohol advertising is also regulated by the self-regulatory code established by the Advertising Council (CPL). The Code of ethics follows general principles of the International Chamber of Commerce's Consolidated Code of Advertising and Marketing Communication Practice (ICC Code).⁵⁶⁹ The Code of ethics establishes content requirements (e.g. the ad must not encourage excessive drinking – cf. AVMSD).

5.19.3. Gambling products

The advertising of gambling products is authorised when licensed.⁵⁷⁰

There are no specific rules and no self-regulations applicable to broadcasters, VOD services, VSPs and influencers in this regard.

5.19.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products. For instance, ads for insurances must be fair, clear and not misleading.⁵⁷¹

The Luxembourg bankers' association established a code of conduct,⁵⁷² asking its members to "ensure that their advertising presents an honest and fair picture of their activities and services, in line with legal marketing restrictions. They do not claim superiority or exclusivity in relation to the competition through exaggerated, insidious or denigrating advertising." The Code of conduct does not address broadcasters, VOD services, VSPs or influencers.

The Code of ethics established by the Advertising Council provides for content requirements the ads must respect (the ads must be accurate as to the nature, costs, conditions of access and characteristics of the banking or insurance product/service).

⁵⁶⁹ [Advertising Council's Code of ethics](#).

⁵⁷⁰ Art. 16, [Amended Law of 20 April 1977 on the Operation of Gambling and Betting on Sporting Events](#).

⁵⁷¹ Art. 295-7(2), [Amended Law of 7 December 2015 on the Insurance Sector](#).

⁵⁷² [Code of conduct](#) (Luxembourg bankers' association).

5.19.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Art. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised provided they obtained a market authorisation by the Minister of Health. Medicines which are intended to be used without the intervention of a doctor for a diagnosis may be advertised to the general public.⁵⁷³ OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

Food supplements may be advertised provided they respect content requirements (e.g. the ad does not attribute to the product properties for preventing, treating, or curing a human disease).

The Code of ethics established by the Advertising Council provides for content requirements the ads must respect (e.g. the ads must refrain from encouraging abusive consumption of pharmaceutical and health products).

The Luxembourg national media regulatory authority (ALIA) issued a decision in May 2020 regarding ads for procedures like liposuction. A broadcast media service regularly advertises aesthetic surgery procedures. The main issue is whether these procedures require a prescription, which would mean they cannot be promoted on air. The regulatory authority decided that procedures like liposuction or skin tightening, which are done for personal reasons and not for health needs, can be advertised. In contrast, dental implants, which require a doctor's prescription for medical reasons, are considered surgical procedures and may not be advertised.⁵⁷⁴

5.19.6. Alternative and other medicinal products

The Luxembourg legislation does not contain specific rules for audiovisual service providers (TV broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public. This includes herbal smoking products (e.g. cannabidiol (CBD)) presented as an alternative medicine product (e.g. for cancer patients), as well as personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS). It also covers sleep that serve as alternatives to traditional somniferous drugs, such as devices producing white noise.

⁵⁷³ Art. 19.1-19.2, [Amended Grand-Ducal Regulation of 15 December 1992 on the Sale of Medicinal Products](#).

⁵⁷⁴ ALIA, [Decision DEC007/2020-P003/2018](#), 4 May 2020.

5.19.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

Additionally, the law on weapons and ammunitions forbids the advertisement of weapons and ammunitions.



5.20. LV – Latvia⁵⁷⁵

5.20.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beer > 0.5% ABV Wine > 1.2% ABV < 18% (still) or < 15% (sparkling) Fermented drinks > 1.2% ABV < 15% ABV Intermediate (basic raw material is wine or fermented beverage) > 1.2% ABV < 22% ABV Other beverages exceeding 1.2% ABV	Law on Excise Goods (Art. 3) ⁵⁷⁶
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services, VSPs, and influencers, ⁵⁷⁷ provided they meet the criteria of the Electronic Mass Media law, ⁵⁷⁸ thus recognised as AVMS).	Electronic Mass Media Law (Arts. 23.6(2-3), 36) ⁵⁷⁹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Broadcasters, VOD services and VSPs may only display ACCs for beer and wine; advertising of other alcoholic beverages is prohibited. When ACCs for alcoholic beverages are displayed, they must not include any advertising of prices or discounts. The advertisement of alcoholic beverages shall include information which warns the public against the negative effects of the consumption of alcohol, as well as informs regarding the prohibition to sell, purchase, and hand over alcoholic beverages to minors. At least 10% of the amount of the particular	Electronic Mass Media Law (Arts. 36-1, 36-2(7)) Handling of Alcoholic Beverages Law (Art. 10) ⁵⁸⁰

⁵⁷⁵ The national summary on Latvia incorporates the feedback received from Māra Madara Lūse, Head of International Cooperation and Information Analytics Division at *Nacionālā elektronisko plašsaziņas līdzekļu padome* (National Electronic Mass Media Council – NEPLP).

⁵⁷⁶ *Par akcīzes nodokli* (Law on Excise Goods).

⁵⁷⁷ The national media regulatory authority NEPLP does not currently engage in the active supervision of influencer activities.

⁵⁷⁸ See country summary on Latvia, “*National rules applicable to influencers*”, EAO, Strasbourg 2024.

⁵⁷⁹ *Elektronisko plašsaziņas līdzekļu likums* (Electronic Mass Media Law).

⁵⁸⁰ *Alkoholisko dzērienu aprites likums* (Handling of Alcoholic Beverages Law).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
	advertisement shall be allocated for such information.	
Self-/Co-regulatory body	No.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	A game in which a natural person may acquire a prize fully or partially dependent on chance or previously unknown circumstances, by depositing a bet.	Law on Gambling and Lotteries (Art. 1) ⁵⁸¹
ACC rules for broadcasters, VOD services, VSPs, and influencers	The advertising of gambling products is prohibited outside gambling venues.	Law on Gambling and Lotteries (Art. 41(5))
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition but there is a list of financial services and instruments (e.g. credits, payment services, financial leasing, fiduciary operations, options, swaps, etc.).	Credit Institution Law ⁵⁸² Financial Instrument Market Law ⁵⁸³
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial product and not the type of audiovisual media service provider (or VSP, influencer) involved. Consumer credit advertising is prohibited.	Advertising Law ⁵⁸⁴ and product-specific legislations (e.g. regulation regarding consumer credit) Consumer Rights Protection Law (Art. 8.3).
Self-/Co-regulatory body	Finance Latvia Association has issued the Good practice guidelines for the Latvian financial sector. While not specifically addressing ACCs for financial products, it provides general principles for responsible conduct.	Finance Latvia Association website ⁵⁸⁵

⁵⁸¹ [Azartspēļu un izložu likums](#) (Law on Gambling and Lotteries).

⁵⁸² [Kredītiestāžu likums](#) (Credit Institution Law).

⁵⁸³ [Finanšu instrumentu tirgus likums](#) (Financial Instrument Market Law).

⁵⁸⁴ [Reklāmas likums](#) (Advertising Law).

⁵⁸⁵ [Finanšu nozares asociācija](#) (Finance Latvia Association) website.



OTC MEDICINES	Yes / No / Details	Source
Definition	Non-prescription medicinal products are medicinal products of which the pharmacological properties, strength, amount in packaging, method of administration and the possible adverse reaction caused by use shall not cause a direct or indirect threat to the health of the patient if they are used in accordance with instructions.	Pharmaceutical Law (Art. 1) ⁵⁸⁶
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs, and influencers – provided they meet the criteria of the Electronic Mass Media Law, thus recognised as AVMS).	Electronic Mass Media Law (Art. 37(2))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	<p>There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.). Therefore, all distributors of pharmaceutical advertising must comply with these rules.</p> <p>Audiovisual commercial communications for medicinal products not registered in Latvia or in accordance with the centralised procedures for the registration of medicinal products of the European Medicines Agency, and also prohibited medical treatment shall be prohibited.</p> <p>Audiovisual commercial communications for medicinal products and medical treatments available only on prescription by a physician or by the direction of a physician in Latvia shall be prohibited.</p> <p>An advertisement for medicinal products to the public shall include, among other things, the warning "<i>Zāļu nepamatota lietošana ir kaitīga veselībai</i>" (Unreasonable use of medicinal products is harmful to your health). Such warning shall take up not less than 10 % of the</p>	<p>Procedures for advertising medicinal products and procedures by which a medicinal product manufacturer is entitled to distribute free samples of medicinal products to physicians⁵⁸⁷</p> <p>Electronic Mass Media Law (Art. 37)</p> <p>Cabinet Regulation No. 378 "Procedures for Advertising Medicinal Products and Procedures by Which a Medicinal Product Manufacturer is Entitled to Distribute Free Samples of Medicinal Products to Physicians"⁵⁸⁸</p>

⁵⁸⁶ [Farmācijas likums](#) (Pharmaceutical Law).

⁵⁸⁷ [Cabinet Regulation No. 378](#), Procedures for advertising medicinal products and procedures by which a medicinal product manufacturer is entitled to distribute free samples of medicinal products to physicians, May 2011.

⁵⁸⁸ *Ibid.*



OTC MEDICINES	Yes / No / Details	Source
	visual space of the advertisement. The size of the letters must be such that the title would take up the largest technically available part of the area intended for a warning text. In video advertisements, such warning shall be retained throughout the advertisement, whereas in audio advertisements, the warning shall be expressed at the end of the advertisement text.	
Self-/Co-regulatory body	No.	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition.	
ACC rules	Audiovisual commercial communications for medicinal products not registered in Latvia or in accordance with the centralised procedures for the registration of medicinal products of the European Medicines Agency and also audiovisual commercial communications for prohibited medical treatment shall be prohibited.	Electronic Mass Media Law
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Electronic Mass Media Law (Art. 35-2(8))
Other products	Ban on ACCs for infant formula except in publications specialising in baby care and scientific publications.	Based on European Commission's Delegated Regulation (EU) 2016/127 as regards the specific compositional and information requirements for infant formula (Art. 10) ⁵⁸⁹

⁵⁸⁹ [European Commission's Delegated Regulation \(EU\) 2016/127](#) as regards the specific compositional and information requirements for infant formula.



5.20.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Arts. 9(1)(e), 22, and 28b, AVMSD) applying to broadcasters, VOD services, and VSPs.

Additionally, broadcasters, VOD services, VSPs and influencers (when meeting the AVMS criteria) are permitted to only display ACCs for beer and wine, advertising of other alcoholic beverages is prohibited. When ACCs for alcoholic beverages are displayed, they must not include any advertising of prices or discounts.

There is no self-regulation for this topic.

5.20.3. Gambling products

The advertising of gambling products is prohibited outside gambling venues.

5.20.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

Article 8.3 of the Consumer Rights Protection Law establishes that credit services may not be advertised, with a series of exceptions, but none of them refer to ACCs.

The advertising rules apply directly to the producer of the advertised financial products. For instance, there are rules when advertising for a consumer credit (content and information requirements).⁵⁹⁰

The Finance Latvia Association has issued the Good Practice Guidelines for the Latvian financial sector. While not specifically addressing ACCs for financial products, it provides general principles for responsible conduct in the relationship between financial institutions and their clients.⁵⁹¹

5.20.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Arts. 9(1)(f), 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is

⁵⁹⁰ [Noteikumi par patērētāja kredīšanu](#) (Regulations Regarding Consumer Credit).

⁵⁹¹ [Good practice guidelines for the Latvian Financial Industry](#), last updated on February 2 2024.



prohibited. The rules on advertising medicines in the Electronic Mass Media Law are also covered by pharmaceutical regulations (such as the Procedures for advertising medicinal products and procedures by which a medicinal product manufacturer is entitled to distribute free samples of medicinal products to physicians). These state the same restrictions, such as the complete ban on advertising prescription medicines. This means influencers must follow the same requirements.

There is no self-regulation in this regard.

5.20.6. Alternative and other medicinal products

The Latvian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public related to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), nor for personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor for sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

For alternative medicinal products, general advertising requirements set out in the Advertising Law apply.

The transposition of Article 9(1)(d) AVMSD extends the ban to herbal smoking products.

5.20.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes. The Latvian law extends the ban to herbal smoking products.

ACCs for infant formula are prohibited except in publications specialising in baby care and scientific publications.

No other categories of products have been identified as subject to an advertising ban.

5.21. MT – Malta⁵⁹²

5.21.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	No definition in the Broadcasting Act, though it applies rules on alcoholic beverages which contain min. 1.2% ABV.	Broadcasting Act (16M(4)(d)) ⁵⁹³
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services, VSPs, and influencers (when meeting the AVMS criteria as established by the Broadcasting Act) ⁵⁹⁴ .	Broadcasting Act (Artt. 16K(3)(8), Artt. 16S(2-5)) Subsidiary Legislation 350.24 requirements as to advertisements, methods of advertising and rules applicable to alcoholic beverages, sponsorship and teleshopping (Artt. 3.1 and 4.6) ⁵⁹⁵
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Broadcasters, VOD services, VSPs: Advertising scheduling rules (no ACCs for alcoholic drinks between 6 a.m. and 9 p.m.). Maltese legislation provides rules that are more detailed than the AVMSD; they prohibit both direct and implied messages, and cover additional themes such as solitary drinking, mood alteration, gender stereotypes and irresponsible behaviour.	Subsidiary Legislation 350.24 requirements as to advertisements, methods of advertising and rules applicable to alcoholic beverages, sponsorship and teleshopping (Artt. 2 to 5(2))
Self-/Co-regulatory body	No.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Gaming, remote gaming, betting or playing an authorised game under the Gaming Act and, without prejudice to the generality of the foregoing, including the national lottery, commercial bingo halls,	Subsidiary Legislation 350.25 Requirements as to advertisements, methods of advertising and directions

⁵⁹² The national summary on Malta incorporates the feedback received from Joanna Spiteri, Chief Executive at the Broadcasting Authority.

⁵⁹³ [Broadcasting Act](#).

⁵⁹⁴ See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁵⁹⁵ [Subsidiary Legislation 350.24 requirements as to advertisements, methods of advertising and directions applicable to alcoholic drink advertising, sponsorship and teleshopping](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	Internet gaming, betting and other forms of licensed gaming; but does not include gaming carried out for a philanthropic or charitable or other social purpose which the Authority may from time to time approve, as well as such gaming which is carried out in conformity with and is regulated by the Broadcasting Authority's directive on Conduct of Competitions and the Award of Prizes on the Broadcasting Media or any other provision in the Gaming Act or any other regulatory instruments issued thereunder regulating broadcasting media games.	applicable to gambling advertisements (Art. 4.1) ⁵⁹⁶
ACC rules for broadcasters, VOD services, VSPs, and influencers	Broadcasters, VOD services: <ul style="list-style-type: none"> ■ Advertising scheduling rule (no ACCs for gambling products between 6 a.m. and 7 p.m.). ■ Not during, or immediately prior to or after children's programmes or those programmes directed at or likely to appeal to children. ■ Not airing ACCs breaking gaming laws or socially responsible advertising rules. 	Subsidiary Legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements (Artt. 5(1) and 5(4))
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	Financial services: the business of credit and financial institutions, the business of insurance and the activities of insurance intermediaries, the provision of investment services and collective investment schemes, pensions and retirement funds, regulated markets, central securities depositories and such other areas of activity or services as may be placed under the supervisory and regulatory competence of the Authority by the Minister or by any other law.	Malta Financial Service Authority Act (Art 2.) ⁵⁹⁷

⁵⁹⁶ [Subsidiary legislation 350.25 Requirements as to advertisements, methods of advertising and directions applicable to gambling advertisements.](#)

⁵⁹⁷ [Malta financial service authority act.](#)



FINANCIAL PRODUCTS	Yes / No / Details	Source
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	No.	

OTC MEDICINES	Yes / No / Details	Source
Definition	The medicinal products which can be advertised are those medicinal products which have a marketing authorisation and which are not classified as products which require a prescription, except in the case of vaccination campaigns carried out by the industry after having obtained the approval of the licensing authority set up under the Medicines Act.	Subsidiary Legislation 350.30 Requirements as to standards and practice on programmes involving the participation of certain health care professionals in the broadcasting media (Art. 2.1)
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs, and influencers (when meeting the AVMS criteria as established by the Broadcasting Act).	Broadcasting Act (Art. 16K(4), 16S(2-5))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Subsidiary Legislation 350.30 Requirements as to standards and practice on programmes involving the participation of certain health care professionals in the broadcasting media
Self-/Co-regulatory body	No.	

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No definition.	
ACC rules	No specific rules, the Subsidiary legislations 350.30 applies.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other	All forms of ACCs for cigarettes and other tobacco products, as well as for	Broadcasting Act (Art. 16K(2))

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
tobacco products, e-cigarettes and e-refill containers)	electronic cigarettes and refillable containers, are prohibited.	
Other products	Bans on programmes of broadcasters containing product placement for tattoo drawing (between 6 a.m. and 9 p.m.), infant formula, weapons and ammunitions (broadcasters, VOD services).	Broadcasting Act (Art. 16M(4))

5.21.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Art. 9(1)(e), 22 and 28b, AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

Additionally, Broadcasters, VOD services, VSPs must respect advertising scheduling rules and not broadcaster ACCs for alcoholic drinks between 6.00 a.m. and 9.00 p.m. (applicable to sponsored programmes and activities too). Maltese legislation provides more detailed rules than the AVMSD, prohibiting both direct and implied messages, and covering additional themes, such as solitary drinking, mood alteration, gender stereotypes, and irresponsible behaviour.

There is no self-regulation for this topic.

5.21.3. Gambling products

The advertising of gambling products is allowed except for by television broadcasters and VOD services between 6 a.m. and 7 p.m., while gambling ACCs may be broadcast between 7 p.m. and 6 a.m., they must not be broadcast during, or immediately prior to or after, children's programmes or those programmes directed at children or likely to appeal to them.

Besides, television stations must not air ACCs breaking gaming laws or socially responsible advertising rules (e.g., targeting minors or other vulnerable persons, encouraging irresponsible or harmful gambling, or linking gambling to personal success, or using celebrity endorsements suggesting gambling leads to success, etc.).

There is no self-regulation for this topic.

5.21.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products.

There is not self-regulation for this topic.

5.21.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Art. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines which have a marketing authorisation may be advertised on a broadcasting medium only if they comply with the requirements listed in the Medicinal Products (Advertising) Regulations, and the provisions of the Requirements as to advertisements, methods of advertising and directions contained in the Subsidiary legislation 350.30.

In conclusion, OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

There is no self-regulation for this topic.

5.21.6. Alternative and other medicinal products

The Maltese legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs and influencers) regarding ACCs for products offering alternative options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

The Subsidiary legislation 350.30 applies where relevant. There is no self-regulation for this topic.

5.21.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d), AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Broadcasting Act prohibits programmes of broadcasters containing product placement for tattoo drawing (between 6 a.m. and 9 p.m.), infant formula, weapons and ammunitions.

5.22. NL – Netherlands⁵⁹⁸

5.22.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Drinks with more than 0,5% ABV	Alcohol Act (Art. 1) ⁵⁹⁹
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes. (broadcasters, VOD services, VSPs, and influencers ⁶⁰⁰)	Advertising Code for Alcoholic Beverages 2024 ⁶⁰¹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Prohibition during certain time periods (Public and commercial broadcasters) Broadcasters, VOD services, VSPs, influencers must accompany ACCs for alcohol with the logo “NIX18”.	Media Act (Artt. 2.94 and 3.7) ⁶⁰² Advertising Code for Alcoholic Beverages 2024 (Art. 32)
Self-/Co-regulatory body	Yes, <i>Stichting Reclame Code</i> (the Advertising Code Foundation – SRC), it issues codes applicable to all (incl. broadcasters, VOD services, VSPs and influencers). ⁶⁰³	Stichting Reclame Code ⁶⁰⁴ <i>Reclamecode Social Media & Influencer Marketing (RSM)</i> ⁶⁰⁵

⁵⁹⁸ The national summary on the Netherlands incorporates the feedback received from Britt de Vries, Advisor at *Commissariaat voor de Media* (the Dutch Media Authority – CvdM).

⁵⁹⁹ [Alcohol Act](#) (in Dutch only).

⁶⁰⁰ An influencer fitting the criteria of the consolidated Media Act and the additional influencer-specific criteria laid down in the policy rules of the national media regulatory authority, CvdM, can be considered as an AVMS provider. See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”.

⁶⁰¹ [Advertising Code for Alcoholic Beverages 2024](#).

⁶⁰² [Media Act](#).

⁶⁰³ The codes issued by the SRC are applicable to all broadcasters, VOD’s and VSP’s. They are obliged, based on the Media Act 2008, to be affiliated with the Dutch Advertising Code (Art. 2.92 for PSM, Art. 3.6 for commercial broadcasters, Art. 3a.4 for VSPs). The SRC issued the Media and Influencer Marketing Code (RSM) and it applies to influencers as soon as a relevant relationship between an advertiser and the influencer can be established. Based on the RSM, the advertiser and the influencer each bear their own responsibility for compliance with Articles 3 (Disclosure and Recognizability of a Relevant Relationship), 4 (Ban on Manipulation) and 5 (ban on encouraging children aged 12 or under to advertise for products or services on social media) of the RSM Code.

⁶⁰⁴ [Stichting Reclame Code - Stichting Reclame Code](#).

⁶⁰⁵ [Media and Influencer Marketing Code](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Opportunity to compete for prizes or premiums whereby the winners are selected through any chance determination over which the participants generally cannot exercise dominant influence.	Gambling Act (Art. 1(1a)), ⁶⁰⁶ Advertising Code for Online Games (Art. 2.1) ⁶⁰⁷
ACC rules for broadcasters, VOD services, VSPs, and influencers	Prohibition during certain time periods (Public and commercial broadcasters) All broadcasters, VOD services, VSPs and influencers must abide by the rules of the Advertising code for online games of chance.	Media Act (Artt. 2.94 and 3.7) Advertising Code for Online Games
Self-/Co-regulatory body	Yes, the SRC, applicable to all (incl. broadcasters, VOD services, VSPs and influencers).	Stichting Reclame Code <i>Reclamecode</i> Social Media & Influencer Marketing

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	Yes for financial product and financial service	Financial Supervision Act (Art. 1.1) ⁶⁰⁸
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	No, but the Authority for the financial markets (AFM) issues ACC rules.	AFM website ⁶⁰⁹

OTC MEDICINES	Yes / No / Details	Source
Definition	Distinction between medicines, self-care medical products (having a physical effect without the intervention of a health professional), health products (food supplements and other products)	Codes from the Stichting Reclame Code: <ul style="list-style-type: none"> ■ Code for advertising medicines to the general public (CPG)⁶¹⁰ ■ Advertising code for self-care medical products (CMH)⁶¹¹

⁶⁰⁶ [Gambling Act.](#)

⁶⁰⁷ [Advertising Code for Online Games.](#)

⁶⁰⁸ [Financial Supervision Act.](#)

⁶⁰⁹ [Authority for the Financial Markets.](#)

⁶¹⁰ [Code for advertising medicines to the general public 2019 \(CPG\).](#)

⁶¹¹ [Advertising Code for self-care medical products 2019 \(CMH\).](#)



OTC MEDICINES	Yes / No / Details	Source
		<ul style="list-style-type: none"> Code for health product promotion (CAG)⁶¹²
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes.	Media Act (Artt. 2.94(2)((a), and 3.7(2)(a))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	ACCs must comply with various requirements, such as not to suggest that medicinal examination is unnecessary, not to be misleading, etc. Applicable to broadcasters, video-on-demand platforms, video-sharing platforms, and influencers.	CPG, CMH, CAG
Self-/Co-regulatory body	Yes, the SRC, applicable to all (incl. broadcasters, VOD services, VSPs and influencers).	CPG, CMH, CAG <i>Reclamecode Social Media & Influencer Marketing</i>

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Corresponds to medicines without prescription.	Code for advertising medicines to the general public
ACC rules for broadcasters, VOD services, VSPs, and influencers	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (e.g. not to be misleading).	CPG
Self-/Co-regulatory body	Yes, the SRC, applicable to all (incl. broadcasters, VOD services, VSPs and influencers).	Stichting Reclame Code <i>Reclamecode Social Media & Influencer Marketing</i>

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Dutch Tobacco and Smoking Products Act (Art. 5 (1) and (2)) ⁶¹³
Other products	No.	

⁶¹² [Code for health product promotion \(CAG\)](#).

⁶¹³ [Dutch Tobacco and Smoking Products Act](#).



5.22.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs and influencers.

In addition, ACCs promoting alcoholic beverages must not be broadcast between 6am and 9pm (Media Act). It applies to public and commercial broadcasters.

The main framework concerning ACCs for alcoholic beverages is self-regulatory, as provided by the Media Act (Artt. 2.92 and 3.6). The most recent code for the advertising of ACCs is the Advertising code for alcoholic beverages 2024. It contains similar rules as the AVMSD ones. Besides, every ACC message for an alcoholic beverage should show the “NIX18” logo on screen (applicable to broadcasters, VOD services, VSPs and influencers).

5.22.3. Gambling products

The advertising of gambling products is generally allowed. However, ACCs promoting gambling products must not be broadcast between 6am and 9pm for gambling products requiring a licence (Artt. 2.94 and 3.7 Media Act),⁶¹⁴ and between 6am and 7pm for other games.

Broadcasters, VOD services, VSPs and influencers must abide by the rules of the Advertising code for online games of chance, as provided by the Media Act (Artt. 2.92 and 3.6), such as:

- Minimum age (18+), obliged use of slogan and warnings;
- No targeting of minors, self-excluded or vulnerable individuals;
- No untargeted media (like tv) or in-game ads; bonus rules; separation of advertising from prevention;
- Ban on youth-oriented influencers.

5.22.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

⁶¹⁴ The games of chance for which a license is required as referred to in the Articles 2.94 and 3.7, under a, Media Act 2008 (14a, 15, 23, 27g and 31 of the Betting and Gaming Act) are: instant lottery, sports betting, the totalizator, casino games, and online games of chance. The other games of chance are those for which a license is further required pursuant to the Betting and Gaming Act.

The advertising rules apply directly to the producer of the advertised financial products.

The Decree on conduct of business supervision of financial undertakings under the financial supervision act, adopted by the Authority for the financial markets (AFM), details those rules (Artt. 52-56). Disclosure requirements apply when advertising for financial products or services. Besides, as per Dutch civil law, ACCs must not be misleading or aggressive.

Influencers must follow specific AFM's influencer rules,⁶¹⁵ for instance, influencers must not give investment advice.

The self-regulatory body SRC does not implement specific rules to ACCs for financial products, however, the main ACC rules (honesty, clarity, etc.) must be respected.

5.22.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines products is prohibited.

As with ACCs for alcohol, the rules for OTC ACCs are set by the self-regulatory organisation SRC. For OTC medicines, ACCs must comply with various requirements, such as not to suggest that medicinal examination is unnecessary, not to be misleading, etc. Within the SRC framework, the codes CAG, CPG, CMH and RSM apply. These rules are binding for broadcasters, video-on-demand platforms, video-sharing platforms, and influencers, since under the Media Act such service providers are required to affiliate with the SRC.

5.22.6. Alternative and other medicinal products

The products must follow the same rules as described in the Section above (CPG rules), provided the products do not require a marketing authorisation under the Medicines Act.

ACCs for CBD product is contrary to the Medicines Act and contrary to the general Dutch advertising code.

⁶¹⁵ [AFM's influencer rules](#).

5.22.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

No other categories of products have been identified as subject to an advertising ban.

5.23. NO – Norway⁶¹⁶

5.23.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages containing >2.5% ABV	Act on the Sale of Alcoholic Beverages (Alcohol Act) (Section 1.3) ⁶¹⁷
ACC rules (AVMSD Art. 9(1)(e), 22, 28b)	General ban on all advertising of alcoholic beverages.	Alcohol Act (Section 9.2, general ban)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Art. 9(1)(e), 22 and 28b)	<p>General ban on all advertising of alcoholic beverages.</p> <p>No advertisements may be broadcast containing a trademark or logo that is used in the promotion of a product or service for which advertising is prohibited under Norwegian law. This includes alcohol advertising. This prohibition extends to VSPs.</p>	<p>Alcohol Act (Section 9.2)</p> <p>Regulation relating to broadcasting and audiovisual on-demand services (Section 3.4 and extension of the rules of Section 3.4 to VSPs thanks to Sections 5A-6) ("Broadcasting Regulation")⁶¹⁸</p> <p>For VSPs, see Sections 5A-6 of the Act relating to broadcasting and audiovisual on-demand services ("Broadcasting Act")⁶¹⁹</p>
Self-/Co-regulatory body	No.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	"Monetary games": an activity in which participants, by placing a stake, have the chance to win a prize of economic value, and where the outcome is wholly or partly determined by chance.	Act on Monetary Games (Section .2) ⁶²⁰
ACC rules for broadcasters, VOD services, VSPs, and influencers	Ban on ACCs for gambling products from operators without the necessary gambling licence.	<p>Act on Monetary Games (Section 6(2)(a))</p> <p>Broadcasting Regulation (Section 3.4 and extension of the rules of</p>

⁶¹⁶ The national summary on Norway incorporates the feedback received from Lars Erik Krogsrud, Senior adviser at *Medietilsynet* (the Norwegian Media Authority).

⁶¹⁷ [Act on the Sale of Alcoholic Beverages](#).

⁶¹⁸ [Regulation relating to Broadcasting and Audiovisual On-demand Services](#) ("Broadcasting Regulation").

⁶¹⁹ [Act relating to Broadcasting and Audiovisual On-demand Services](#) ("Broadcasting Act").

⁶²⁰ [Act on Monetary Games](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	No advertisements may be broadcast containing a trademark or logo that is used in the promotion of a product or service for which advertisement is prohibited under Norwegian law. This includes advertising of gambling products. This prohibition extends to VSPs.	Section 3.4 to VSPs thanks to Sections 5A-6 of the Broadcasting Regulation) For VSPs, see Sections 5A-6 of the Broadcasting Act
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition, various definitions specific to the type of products involved.	Specific legislations apply.
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific rules applicable to broadcasters, VOD services, VSPs and influencers.	Specific legislations apply. ⁶²¹
Self-/Co-regulatory body	No.	

OTC MEDICINES	Yes / No / Details	Source
Definition	Existence of a definition of a medicinal product. In practice, medicinal products that are not subject to prescription requirements would be OTC products.	Regulation on Medicinal Products for Human Use (Medicines Regulations) (Section. 1.3 and 7.1) ⁶²²
ACC rules (AVMSD Art. 9(1)(f), 28b)	ACCs for OTC medicines are allowed (for broadcasters, VOD services, VSPs, and influencers) as the law only prohibits advertising of prescription-only medicines.	
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	No specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (disclosure requirement).	Medicine Regulations (Sections 19-21a)
Self-/Co-regulatory body	No.	

⁶²¹ The [Act on Financial Contracts](#) section 3-3 gives general requirements on all ads.

⁶²² [Medicines Regulation](#).



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	“Alternative treatment”: health-related treatment provided outside the public health and care services and not by authorised health personnel. It also includes treatment within the health and care services, or by authorised health personnel, when methods are used that are primarily practiced outside the health and care services.	Act on Alternative Treatment of Disease (Section 2) ⁶²³
ACC rules	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for alternative treatments medicines. General requirements related to realistic and matter of fact ads in section 8.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited (general marketing ban going beyond media services).	Act on Protection against Tobacco Damage (Section 22) ⁶²⁴
Other products	<p>General ban on alcoholic beverages, prescription-only medicines, gambling products from operators without a licence.</p> <p>General ban on marketing of certain food stuffs directed towards children. This ban applies directly to sellers and ultimately covers all forms of marketing and broadcasting of ACCs.</p> <p>Ban on advertisements on television or in audiovisual on-demand services that specifically target children.</p>	<p>See above.</p> <p>[Foodstuffs] Section 4, Regulation prohibiting the marketing of certain foods particularly aimed at children⁶²⁵</p> <p>[Ads targeting children and ads containing belief systems or political messages]</p>

⁶²³ [Act on Alternative Treatment of Disease.](#)

⁶²⁴ [Act on Protection against Tobacco Damage.](#)

⁶²⁵ [Regulation prohibiting the marketing of certain foods particularly aimed at children.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
	<p>Ban on broadcast of advertisements for belief systems or political messages on television.</p> <p>Ban on broadcasting of advertisements for weapons, models of weapons or toy versions of weapons</p>	<p>Broadcasting Act (Section 3-1 first paragraph). The prohibition extends to VSPs since the Broadcasting Regulation requires they take appropriate measures to ensure that advertising, sponsorship, and product placement that is marketed, sold, or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in Section 3-1, first paragraph of the Act.</p> <p>[Ads on weapons]</p> <p>Broadcasting Regulation (Section 3-4 second paragraph)</p> <p>The prohibition extends to VSPs since the Broadcasting Regulation requires they take appropriate measures to ensure that advertising, sponsorship, and product placement that is marketed, sold, or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in Section 3-4 of the Act.</p>

5.23.2. Alcoholic beverages

The Alcohol Act establishes a general ban on all advertising of alcoholic beverages in Norway. Additionally, the Broadcasting Regulation provides that no advertisements may be broadcast containing a trademark or logo that is used in the promotion of a product or service for which advertisement is prohibited under Norwegian law.

The ban on the advertising of alcohol extends to VSPs in the respect that the Broadcasting Act requires that they take appropriate measures to ensure that advertising,

sponsorship, and product placement that is marketed, sold or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in the Alcohol Act.

There is no co-/self-regulatory entity addressing ACCs for alcoholic beverages.

5.23.3. Gambling products

Advertising of monetary games is allowed in Norway provided the operators obtain the necessary gambling licence from the Norwegian authorities.

At present, there are no rules specifically concerning advertising of gambling products, whether by broadcasters, VOD services or influencers. Nonetheless, these providers must respect all bans established by Norwegian legislations, thus they must not broadcast ACCs for monetary games from operators who do not possess the necessary gambling licence.

With respect to VSPs, the Broadcasting Act requires they take appropriate measures to ensure that advertising, sponsorship, and product placement that is marketed, sold or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in the Act on Monetary Games.

Article 4-7 of the Regulations on broadcasting and audiovisual on-demand services provides that the Norwegian Media Authority may issue orders to network operators ordering them to implement measures to prevent or hamper access to marketing in television or audiovisual on-demand services when such marketing contravenes Art. 6(2)(a) of the Act on Monetary Games. Such an order may be imposed on the owner or operator of a network that transmits television or audiovisual on-demand services where such marketing takes place. The decision must specify which marketing and which television channels or audiovisual on-demand services the order concerns.

There is no co-/self-regulatory entity addressing ACCs for monetary games.

5.23.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs or influencers.

The advertising rules apply directly to the producer of the advertised financial products (content and information requirements).

There is no co-/self-regulatory entity addressing ACCs for financial products.

5.23.5. Health products without prescription (over-the-counter medicines)

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). At present, there are no rules specifically concerning ACC advertising of OTC products, whether by broadcasters, VOD services, VSPs, or influencers.

Nonetheless, providers of video-sharing platforms are obliged to take appropriate measures to ensure that advertising, sponsorship, and product placement that is marketed, sold or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements based on section 19 of the Medicinal Act (and in practice chapter 13 of the Medicinal Regulation).

There is no co-/self-regulatory entity addressing ACCs for OTC products.

5.23.6. Alternative and other medicinal products

The legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public concerning herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), nor personal care devices that provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids that offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.23.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

In addition to those bans mentioned in this document (alcoholic beverages, betting products from operators without a licence, prescription medicines and medicines without a marketing license), Norway has the following bans, contained in the Broadcasting Act and in the Broadcasting Regulation:

- Ban on advertisements on television or in audiovisual on-demand services that specifically target children (Broadcasting Act, Section 3-1 first paragraph). The prohibition extends to VSPs since the Broadcasting Regulation requires they take appropriate measures to ensure that advertising, sponsorship and product

placement that is marketed, sold or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in Section 3-1, first paragraph of the Act.

- Ban on the broadcasting of advertisements for belief systems or political messages on television (Broadcasting Act, Section 3-1 first paragraph).
- Ban on the broadcasting of advertisements for weapons, models of weapons or toy versions of weapons (Broadcasting Regulation, Section 3-4, second paragraph). The prohibition extends to VSPs since the Broadcasting Regulation requires they take appropriate measures to ensure that advertising, sponsorship, and product placement that is marketed, sold, or facilitated by parties other than the providers themselves, and which is included in or accompanies audiovisual programs or user-generated videos, comply with the requirements set out in Section 3-4 of the Regulation.

Additionally, there is a general ban on the marketing of certain food products directed towards children. This ban applies directly to sellers and ultimately covers all forms of marketing and broadcasting of ACCs.

5.24. PL – Poland⁶²⁶

5.24.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Product intended for consumption exceeding 0.5% ABV.	Act of 26 October 1982 on Sobriety education and Counteracting Alcoholism (Art. 46(1)) ⁶²⁷
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services, VSPs, and influencers (when meeting the AVMS criteria as established by the Broadcasting Act) ⁶²⁸ .	Broadcasting Act (Art. 16B 1.2) (for VSPs Arts. 47q), 16b 3a., 3b. and Art. 3a 1. to 1b) ⁶²⁹ Act of 26 October 1982 on Sobriety education and Counteracting Alcoholism (Art. 13 ¹ (1))
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	ACCs for alcoholic beverages forbidden except for beer. ACCs for beer forbidden on television (broadcasters, VOD services), radio, cinemas and theatres between 6 a.m. and 8 p.m., including VSPs. Influencers are subject to the Competition and Consumers authority's decisions, but the national broadcasting council may conduct the parallel procedure, when they are considered AVMS providers.	Act of 26 October 1982 on Sobriety education and Counteracting Alcoholism (Art. 13 ¹ (1)2.)
Self-/Co-regulatory body	Alcohol marketing is self-regulated by the self-regulatory advertising code of ethics, established by the Union of associations advertising council. There are standards to be met by ACCs for beer.	Union of Associations Advertising Council website ⁶³⁰

⁶²⁶ The national summary on Poland incorporates the feedback received from Albert Woźniak, an expert from the Department of Strategy of *Krajowa Rada Radiofonii i Telewizji* (the National Broadcasting Council – KRRiT).

⁶²⁷ *Ustawa z dnia 26 października 1982 r. o wychowaniu w trzeźwości i przeciwdziałaniu alkoholizmowi (Act of 26 October 1982 on Sobriety education and Counteracting Alcoholism).*

⁶²⁸ See country summary in "*National rules applicable to influencers*", EAO, Strasbourg.

⁶²⁹ *Ustawa o radiofonii i telewizji (Broadcasting Act).*

⁶³⁰ *Związek Stowarzyszeń Rada Reklamy (Union of Associations Advertising Council) website.*



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Games, including those organized via the Internet, for monetary or material winnings, the outcome of which depends in particular on chance.	Act of 19 November 2009 on Gambling Products (Art. 2) ⁶³¹
ACC rules for broadcasters, VOD services, VSPs, and influencers	Advertising of gambling products is prohibited, except for mutual betting when authorised on VOD services and VSPs but not on television, radio, cinema and theatre between 6 a.m. and 10 p.m.	Act of 19 November 2009 on Gambling Products (Arts. 29 and 29b)
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition.	
ACC rules for broadcasters, VOD services, VSPs, and influencers	ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.	
Self-/Co-regulatory body	ACCs for financial services are self-regulated by the self-regulatory advertising code of ethics, established by the Union of associations advertising council. There are standards to be met by ACCs for financial products.	Union of Associations Advertising Council website

OTC MEDICINES	Yes / No / Details	Source
Definition	No general definition.	
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs)	Broadcasting Act (Arts. 16b 1. 3) and 4) Pharmaceutical Law (Art. 57.1) ⁶³²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Pharmaceutical Law (Arts. 53-55)
Self-/Co-regulatory body	Specific to dietary products: the television broadcasters and the dietary supplement producers signed an	Agreement regarding the method of advertising dietary supplements, signed by television broadcasters and dietary

⁶³¹ [Ustawa z dnia 19 listopada 2009 r. o grach hazardowych](#) (Act of 19 November 2009 on Gambling Products).

⁶³² [Ustawa z dnia 6 września 2001 r. Prawo farmaceutyczne](#) (Pharmaceutical Law).



OTC MEDICINES	Yes / No / Details	Source
	<p>agreement regarding the method of advertising dietary supplements.</p> <p>Dietary supplement producers must create ACCs which contain the necessary content and information requirements (as set out in the agreement). Television broadcasters have committed not to broadcast dietary supplement advertisements when ACCs do not fulfil these requirements.</p>	<p>supplement producers, chaired by the National broadcasting council⁶³³</p>

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	<p>No general definition.</p> <p>The Act on the Medical and Dental Professions from 2018 clearly defines what is considered medical practice, leaving unconventional or alternative treatment outside this scope. In consequence, the potential advertising of alternative medicine options or treatments should be subject to general rules on commercial communications.</p>	
ACC rules	No.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	<p>All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.</p>	<p>Broadcasting Act (Art. 16b 1.1)</p>
Other products	<p>Bans on firearms and the promotion and distribution of pornography unprotected from the access of minors are prohibited.</p>	<p>In respect of firearms – no direct provisions but a general norm in Article 16b. 3 p 5 of the Broadcasting Act – which prohibits the commercial communications which threaten</p>

⁶³³ [Porozumienie nadawców w sprawie rozpowszechniania reklam suplementów diety](#) (Agreement regarding the method of advertising dietary supplements).



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
		public safety (ACCs concerning firearms are recognised as such). In respect of pornography - Article 202.1 and 4 of the Act of 6 th June 1997 Criminal Code ⁶³⁴

5.24.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Arts. 9(1)(e), 22, and 28b, AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

The national legislation even goes beyond as it only allows ACCs for beer and prohibits the promotion of other alcoholic beverages.

Though ACCs for beer is allowed, the promotion must not be permitted on television, radio, cinema or theatre productions between 6 a.m. and 8 p.m. The Polish Broadcasting Act applies the same rules regarding advertising of alcoholic beverages *mutatis mutandis* in respect of different providers of audiovisual media services, including video sharing platforms. It is prescribed by Article 47k of the Broadcasting Act in respect of the VOD services and by Article 47q (1) of the Broadcasting Act in respect of the VSPs providers. Influencers are subject to the Competition and Consumers authority's decisions, and the National Broadcasting Council.

For several months in 2023, some channels broadcasted ACCs for beers between 6 a.m. and 8 p.m. The National Broadcasting Authority imposed fines to the channels.⁶³⁵

Alcohol marketing is self-regulated by the self-regulatory advertising code of ethics, established by the Union of associations advertising council.⁶³⁶ It contains an annex on beer advertising standards, which regulates the creation and dissemination of the commercial communications concerning beer.

5.24.3. Gambling products

The advertising of gambling products is generally prohibited (cylindrical games, card games, dice games, slot machine games and mutual betting).

⁶³⁴ [Kodeks karny \(Criminal Code\)](#).

⁶³⁵ The National Broadcasting Council's report on its activities in 2023 lists the entities that were fined but there is no access to the decisions.

⁶³⁶ [Kodeks etyki reklamy \(Advertising code of ethics\)](#).

ACCs for mutual betting is allowed when authorised on VOD services and VSPs but not on television, radio, cinema and theatre between 6am and 10pm.

The Act on gambling products provide for other ACC rules, dealing with content and information requirements.

There is no self-regulation for this topic.

5.24.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products, for instance:

- (For financial instruments) ACCs must be reliable and not raise doubts or mislead (Art. 83c, 2005 Act)
- (For consumer credit) ACCs must contain information that is clear, visible and understandable concerning the cost of the consumer credit (i.e., interest rates, total loan amounts, annual percentage rates) (Art. 7(1), 2011 Act)
- (Mortgage loans) ACCs must contain mandatory information on mortgage loans.

ACCs for financial products are self-regulated by the self-regulatory advertising code of ethics, established by the Union of associations advertising council.⁶³⁷ It contains rules regarding the advertising of financial products.

5.24.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Arts. 9(1)(f) and 28b, AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

In November 2019, the television broadcasters and dietary supplement producers signed an agreement regarding the method of advertising dietary supplements. The deal was chaired by the National broadcasting council. It contains content and information

⁶³⁷ [Advertising code of ethics](#), op. cit.



requirements and applies to dietary supplement producers.⁶³⁸ Television broadcasters have committed not to broadcast dietary supplement advertisements when not fulfilling these requirements.

5.24.6. Alternative and other medicinal products

The Polish legislation does not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine (e.g. for cancer patients), nor personal care devices to provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.24.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

In addition, ACCs for firearms and the promotion and distribution of pornography unprotected from the access of minors are prohibited.

⁶³⁸ [Agreement regarding the method of advertising dietary supplements](#), op. cit.

5.25. PT – Portugal⁶³⁹

5.25.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beer, wines, other fermented beverages, intermediate products, spirituous or similar beverages and non-spirituous beverages (through fermentation, distillation or addition, contains an alcoholic strength greater than 0,5% ABV).	Law-Decree No. 50/2013, New regime for the provision, sale and consumption of alcoholic beverages in public places and in places open to the public (Art. 2) ⁶⁴⁰
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (broadcasters, VOD services, VSPs and influencers ⁶⁴¹).	Decree-Law No 330/90 Advertising Code (Artt. 17, 20) ⁶⁴²
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	ACCs for alcoholic beverages is prohibited in children's programmes (general ban applicable to all services). ACCs in which minors participate must not display or mention brands of alcoholic drinks (for all services). An advertising scheduling rule applies to broadcasters and radio operators (forbidden between 7am and 10:30pm).	Decree-Law No 330/90 Advertising Code (Artt. 17, 20)
Self-/Co-regulatory body	<i>Auto Regulação Publicitária</i> (the Portuguese institute for advertising self-regulation – ARP) issued a code of self-regulation for commercial communication. It applies to all ACCs, regardless of the channel or medium.	SRO website ⁶⁴³

⁶³⁹ The national summary on Portugal incorporates the feedback received from Renata Rosa, Support Office to the Regulatory Board of *Entidade Reguladora para a Comunicação Social* (the Regulatory Authority for the Media – ERC).

⁶⁴⁰ [Law-Decree No. 50/2013](#), New regime for the provision, sale and consumption of alcoholic beverages in public places and in places open to the public.

⁶⁴¹ An influencer fitting the criteria laid down in Article 2(3) of Law No. 74/2020 may be recognised as an AVMS provider. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁶⁴² [Decree-Law No 330/90 Advertising Code](#).

⁶⁴³ [Auto Regulação Publicitária \(the Portuguese institute for advertising self-regulation\)](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	<p>Chance-based gambling, those that involve the expenditure of a sum of money and the outcome of which is contingent because it is based exclusively or fundamentally on luck;</p> <p>Online gambling and bets, chance-based gambling, fixed-odds sports bets and horse racing, mutual and fixed-odds bets, in which any mechanisms, equipment or systems are used that allow the production, storage or transmission of documents, data and information, when carried out remotely, through electronic, computer, telematic and interactive media, or any other means.</p>	Law-Decree No. 66/2015, Legal Framework for Gambling and Online Betting (Art. 2) ⁶⁴⁴
ACC rules for broadcasters, VOD services, VSPs, and influencers	Allowed, except when targeting or using minors or when advertising gambling in ACCs about events in which minors participate (all media).	Decree-Law No 330/90 Advertising Code (Art. 21)
Self-/Co-regulatory body	No.	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	“Financial services” cover banking, credit, insurance, investment, or payment service and those relating to individual membership of open pension funds.	Law-Decree No. 95/2006, Regime Applicable to Pre-Contractual Information and Contracts Relating to Financial Services Provided to Consumers Through Remote Means of Communication (Art. 2) ⁶⁴⁵
ACC rules for broadcasters, VOD services, VSPs, and influencers	Media services (press, radio, broadcasters, websites) must require and display the entity number provided by the Bank of Portugal.	Law No. 78/ 2021 - Regime for preventing and fighting unauthorized financial activity and consumer protection (Art. 3) ⁶⁴⁶
Self-/Co-regulatory body	The National bank of Portugal has issued guidelines, targeting financial entities dealing with the advertising of their products.	National Bank website ⁶⁴⁷

⁶⁴⁴ [Law-Decree No. 66/2015, Legal Framework for Gambling and Online Betting.](#)

⁶⁴⁵ [Law-Decree No. 95/2006, Regime Applicable to Pre-Contractual Information and Contracts Relating to Financial Services Provided to Consumers Through Remote Means of Communication.](#)

⁶⁴⁶ [Law No. 78/ 2021 - Regime for preventing and fighting unauthorized financial activity and consumer protection.](#)

⁶⁴⁷ [National bank website.](#)



OTC MEDICINES	Yes / No / Details	Source
Definition	Non-prescription medicines are drugs that do not meet the requirements to be considered “prescription-only medicines”.	Law-decree no 76/2006, Legal framework for medicines for human use (Artt. 114-115) ⁶⁴⁸
ACC rules (AVMSD Artt. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs and influencers).	Decree-Law No 330/90 Advertising Code (Art. 19)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (content requirement, information requirement, etc.).	Law-Decree no 76/2006, Legal framework for Medicines for Human Use (Art. 153)
Self-/Co-regulatory body	There are general communication rules from the Portuguese institute for self-regulation advertising, the National association of pharmaceutical companies (APIFARMA), and the National agency for medicinal products, but nothing specific to ACCs and media services.	SRO website APIFARMA website ⁶⁴⁹ National Agency for Medicinal Products website ⁶⁵⁰

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition, but “non-conventional therapies” are considered be those that are based on a different philosophical basis from conventional medicine and apply specific diagnostic processes and therapies of their own (acupuncture, naturopathy, etc.).	Law 45/2003 establishing the framework for non-conventional therapies (Art. 3) ⁶⁵¹
ACC rules	ACCs must respect content and information requirements as per the Law-decree 238/2055 establishing the legal framework for health practices advertising, regardless of the media services.	Law-Decree 238/2055 establishing the legal framework for health practices advertising, regardless of the media services ⁶⁵²
Self-/Co-regulatory body	No	

⁶⁴⁸ [Law-Decree no 76/2006, Legal Framework for Medicines for Human Use.](#)

⁶⁴⁹ [APIFARMA website.](#)

⁶⁵⁰ [National Agency for Medicinal Products website.](#)

⁶⁵¹ [Law 45/2003 establishing the framework for non-conventional therapies.](#)

⁶⁵² [Law-decree 238/2055 establishing the legal framework for health practices advertising, regardless of the media services.](#)



FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Law 37/2007 on Tobacco (Artt.14-E, 16) ⁶⁵³ Law 27/2007 Television and Audiovisual On-Demand Services Law (Art. 1-A(2)) ⁶⁵⁴
Other products	General ban on the advertising of alcoholic beverages, tobacco or any form of pornographic material is prohibited in educational establishments or in any publications, programmes or activities specifically aimed at minors. General ban on the advertising of weapons (except if disclosed in specialised media).	Advertising Code, Decree-Law No 330/90 (Art. 20) Legal Framework for Weapons and Ammunition, Law No 5/2006 (Art. 81) ⁶⁵⁵

5.25.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.

In addition, the advertising of alcoholic beverages is prohibited in programmes or specifically aimed at minors, and ACCs in which minors participate must not display or mention brands of alcoholic drinks.

An advertising scheduling rule applies to broadcasters and radio operators: ACCs for alcoholic beverages are forbidden between 7am and 10:30pm.

Alcohol advertising is regulated by the self-regulatory code for commercial communications, containing specific rules for alcoholic beverages. It applies to all ACCs, regardless of the channel or medium.⁶⁵⁶ The code applies content requirement, such as the mandatory warning “Be responsible. Drink in moderation”.

⁶⁵³ [Law 37/2007 on Tobacco.](#)

⁶⁵⁴ [Law-decree 238/2055 establishing the legal framework for health practices advertising, regardless of the media services.](#)

⁶⁵⁵ [Legal Framework for Weapons and Ammunition, Law No 5/2006.](#)

⁶⁵⁶ [Code of self-regulation for commercial communication.](#)

5.25.3. Gambling products

The advertising of gambling products is allowed, except when targeting or using minors or when advertising gambling in ACCs about events in which minors participate. Other rules apply to ACCs regardless of the channel or medium.

For the moment, there is no co- or self-regulation. The governmental department responsible for the gambling sector has issued a code of good practices regarding gambling advertising. Besides all the principles already established in the law, this document recommends that all commercial communication include a warning message: “Be responsible. Gamble with moderation”.

5.25.4. Financial products

Media services (press, radio, broadcasters, websites) must require and display the entity number provided by the Bank of Portugal. If this information is not supplied, media companies must refuse the dissemination of the ACC. These requirements apply to any message, advertisement, or advertising transmission, regardless of medium or format.

There are no other rules on ACCs concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers. The advertising rules apply directly to the different types of financial products.

The National bank of Portugal has issued guidelines, targeting financial entities dealing with the advertising of their products.⁶⁵⁷

5.25.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

⁶⁵⁷ [*National bank's notice establishing the rules applicable to the advertising of financial products and services subject to the supervision of the Bank of Portugal.*](#)

OTC medicines advertising is regulated by the self-regulatory code for commercial communications, requiring for ACCs to be in line with deontological rules. It applies to all ACCs, regardless of the channel or medium.

Additionally, the National association of pharmaceutical companies established two codes of good practices related to general communication, not focusing on ACCs (Code of good practices for communication,⁶⁵⁸ and the Guide for the use of digital channels).⁶⁵⁹

The National agency for medicinal products has issued a regulatory note on the advertising of medicinal products without prescription, recommending good practices on digital channels. It reiterates the content and information requirements already included in the Legal framework for medicines for human use, regardless of the media services used.⁶⁶⁰

5.25.6. Alternative and other medicinal products

The Portuguese legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

ACCs must respect content and information requirements as per the Law-decree 238/2055 establishing the legal framework for health practices advertising, regardless of the media services.

For the moment, there is no co- or self-regulation for this topic.

5.25.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Besides, the Advertising Code prohibits advertising of alcoholic beverages, tobacco or any form of pornographic material is prohibited in educational establishments or in any publications, programmes or activities specifically aimed at minors.

There is a general ban on the advertising of weapons (except if disclosed in specialised media).

⁶⁵⁸ [*Code of Good Practices for Communication.*](#)

⁶⁵⁹ [*Guide for the use of digital channels.*](#)

⁶⁶⁰ [*National agency for medicinal products' notice on the advertising of medicinal products without prescription.*](#)



5.26. RO – Romania⁶⁶¹

5.26.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	<p>Beverages containing minimum 1.2% ABV.</p> <p>Beer: any product obtained by fermentation of malt mash, with or without the addition of cereals or other sugars.</p> <p>Wines: products obtained exclusively by total or partial alcoholic fermentation of fresh grapes, crushed or uncrushed.</p> <p>Intermediate products: fermented beverages with added ethyl alcohol or distilled.</p> <p>Ethyl alcohol: all products containing alcohol and not falling into the other categories, with an alcoholic strength exceeding 1.2% vol and which are classified under CN codes 2207 and 2208, even when these products are part of a product classified under another chapter of the combined nomenclature.</p>	Law No. 227/2015 on the Fiscal Code (Arts. 349, 350, 352, 353) ⁶⁶²
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	<p>Yes – for broadcasters and on-demand audiovisual media services; for video-sharing platform providers under Article 42⁸ of the Audiovisual Law; and for influencers, insofar as they qualify as audiovisual media service providers under Article 1(1) of Audiovisual Law No. 504/2002, as amended.</p>	<p>Audiovisual Law No 504/2002 (Art. 29(5), 32, 42⁸(1 to 5))⁶⁶³</p> <p>Decision No. 573/2025 on the Audiovisual Content Regulatory Code (for short, Audiovisual (Art. 138-141))⁶⁶⁴</p> <p>Law No. 148/2000 on Advertising (Art. 13(1))⁶⁶⁵</p>
Additional ACC rules for broadcasters and VOD	<p>Applicable to broadcasters and on-demand audiovisual media services:</p>	Audiovisual Code (Art. 139 - 140) ⁶⁶⁶

⁶⁶¹ The national summary on Romania incorporates the feedback received from Ruxandra Minea-Cristea, Head of Inspection and Local Monitoring Service at *Consiliul Național al Audiovizualului* (the National Audiovisual Council – CNA).

⁶⁶² [Legea nr. 227/2015, Codul Fiscal \(Law No. 227/2015 on the Fiscal Code\)](#).

⁶⁶³ [LEGE nr. 504 din 11 iulie 2002, Legea audiovizualului \(Law No. 504/2002 of the Audiovisual Law\)](#).

⁶⁶⁴ [Decision No. 573/2025 on the Audiovisual Content Regulatory Code \(Audiovisual Code\)](#).

⁶⁶⁵ Law No. 148/2000 on Advertising.

⁶⁶⁶ Decision No. 573/2025 on the Audiovisual Content Regulatory Code (Audiovisual Code).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
<p>services (beyond AVMSD Artt. 9(1)(e) and 22)</p>	<ul style="list-style-type: none"> ■ Any form of advertising for spirit drinks is prohibited between 6 a.m. and 10 p.m. ■ ACCs for alcoholic beverages must not feature minors. ■ Self-promotional spots and competitions containing references to the name or brand of a spirit drink are prohibited; no spirits may be offered as prizes in competitions. ■ Advertising blocks promoting spirit drinks must end with the audio and visual warning: “Excessive drinking of alcohol seriously damages your health.” ■ Programmes intended for minors may not be sponsored by natural or legal persons whose main activity is the manufacture or sale of alcoholic beverages; this also applies to on-demand audiovisual media services. <p>Where on-demand audiovisual media services are distributed via video-sharing platforms, providers must take appropriate measures with regard to the audiovisual commercial communications that they promote, market or organise on their own channel. Where their programmes or videos contain audiovisual commercial communications promoted, marketed or organised by the video-sharing platform provider, they must inform the public accordingly.</p> <p>(Arts. 125 and 131 of the Audiovisual Code)</p>	
<p>Self-/Co-regulatory body</p>	<p>The marketing of ACCs for alcoholic beverages is also subject to self-regulation by the <i>Consiliul Român pentru Publicitate</i> (Romanian Advertising Council – RAC). Its Code of Advertising Practice contains Annex 1 on rules of responsible commercial communications for beer and Annex 3 dedicated to responsible drinking (Code of the Romanian Forum for Responsible Alcohol Consumption). The provisions of the Code apply to every type of media, including digital media.</p>	<p>SRO website⁶⁶⁷</p>

⁶⁶⁷ [Consiliul Român pentru Publicitate \(Romanian Advertising Council - RAC\) website.](#)



GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	<p>Art. 3(1) and (2) of Government Emergency Ordinance No 77/2009:</p> <p>“Gambling” means any activity that cumulatively meets the following conditions: material gains, usually monetary, are awarded as a result of the organiser publicly offering a potential win and the participant accepting this offer; a direct or concealed participation fee is charged; and the winnings are awarded, on the basis of the game rules approved by the National Gambling Office (ONJN), through the random selection of the results of the events that are the subject of the game, regardless of how those results are produced.</p> <p>This category also includes activities in which the beneficiaries of the prizes are determined on the basis of the results of events or competitions that will occur without the involvement of the organisers.</p>	<p>Government Emergency Ordinance No 77/2009 of 24 June 2009 as approved with amendments by Law No 246/2010⁶⁶⁸ Romanian Advertising Council’s Code of Conduct⁶⁶⁹</p>
ACC rules for broadcasters and VOD services (with limited extension to VSPs)	<p>Applicable to broadcasters:</p> <ul style="list-style-type: none"> ■ Gambling products may be included in programmes or be the subject of ACCs only if they are authorised under the applicable gambling legislation. ■ Between 6 a.m. and 11 p.m., programmes containing gambling products and ACCs for gambling are prohibited, except for betting spots during live sports broadcasts. ■ ACCs for gambling aimed at minors are prohibited and minors may not be incited to participate in gambling. ■ ACCs for gambling may not feature public figures, cultural, scientific or sports personalities or other persons with online notoriety in a way that could encourage participation in gambling. ■ During gambling programmes, viewers must be clearly informed, 	<p>Audiovisual Code (Art. 109, Art. 147(1)(e) Arts. 125 and 131)</p>

⁶⁶⁸ [Ordonanță de Urgență nr. 77 din 24 iunie 2009](#) (Government Emergency Ordinance No. 77/2009).

⁶⁶⁹ [Code of Advertising Practice](#) (Code of Conduct) of the RAC.

	<p>both visually and audibly, about the nature of the game, the conditions of participation and pricing, the methods of access and the allocation of winnings.</p> <ul style="list-style-type: none"> ■ Before broadcasting a gambling game, audiovisual media service providers must notify the National Audiovisual Council of the main details of the licence under which the game is organised. ■ Broadcasters may also use awareness messages on the risks of gambling, such as: “Drug use and gambling cause addiction. Choose not to destroy your life, ask for help!”. <p>Applicable to on-demand audiovisual media services (VOD services):</p> <ul style="list-style-type: none"> ■ Programmes containing gambling products and ACCs for gambling are allowed, provided that they comply with the rules on the protection of minors. <p>Where on-demand audiovisual media services are distributed via video-sharing platforms, providers must take appropriate measures with regard to the audiovisual commercial communications that they promote, market or organise on their own channel, and must inform the public when such communications are promoted, marketed or organised by the video-sharing platform provider.</p>	
Self-/Co-regulatory body	<p>The marketing of ACCs for gambling products is self-regulated by the Romanian Advertising Council. Its Code of Conduct contains an Article 37 dedicated to gambling products. The provisions of the Code apply to every type of media, including digital media.</p>	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition of financial products.	Government Emergency Ordinance No. 99/2006 on non-bank financial institutions
ACC rules for broadcasters and VOD services (with limited extension to VSPs)	Rules apply to broadcasters and on-demand audiovisual media services	Audiovisual Code (Arts. 115, 125 and 131)



FINANCIAL PRODUCTS	Yes / No / Details	Source
	<p>when broadcasting ACCs for non-banking financial institutions:</p> <ul style="list-style-type: none"> ■ Information on the annual percentage rate (APR) must be displayed throughout the spot, with a minimum font size of 51 points in SD and 96 points in HD (also applicable to VOD services). ■ Each ACC must include the written and audio warning: "Read the contractual provisions carefully. This type of loan carries a high financial risk." (for radio, only the audio warning applies). <p>The rules extend to VSPs in a limited way: where on-demand audiovisual media services are offered via video-sharing platforms, providers of on-demand services must take appropriate measures with regard to the audiovisual commercial communications they promote, market or organise on their own channel and must inform the public where such communications are promoted, marketed or organised by the platform provider, in line with Articles 125 and 131 of the Audiovisual Content Code.</p>	
Self-/Co-regulatory body	No.	

OTC MEDICINES	Yes / No / Details	Source
Definition	No general definition.	
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes – for broadcasters and on-demand audiovisual media services; for video-sharing platform providers under Article 428 of the Audiovisual Law; and for influencers, insofar as they qualify as audiovisual media service providers under Article 1(1) of Audiovisual Law No. 504/2002, as amended.	Audiovisual Law No. 504/2002, as amended (Art. 29; Art. 42 ⁸ (1)–(3),(5))
Additional ACC rules for broadcasters and VOD services (with limited extension to VSPs and qualifying influencers) (beyond AVMSD Art. 9(1)(f))	<p><i>Broadcasters and VOD services:</i></p> <ul style="list-style-type: none"> ■ ACCs for medicines, medical treatments, homeopathic products, medical devices and food supplements must include specific health warnings and the mandatory 	Audiovisual Code, Section 8, composed of Arts. 148-156)



	<p>information required by health and food-supplement legislation.</p> <ul style="list-style-type: none"> ■ ACCs for these products must not be misleading or exaggerated and may not suggest guaranteed effects, absence of side effects, self-diagnosis, or that a medical consultation is unnecessary. ■ ACCs for such products may not feature public figures, other celebrities, medical staff or pharmacists recommending or endorsing them. ■ ACCs for medicines, medical treatments, homeopathic products, medical devices and food supplements may not be broadcast during, immediately before or immediately after programmes intended for minors; producers and distributors of these products may not sponsor such programmes. <p><i>VSPs:</i></p> <p>The rules extend to VSPs in a limited way: where on-demand audiovisual media services are distributed via video-sharing platforms, providers must take appropriate measures with regard to the audiovisual commercial communications that they promote, market or organise on their own channel, while video-sharing platform providers must ensure that audiovisual commercial communications on their platforms comply with the applicable rules. Where the programmes or videos of on-demand audiovisual media service providers contain audiovisual commercial communications promoted, marketed or organised by the video-sharing platform provider, the former must inform the public accordingly.</p>	
<p>Self-/Co-regulatory body</p>	<p>The marketing of ACCs for food supplements is self-regulated by the Romanian Advertising Council. Its Code of Conduct contains rules dedicated to food supplements. The provisions of the Code apply to every type of media, including digital media. The Code contains content requirements the ACCs must respect.</p>	<p>SRO website</p>

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Alternative medicine: field of complementary/alternative medicine encompasses natural, biological, nutritional, manual, bioelectromagnetic and energy therapies and practices.	Law No.118/2007 on the organisation and functioning of complementary/alternative medicine activities and practices (Art. 2)
ACC rules	There are no additional product-specific ACC rules beyond those already listed for medicines, medical devices, homeopathic products and food supplements. In general, ACCs must not encourage behaviour that is harmful to the health or safety of the population.	Audiovisual Law No. 504/2002 (Art. 29(1)(f)) Audiovisual Code – Decision No. 573/2025 (Arts. 148–157)
Self-/Co-regulatory body	N/A	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refill containers, are prohibited. In addition, no audiovisual programme may be sponsored by manufacturers of tobacco products, electronic cigarettes or refill containers.	Audiovisual Law No. 504/2002 (Art. 29(6)) Audiovisual Code – Decision No. 573/2025 (Art. 120(2))
Drugs/narcotics consumption	Advertising and teleshopping of medicinal products containing substances defined as narcotics or psychotropic substances are prohibited.	Audiovisual Code (Article 150(1)) Audiovisual Code (Arts. 146–147(1)(e)) ⁶⁷⁰
Other products	Bans on ACCs for erotic phone calls and for products and services of a sexual nature. ACCs or other forms of promotion for pornographic products are also prohibited. ACCs for erotic publications, films or shows may only be broadcast under the same conditions as programmes rated “18”. These rules apply to broadcasters and, by extension, to on-demand audiovisual media services.	Audiovisual Code (Art. 117; see also Art. 113(5))

⁶⁷⁰ Art. 17, Art. 20(2)(d) also prohibits broadcast audiovisual productions that encourage drug use in (1) audiovisual productions, (2) in news and reports (3) and films containing scenes depicting drug use may only be broadcast after 10 p.m. (4) similar for VOD services provided by all means.

5.26.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Arts. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters and on-demand audiovisual media services. For video-sharing platform providers, corresponding obligations are laid down in the Audiovisual Law, and influencers are covered only insofar as they qualify as audiovisual media service providers under national law.

Additionally, following the Decision 573/2025 of the National Audiovisual Council, on the Audiovisual Content Regulatory Code (originally applicable only to broadcasters), the latter now also applies to VOD services, and to a limited extent, VSPs (when VOD services broadcast via VSPs). The following stricter rules are in place:

- ACCs for spirits must not be broadcast between 6 a.m. and 10 p.m.
- Alcohol ads must not feature children.
- Self-promotional spots and competitions referencing the name or brand of a spirit drink are prohibited, and spirits may not be offered as competition prizes.
- Advertising for spirits must conclude with the audio and visual warning: “Excessive consumption of alcohol is seriously harmful to health.”
- Programmes intended for minors must not be sponsored by manufacturers or sellers whose main activity is the production or sale of alcoholic beverages.

The marketing of ACCs for alcoholic beverages is self-regulated by the Romanian Advertising Council. Its Code of Advertising Practice contains an Annex 1 on rules of responsible commercial communication for beer and an Annex 3 dedicated to responsible drinking.⁶⁷¹ The provisions of the Code apply to every type of media, including digital media.

The National Audiovisual Council issued a public warning to Digi 24, Digi Sport 1, Digi Sport 2, Digi Sport 3 and Prima TV for airing ACCs for spirits without including the mandatory warning message.⁶⁷²

5.26.3. Gambling products

Advertising of gambling products is allowed on television and on on-demand audiovisual media services, subject to strict conditions. Corresponding obligations apply, in a limited way, to services distributed via video-sharing platforms and to influencers who qualify as audiovisual media service providers under national law. Following the Decision No. 573/2025 of the National Audiovisual Council, the Audiovisual Code now provides for the following rules, applicable to broadcasters:

⁶⁷¹ [Code of Advertising Practice](#) (Code of Conduct).

⁶⁷² [Comunicat de presă. Ședința publică a CNA din 25.07.2023](#) (National Audiovisual Council p 25 July 2023).

- Gambling products may be included in programmes or be the subject of ACCs only if they are authorised under the applicable gambling legislation.
- Between 6 a.m. and 11 p.m., programmes containing gambling products and ACCs for gambling are prohibited, except for betting spots during live sports broadcasts.
- ACCs for gambling services aimed at minors are prohibited and minors may not be incited to participate in gambling.
- ACCs for gambling may not feature public figures, cultural, scientific or sports personalities, or other persons with online notoriety in a way that could encourage participation in gambling.
- During gambling programmes, viewers must be clearly informed, both visually and audibly, about the nature of the game, the conditions of participation and pricing, the methods of access and the allocation of winnings.
- Before broadcasting a gambling game, audiovisual media service providers must notify the National Audiovisual Council of the main details of the licence under which the game is organised.
- Broadcasters may also insert awareness messages on the risks of gambling, such as: “Drug use and gambling cause addiction. Choose not to destroy your life, ask for help!”.

Applicable to VOD services:

- ACCs for gambling products are allowed and must comply with the protection of minors.

The rules extend in a limited way to on-demand audiovisual media services distributed via video-sharing platforms. Where such services are offered via video-sharing platforms, providers of on-demand audiovisual media services must take appropriate measures with regard to the audiovisual commercial communications they promote, market or organise on their own channel and, in line with Articles 125 and 131 of the Audiovisual Code, must inform the public where such communications are promoted, marketed or organised by the platform provider.

The marketing of ACCs for gambling products is self-regulated by the Romanian Advertising Council. Its Code of Advertising Practice contains an Article 37 dedicated to gambling products. The provisions of the Code apply to every type of media, including digital media. The Code contains content requirements the ACCs must respect.

The National Audiovisual Council fined Digi Sport 1, in February 2024 for airing ACCs for gambling products during the advertising scheduling limit (6 a.m. and 11 p.m.).⁶⁷³

⁶⁷³ [Comunicat de presă. Ședința publică a CNA din 13.02.2024 \(National Audiovisual Council press release of 13 February 2024\).](#)

5.26.4. Financial products

Following the Decision No. 573/2025 of the National Audiovisual Council, the Audiovisual Code now provides for the following rules, applicable to broadcasters when broadcasting ACCs for non-banking financial institutions:

- Information on the annual percentage rate (APR) must be displayed throughout the ACC, with a minimum font size of 51 points in SD and 96 points in HD.
- Each ACC must end with the written and audio warning, displayed on a neutral background: “Read the contractual provisions carefully. This type of loan presents a high degree of financial risk.” (for radio, only the audio warning is required).

The obligation to broadcast content information in a certain font size applies to VOD services too.

The rules extend to VSPs in a limited way: where on-demand audiovisual media services are offered via video-sharing platforms, providers of on-demand services must take appropriate measures with regard to the audiovisual commercial communications they promote, market or organise on their own channel and, in line with Articles 125 and 131 of the Audiovisual Content Code, must inform the public where such communications are promoted, marketed or organised by the platform provider. There is no self-regulatory code for this topic.

5.26.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Arts. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines are prohibited.

Following the Decision No. 573/2025 of the National Audiovisual Council, the Audiovisual Code now provides for the following rules, applicable to broadcasters and VOD services when broadcasting ACCs for food supplements, homeopathic products and OTC medicines:

- Warning message: ACCs must contain the following “This is a dietary supplement. Read the package leaflet/information carefully.”. It must be broadcast in a way to ensure the message is clearly perceived, with unaccelerated speech. (Art 158 (1), Decision No. 573/2025)
- Public awareness messages: broadcasters must air rotating public awareness messages, including “Dietary supplements do not cure and cannot replace treatments prescribed by a doctor”, at the end of one commercial break in each

hour between 6am and 10pm. (Art. 147 (f) and Art. 147(5), Decision No. 573/2025

- Content requirements: ACCs must not contain misleading, or exaggerated or harmful claims (e.g. ACCs must not imply that medical consultation is unnecessary, ACCs cannot target minors specifically, detailed stories or images that could lead to self-diagnosis are prohibited, etc.) (Art. 156) Additionally, ACCs for natural, or homeopathic products and food supplements must include clear health warnings (e.g., “Medically uncertified product”, “This is a homeopathic product. Read the leaflet”, “This is a food supplement. Read the leaflet”). (Arts. 157, 158).
- ACCs must not feature public figures to encourage promotion of medical treatments, homeopathic products, medical devices or food supplements (Art. 153)
- ACCs for health-related products must not be broadcast before or during children’s programmes (Art. 154)

The rules extend to VSPs in a limited way: when VOD services broadcast via VSPs (Arts. 125 and 131 of the Decision No. 573/2025). Providers of on-demand audiovisual media services broadcast via video-sharing platforms must take appropriate measures with regard to the audiovisual commercial communications they promote, market, or organise on their own channel.

The Audiovisual Code lays down detailed content requirements for ACCs relating to food supplements in order to avoid misleading claims. Information in such ACCs may not attribute properties of preventing, treating or curing human diseases and must comply with strict rules on how health effects are presented (Arts. 145 and 156 of Decision No. 573/2025). In addition, broadcasters must insert, between 6 a.m. and 10 p.m., rotating public-awareness messages such as “Food supplements do not cure and cannot replace treatments prescribed by a doctor” at the end of one advertising block per hour; these obligations also apply, *mutatis mutandis*, to on-demand audiovisual media services (Arts. 146-147 and 158(7) of Decision No. 573/2025).

The marketing of ACCs for food supplements is self-regulated by the Romanian Advertising Council. Its Code of Conduct contains rules dedicated to food supplements. The provisions of the Code apply to every type of media, including digital media. The Code contains content requirements the ACCs must respect.

The National Audiovisual Council issued decisions on compliance with the law for ads related to promotional campaigns for some products (Tibanol, Doopelherz Omega-3, Caprin) which did not respect the provisions of Article 120⁶⁷⁴ of the Audiovisual Code.⁶⁷⁵

⁶⁷⁴ The Decisions were applied based on Art. 120 of the previous Audiovisual Code - Decision No. 220/2011. The article equals Art. 153 of the new Code (Decision No. 573/2025).

⁶⁷⁵ [Comunicat de presă. Ședința publică a CNA din 03.06.2025 \(National Audiovisual Council press release of 3 June 2025\)](#).

5.26.6. Alternative and other medicinal products

The Romanian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public regarding herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine (e.g. for cancer patients), nor personal care devices providing alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), nor sleep aids offering alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

Where such products are legally classified as medicines, medical devices, homeopathic products or food supplements, the general rules set out in the Audiovisual Code for these categories (Arts. 148-158) apply. More generally, according to the Audiovisual Law (Art. 29(1)(f)), ACCs must not encourage behaviour that is harmful to the health or safety of the population.

There is no specific self-regulatory code for the products mentioned in this Section.

5.26.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes. All forms of audiovisual commercial communication for cigarettes and other tobacco products, as well as for electronic cigarettes, refill containers and certain nicotine-containing products, are prohibited, and audiovisual programmes may not be sponsored by manufacturers of such products.

5.27. SE – Sweden⁶⁷⁶

5.27.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Beverages containing more than 2.25% ABV.	Swedish Alcohol Act (Chapter 1, Section 5) ⁶⁷⁷
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers (influencers may be considered as “media service providers” under the Radio and Television Act) ⁶⁷⁸ .	Radio and Television Act (Chapter 6, Section 2 ; Chapter 7, Section 2; Chapter 8, Section 13; Chapter 9a, Sections 9 and 3; Chapter 17, Section 11a) ⁶⁷⁹ Swedish Alcohol Act (Chapter 7, Section 1 and 3)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	ACCs for alcoholic beverages is forbidden on broadcasters’ and VOD services’ services. For VSPs, it is prohibited before, during or after user-generated videos or television programmes on the platform.	Swedish Alcohol Act (Chapter 7, Section 3)
Self-/Co-regulatory body	Yes, the “Alkoholgranskningsmannen” (“Alcohol Inspector”) developed a Recommendation on Advertising for Alcoholic and low-alcohol beverages. The Recommendation extends to the whole industry and regulates ads content.	SRO website ⁶⁸⁰

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Gambling products are defined as lotteries, betting, combination games (games which utilize a combination between skill and luck to determine	Gambling Act (Chapter 2, Section 1) ⁶⁸¹

⁶⁷⁶ The national summary on Sweden incorporates the feedback received from Jessica Durehed, International Coordinator at *Mediemyndigheten* (the Swedish Agency for the Media).

⁶⁷⁷ [Swedish Alcohol Act](#).

⁶⁷⁸ See country summary in “[National rules applicable to influencers, EAO, Strasbourg, 2024](#)”.

⁶⁷⁹ [Radio and Television Act](#).

⁶⁸⁰ “Alkoholgranskningsmannen” (“Alcohol Inspector”) [website](#).

⁶⁸¹ [Gambling Act](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	either a win or a loss), and pyramid schemes.	
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>ACCs for gambling products are allowed provided the gambling operator owns a gambling license.</p> <p>ACC rules are specific to the gambling products themselves and not to the type of audiovisual media service providers (or VSPs, influencers) involved.</p>	<p>Radio and Television Act (Chapter 6, Section 2; Chapter 7 Section 2b; Chapter 8 Section 13b; Chapter 9a Section 12)</p> <p>Gambling Act (Chapter 15, Section 6)</p>
Self-/Co-regulatory body	The Swedish Media Publishers' Association developed a self-regulatory Code for the Advertising of Gambling Products. According to the Codes, ads from non-licensed gambling operator must not be broadcast. should implement a compliance routine to verify gambling licenses.	Swedish Media Publishers' Association website ⁶⁸²

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	<p>Financial product is to be understood as defined by the Regulation (EU) 2019/2088 on sustainability-related disclosures in the financial services sector (incl. alternative investment fund, pension product, pension scheme, etc.).</p> <p>Financial instrument is to be understood as defined by the Directive 2014/65/EU on markets in financial instruments (incl. transferable securities, options, swaps, etc.).</p>	<p>Regulation (EU) 2019/2088 on sustainability-related disclosures in the financial services sector⁶⁸³</p> <p>Directive 2014/65/EU on markets in financial instruments⁶⁸⁴</p>
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific rules applicable to broadcasters, VOD services, VSPs and influencers.	
Self-/Co-regulatory body	Specific to investment funds: Agreement concluded between the Swedish Consumer Agency and the Swedish Investment Fund Association. The agreement contains content requirements for ACCs.	<p>Swedish Consumer Agency⁶⁸⁵</p> <p>Swedish Investment Fund Association⁶⁸⁶</p>

⁶⁸² Swedish Media Publishers' Association [website](#).

⁶⁸³ [Regulation \(EU\) 2019/2088 on sustainability-related disclosures in the financial services sector](#).

⁶⁸⁴ [Directive 2014/65/EU on markets in financial instruments](#).

⁶⁸⁵ [Swedish Consumer Agency](#).

⁶⁸⁶ [Swedish Investment Fund Association](#).



OTC MEDICINES	Yes / No / Details	Source
Definition	Once a substance is classified as a medicinal product, its status as either OTC or prescription-only is determined by the Swedish Medical Products Agency.	Medical Products Act (Chapter 2, Section 1; Chapter 4, Section 20) ⁶⁸⁷
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes. (broadcasters, VOD services, VSPs, and influencers)	Radio and Television Act (Chapter 8, Section 14)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	No specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (disclosure requirement).	Medical Products Act ⁶⁸⁸ Medicinal Products' Agency Regulation ⁶⁸⁹
Self-/Co-regulatory body	Pharmaceutical trade association's Ethical Rules for the Pharmaceutical Industry. The rules apply to the content of the ads.	Pharmaceutical trade association website ⁶⁹⁰

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	<p>Two categories of products:</p> <p>Plant-based medicines (contain active ingredients from plants but requiring that the plant matter is not processed to a too high degree)</p> <p>Raw-material-based medicines / "Natural medicines" (materials from nature that are not plants but instead animal parts, bacterial cultures, minerals, or salts)</p> <p>Medical products containing cannabidiol (CBD) are either not licensed by the Swedish Medical Products Agency (prohibiting sale) or are prescription-only.</p>	Swedish Medical Products Agency (<i>Läkemedelsverket</i>) ⁶⁹¹
ACC rules	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for alternative medicines; the rules	Medical Products Act

⁶⁸⁷ [Medical Products Act.](#)

⁶⁸⁸ [Medical Products Act.](#)

⁶⁸⁹ [Medicinal Products' Agency Regulation.](#)

⁶⁹⁰ [Pharmaceutical trade association website.](#)

⁶⁹¹ [Swedish Medical Products Agency \(Läkemedelsverket\).](#)



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
	apply to the content of the ads themselves (disclosure requirement).	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Radio and Television Act (Chapter 6, Section 2; Chapter 7, Section 2, Chapter 8, Section 13, and in Chapter 9a for VSPs) Act (2018:2088) on tobacco and similar products (Chapter 4) ⁶⁹² Act (2022:1257) on tobacco-free nicotine products (Section 11) ⁶⁹³
Other products	Ban on infant formula and tobacco-free nicotine products.	Radio and Television Act (Chapter 6, Section 2) Act (2013:1054) on the marketing of infant formula and follow-on formula ⁶⁹⁴

5.27.2. Alcoholic beverages

National legislation goes beyond the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD).

The Swedish Alcohol Act forbids ads for alcoholic beverages on broadcasters' and VOD services' services. For VSPs, it is prohibited before, during or after user-generated videos or television programmes on the platform.

The marketing of alcoholic beverages is self-regulated by the *Alkoholgranskningsmannen* (Alcohol Inspector). It developed a Recommendation on Advertising for Alcoholic and low-alcohol beverages.⁶⁹⁵ The Recommendation extends to the whole industry and regulates ads content.

⁶⁹² [Act \(2018:2088\) on tobacco and similar products.](#)

⁶⁹³ [Act \(2022:1257\) on tobacco-free nicotine products.](#)

⁶⁹⁴ [Act \(2013:1054\) on the marketing of infant formula and follow-on formula.](#)

⁶⁹⁵ [Recommendation on advertising for alcoholic and low-alcohol beverages.](#)

5.27.3. Gambling products

Provided the ads for a gambling product are marketed by a licensed gambling operator, there are no other rules concerning advertising of gambling products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the gambling products.

The marketing of gambling products is self-regulated by the National Association for the Gambling Industry. It developed its own code of conduct: the Marketing Guidelines of the Swedish Gambling Industry.⁶⁹⁶ These rules apply to the gambling industry.

The Swedish Media Publishers' Association developed a self-regulatory Code for the Advertising of Gambling Products.⁶⁹⁷ The Code follows the rules of the Radio and Television Act according to which only licensed gambling operators may advertise. Media outlets must ensure, as far as possible, that unlicensed ads are not published. Media services should implement a compliance routine to verify gambling licenses. The Code contains content requirements as well (e.g. separation from editorial content, age limits, etc.).

5.27.4. Financial products

At present, there are no rules specifically concerning advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers, though they have the obligation not to disseminate illegal advertisements.

The advertising rules apply directly to the producer of the advertised financial products.

The marketing of funds is self-regulated by an agreement co-written by the Swedish Consumer Agency and the Swedish Investment Fund Association.⁶⁹⁸ The agreement contains content requirements (e.g., ACCs must be clearly recognisable as an ad, charts must give a true and balanced picture, etc.).

⁶⁹⁶ [Marketing Guidelines of the Swedish Gambling Industry.](#)

⁶⁹⁷ [Code for the Advertising of Gambling Products.](#)

⁶⁹⁸ [Marketing of Funds](#), agreement between the Swedish Consumer Agency and the Swedish Investment Fund Association.



5.27.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines are prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.).

The marketing of pharmaceutical products is self-regulated by the pharmaceutical trade association. It drafted the Ethical Rules for the Pharmaceutical Industry in Sweden.⁶⁹⁹ The rules apply to the content of the ads.

5.27.6. Alternative and other medicinal products

The Swedish legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relate to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

5.27.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Additionally, ACCs for infant formula and tobacco-free nicotine products are prohibited.

⁶⁹⁹ [Ethical Rules for the Pharmaceutical Industry](#).



5.28.SI – Slovenia⁷⁰⁰

5.28.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Any beverage with >1.2% ABV. A spirit drink contains more than 15% ABV.	Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs (Art. 2) ⁷⁰¹ Restrictions on the Use of Alcohol Act (Art. 15) ⁷⁰²
ACC rules (AVMSD Arts. 9(1)(e), 22, 28b)	Yes, for broadcasters, VOD services, VSPs and influencers ⁷⁰³	Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs (Art. 15) The Audiovisual Media Services Act refers to these rules in its Article 22 and commands VSPs to take appropriate measures in Article 38č. ⁷⁰⁴
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Art. 9(1)(e) and 22)	Yes. Ban on beverages containing more than 15% ABV. Advertising scheduling rule: for beverages containing under 15%, the advertising on television is prohibited between 7:00 a.m. and 9:30 p.m. The ACC must contain a warning message.	Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs (Articles 15a and 15b)
Self-/Co-regulatory body	<i>Slovenska Oglaševalska Zbornica</i> (the Slovenian Advertising Chamber – SOZ)	SRO's website ⁷⁰⁵

⁷⁰⁰ The national summary on Slovenia incorporates the feedback received from Igor Žabjek, expert in electronic media regulation at *Agencija za komunikacijska omrežja in storitve Republike Slovenije* (the Agency for Communication Networks and Services of the Republic of Slovenia – AKOS).

⁷⁰¹ [Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs](#)

⁷⁰² [Restrictions on the Use of Alcohol Act](#).

⁷⁰³ An influencer meeting the criteria laid down in Article 3(1) and (2) of the Audiovisual Media Services Act⁷⁰³ may be considered as an AVMS provider. See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁷⁰⁴ [Audiovisual Media Services Act](#).

⁷⁰⁵ *Slovenska Oglaševalska Zbornica* (the Slovenian Advertising Chamber – SOZ) [website](#).



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
	drafted the Code of Advertising Practice, containing provisions related to publicity for alcoholic beverages (similar to what the legislations contain). The Code applies to the industry – members of SOZ.	

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	Games in which participants, upon payment of a stake, have equal opportunities to win a prize, while the outcome of the game depends exclusively or predominantly on chance or on some uncertain event.	Gaming Act (Article 2) ⁷⁰⁶
ACC rules for broadcasters, VOD services, VSPs, and influencers	Only operators licensed by the Slovenian Government are permitted to advertise gambling products. No specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for gambling products; the rules apply to the content of the ads themselves (content requirement).	Gaming Act (Articles 6 and 8)
Self-/Co-regulatory body	<i>Slovenska Oglaševalska Zbornica</i> (the Slovenian Advertising Chamber – SOZ) drafted the Code of Advertising Practice, containing provisions related to ads for gambling products (e.g. content requirements). The Code applies to the industry – members of SOZ.	SRO website

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition but product-related definition (e.g. banking products and services, insurance products, investments products, etc.).	Specific legislations
ACC rules for broadcasters, VOD services, VSPs, and influencers	No specific rules applicable to broadcasters, VOD services, VSPs and influencers.	
Self-/Co-regulatory body	No.	

⁷⁰⁶ [Gaming Act](#).



OTC MEDICINES	Yes / No / Details	Source
Definition	<p>Non-prescription medicines are a sub-category of medicinal products, made available for self-medication without the requirement of a medical prescription. They are authorized under the same Medicinal Products Act, provided they meet safety and efficacy requirements set by the Public Agency for Medicinal Products and Medical Devices, which is responsible for authorisation, supervision, and advertising oversight.</p> <p>Food supplements are regulated by the Rules on Food Supplements.</p>	<p>Medicinal Products Act (Art. 5)⁷⁰⁷ Rules on Food Supplements⁷⁰⁸</p>
ACC rules (AVMSD Arts. 9(1)(f), 28b)	Yes for broadcasters, VOD services, VSPs and influencers.	Medicinal Products Act (Art. 148(1)) and Audiovisual Media Services Act (Art. 22(1), 22(2) and 38č)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	No specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for OTC medicines; the rules apply to the content of the ads themselves (disclosure requirement).	Medicinal Products Act (Chapter XIV)
Self-/Co-regulatory body	<i>Slovenska Ogllaševalska Zbornica</i> (the Slovenian Advertising Chamber – SOZ) drafted the Code of Advertising Practice, containing provisions related to ads for OTC medicines (e.g. content requirements). The Code applies to the industry – members of the SOZ.	SRO website

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	Activity carried out by practitioners with the purpose of improving the health of the user (Slovenia recognises, for instance, traditional Chinese medicine, Ayurveda, homeopathy, and other comparable traditions).	Act on Alternative Medicines (Arts. 2-4) ⁷⁰⁹
ACC rules	There are no specific rules for broadcasters, VOD services, VSPs, or influencers regarding the broadcast of ACCs for alternative treatments; the	Act on Alternative Medicines (Art. 21)

⁷⁰⁷ [Medicinal Products Act.](#)

⁷⁰⁸ [Rules on Food Supplements.](#)

⁷⁰⁹ [Act on Alternative Medicines.](#)



ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
	rules apply to the content of the ads themselves.	
Self-/Co-regulatory body	No.	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-cigarettes and refill containers)	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Restriction on the Use of Tobacco and Related Products Act (Art. 29) ⁷¹⁰ The Audiovisual Media Services Act refers to these rules in its Article 22 and commands VSPs to take appropriate measures in Article 38č.
Other products	No. Bans on (1) ACCs for blood components and on (2) ACCs for beverages containing more than 15% ABV	(1) The Audiovisual Media Services Act (Art. 22, paragraph 3). (2) Act Regulating the Sanitary Suitability of Foodstuff, Products and Materials Coming into Contact with Foodstuffs (Art. 15)

5.28.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Arts. 9(1)(e), 22, and 28b AVMSD) applying to broadcasters, VOD services, VSPs, and influencers.⁷¹¹

Additionally, beverages containing more than 15% ABV may not be advertised.

For beverages containing 15% ABV or less, an advertising scheduling rule applies to the ACCs on radio and television services: no broadcasts may take place between 7:00 a.m. and 9:30 p.m. Besides, the ACCs must contain the following warning: “Minister for Health warning: The consumption of alcohol may damage your health!” or “Minister for Health warning: The excess consumption of alcohol will damage your health!”.

⁷¹⁰ Restriction on the Use of Tobacco and Related Products Act.

⁷¹¹ An influencer meeting the criteria laid down in Article 3(1) and (2) of the Audiovisual Media Services Act.⁷¹¹ may be considered as an AVMS provider. See country summary in “[National rules applicable to influencers. EAO, Strasbourg, 2024](#)”.



The marketing of alcoholic beverages is self-regulated by *Slovenska Oglaševalska Zbornica* (the Slovenian Advertising Chamber – SOZ). It drafted the Code of Advertising Practice which refers, for instance, to the prohibition of ACCs for beverages containing more than 15% ABV.⁷¹²

5.28.3. Gambling products

Only operators licensed by the Slovenian Government are permitted to advertise gambling products.

At present, there are no rules specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers. The advertising rules apply directly to the seller/operator of the advertised gambling products (e.g., content requirement obligations).

The marketing of gambling products is self-regulated by the SOZ, which drafted the Code of Advertising Practice. This Code sets out, among other things, the content requirements that ACCs for gambling products must include.

5.28.4. Financial products

At present, there are no rules specifically concerning the advertising of financial and/or banking products, whether by broadcasters, VOD services, VSPs, or influencers.

The advertising rules apply directly to the producer of the advertised financial products (content and information requirements) such as the prohibition of misleading advertising, unfair commercial practices, etc. as set out in various legislations (e.g. Consumer Protection Act,⁷¹³ Banking Act,⁷¹⁴ Consumer Credit Act,⁷¹⁵ etc.)

There is no specific self-regulatory code for this topic.

⁷¹² [Code of Advertising Practice.](#)

⁷¹³ [Consumer Protection Act.](#)

⁷¹⁴ [Banking Act.](#)

⁷¹⁵ [Consumer Credit Act.](#)



5.28.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Arts. 9(1)(f) and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.). At present, there are no rules specifically concerning the advertising of OTC products, whether by broadcasters, VOD services, VSPs, or influencers. The advertising rules apply directly to the producer of the advertised OTC products.

The marketing of OTC medicines is self-regulated by the SOZ, which drafted the Code of Advertising Practice. This Code sets out, among other things, the content requirements that ACCs for OTC medicines must include.

5.28.6. Alternative and other medicinal products

The Slovenian legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative medicine options to the public relating to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

General rules applicable to ACCs for alternative treatments apply directly to the company advertising its products (e.g. content must not be misleading).

There is no specific self-regulatory code for this topic.

5.28.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) of the AVMSD regarding the prohibition of ACCs for tobacco and e-cigarettes.

ACCs for beverages containing more than 15% ABV are forbidden as well as ACCs for the collection of blood components.



5.29. SK – Slovakia⁷¹⁶

5.29.1. Overview of the legislative framework

ALCOHOLIC BEVERAGES	Yes / No / Details	Source
Definition and minimum ABV (%)	Spirits, distillates, wine, beer, and other beverages containing more than 0,75% ABV.	Law No. 219 of 1 July 1996 on Protection against the Abuse of Alcoholic Beverages and on the Establishment and Operation of Alcohol sobering-up Centres (Art. 1) ⁷¹⁷
ACC rules (AVMSD Artt. 9(1)(e), 22, 28b)	Yes (applied appropriately according to the AVMSD for broadcasters, VOD services, VSPs and influencers) ⁷¹⁸	Law No. 264 of 22 June 2022 on Media Services and on amending and supplementing certain laws (Media Services Act) (Art. 76(1)(2), 48(2), 51, 127(2)(3)) ⁷¹⁹
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond AVMSD Artt. 9(1)(e), 22 and 28b)	Advertising scheduling rule for broadcasters: ACCs for alcoholic beverages are forbidden in case of broadcasters between 6am and 8 pm (except for beers and wine which may be shown throughout the day).	Media Services Act (Art. 80(a))
Self-/Co-regulatory body	Alcohol advertising is self-regulated by the Code of ethics for advertising practice, established by <i>Rada pre reklamu</i> (the Advertising Council – RPR). The rules, going beyond the minimum established by the law. pertain to the creation and dissemination of the ACCs for alcoholic beverages.	<i>Rada pre reklamu</i> (the Advertising Council – RPR) ⁷²¹ Code of Ethics for advertising practice and Optional protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications ⁷²²

⁷¹⁶ The national summary on Slovakia incorporates the feedback received from Michal Hradický, Policy Analyst at *Rada pre mediálne služby* (the Council for Media Services – CMS).

⁷¹⁷ [Law of 1 July 1996 on Protection against the Abuse of Alcoholic Beverages and on the Establishment and Operation of Alcohol Sobering-up Centres.](#)

⁷¹⁸ Influencers whose activities meet the characteristics of on-demand audiovisual media service are covered by the Media services act and must follow its rules. Such influencers are required to register in the list of on-demand media service providers maintained by the Media Council and to comply with the rules on advertising, sponsorship, product placement and protection of minors (Art. 26(1) Media services act). See country summary in "[National rules applicable to influencers, EAO, Strasbourg, 2024](#)".

⁷¹⁹ [Media Services Act.](#)

⁷²¹ *Rada pre reklamu* (the Advertising Council – RPR) [website](#).

⁷²² [Open protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications.](#)



ALCOHOLIC BEVERAGES	Yes / No / Details	Source
	Additionally, there is also an Optional Protocol to the Code of Ethics for Advertising Practice (NB: mentioned above) on advertising practice in the dissemination of media commercial communications that is officially recognised as -self-regulatory oversight mechanism. It is built on the principle of country of origin and voluntarily binding. ⁷²⁰	The procedural details for self and coregulation (Media Services Act (Art. 127-131))

GAMBLING PRODUCTS	Yes / No / Details	Source
Definition	A game of chance is a game in which, after paying a stake and placing a bet, the player can win a prize if they meet predetermined conditions (e.g. lottery games, charity lotteries, table games, betting games, games of chance on gambling machines, etc.).	Act on Gambling (Art. 4) ⁷²³
ACC rules for broadcasters, VOD services, VSPs, and influencers	The Act on Gambling includes several general restrictions on advertising and promotion of gambling.	Act on Gambling
Self-/Co-regulatory body	Code of responsible advertising in the field of gambling in the Slovak Republic, is open for voluntary commitments by licensed gambling operators in the territory of the Slovak Republic in accordance with Act No. 30/2019. The acceding entities to the Code shall deliver such a declaration to the Gambling Regulatory Authority for the purpose of entry into the list of signatories to the code, which will make compliance with the code binding for such entity. The code bans ACCs for table games, gaming machines, technical device-based games, and betting (esp. live-betting)) on TV and radio station between 6am and 10pm. The Code of ethics for advertising practice and Optional Protocol to the Code of Ethics for Advertising Practice on Advertising Practice in the Dissemination	Code of Responsible Advertising in the field of gambling in the Slovak Republic (Art. 3.2(18)) ⁷²⁴ Code of Ethics for advertising practice and Optional protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications

⁷²⁰ For more information, see the [database of self-regulatory codes](#) established by the Slovak media regulatory authority, *Rada pre mediálne služby* (the Council for Media Services – CMS).

⁷²³ [Act on Gambling](#).

⁷²⁴ [Code of responsible advertising in the field of gambling in the Slovak Republic](#).



GAMBLING PRODUCTS	Yes / No / Details	Source
	of Media Commercial Communications includes additional rules for commercial communications for gambling services (incl. Specific restrictions for product placement and sponsorship and protection of minors related restrictions including for the scheduling of commercial communications).	

FINANCIAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition. Definition per product in relevant legislations.	E.g. Act on Securities and Investment Services, ⁷²⁵ Act on Banks, ⁷²⁶ Act on Insurance, ⁷²⁷ etc.
ACC rules for broadcasters, VOD services, VSPs, and influencers	<p>ACC rules are specific to the type of financial products and not to the type of audiovisual media service providers (or VSPs, influencers) involved.</p> <p>A broadcaster that is not subject to any of the self-regulatory mechanisms registered under the Media Services Act shall ensure that it does not broadcast any audiovisual commercial communication, except for product placement, on conduct that leads to excessive indebtedness under disadvantageous conditions, exploits financial distress or lack of financial literacy, or creates the impression that indebtedness is a solution to personal and financial problems and does not entail any risks.</p>	Media Services Act (Art. 80(c))
Self-/Co-regulatory body	The general rules of Optional protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications apply (including based on Media Services Act (Art. 80(c)).	Open protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications

⁷²⁵ [Act on Securities and Investment Services.](#)

⁷²⁶ [Act on Banks.](#)

⁷²⁷ [Act on Insurance.](#)



OTC MEDICINES	Yes / No / Details	Source
Definition	No general definition, except that the product must not be subject to a prescription.	Act on Medicines and Medicinal Devices and on amendments to certain acts (Art. 51(1)) ⁷²⁸
ACC rules (AVMSD Art. 9(1)(f), 28b)	Yes (broadcasters, VOD services, VSPs and influencers).	Media Services Act (Art. 75(1)) Media Services Act (Art. 83)
Additional ACC rules for broadcasters, VOD services, VSPs, and influencers (beyond Art. 9(1)(f) AVMSD)	No.	
Self-/Co-regulatory body	<p>ACCs for OTC medicines is self-regulated by the Optional protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications. The rules pertain to the creation and dissemination of the ACCs for OTC medicines. They are part of the recognised self-regulatory system – see above for more details).</p> <p>The Code of Ethics of the Advertising council contains information and content requirements for the ACCs of OTC medicines too.</p>	<p>Open protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications</p> <p>Code of Ethics (Artt. 44 and 45)⁷²⁹</p>

ALTERNATIVE AND OTHER MEDICINAL PRODUCTS	Yes / No / Details	Source
Definition	No general definition.	
ACC rules	No.	
Self-/Co-regulatory body	No..	

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
Prohibition contained in Art. 9(1)(d) AVMSD (cigarettes and other tobacco products, e-	All forms of ACCs for cigarettes and other tobacco products, as well as for electronic cigarettes and refillable containers, are prohibited.	Media Services Act (Art. 77(1))

⁷²⁸ [Act on medicines and medicinal devices and on amendments to certain acts.](#)

⁷²⁹ [Code of ethics of the advertising council.](#)

FORBIDDEN ACCs FOR CERTAIN PRODUCT CATEGORIES	Yes / No / Details	Source
cigarettes and refill containers)		
Other products	<p>Strict rules and restrictions regarding the broadcasting of political advertising during election campaigns.</p> <p>Bans on ACCs for infant formula, weapons, ammunition and explosives.</p>	<p>Media Services Act (Art. 20(4c) referring to the law on election campaigns,⁷³⁰ Artt. 10-12)</p> <p>Advertising Act (Artt. 7 and 9)⁷³¹</p>

5.29.2. Alcoholic beverages

National legislation closely copies the AVMSD provisions (Artt. 9(1)(e), 22, and 28b AVMSD) applying accordingly to broadcasters, VOD services, VSPs, and influencers.

In addition, ACCs for alcoholic beverages are forbidden between 6am and 8 pm (except for beers and wine which may be shown throughout the day) (Art. 80(a) Media services act) (broadcasters).

Alcohol advertising is self-regulated by the Code of ethics for advertising practice, established by *Rada pre reklamu*. The rules pertain to the creation and dissemination of the ACCs for alcoholic beverages. Additionally, there is also an Optional Protocol to the Code of Ethics for Advertising Practice on advertising practice in the dissemination of media commercial communications that is officially recognised part of the self-regulatory oversight mechanism. Since the Protocol is part of the co-regulatory oversight mechanism, it is built on the principle of country of origin and voluntary binding.

5.29.3. Gambling products

The Gambling act provides for ACC rules, directly applicable to the gambling operations and games (content and information requirement), without specific obligations applicable to broadcasters, VOD services, VSPs, or influencers.

Gambling advertising is self-regulated by the Code of responsible advertising in the field of gambling in the Slovak Republic,⁷³² is open for voluntary commitments by licensed gambling operators in Slovakia in accordance with Act No. 30/2019. The acceding entities to the Code shall deliver such a declaration to the Gambling Regulatory Authority for the

⁷³⁰ [Law on election campaigns.](#)

⁷³¹ [Act on advertising.](#)

⁷³² [Code of responsible advertising in the field of gambling in the Slovak Republic.](#)

purpose of entry into the list of signatories to the code, which will make compliance with the code binding for such entity.

According to this code, the advertising of gambling products (incl. table games, gaming machines, technical device-based games, and betting (esp. live-betting)) is banned on TV and radio station between 6am and 10pm. The ban does not apply to lottery games, charitable lotteries, and non-live betting. Purely informal ads (gambling operator's name or logo) without promoting any gambling products or encouraging participation in gambling are excluded from this ban.

The Code of ethics for advertising practice and Optional Protocol to the Code of Ethics for Advertising Practice on Advertising Practice in the Dissemination of Media Commercial Communications includes additional rules for commercial communications for gambling services (incl. specific restrictions for product placement and sponsorship and protection of minors related restrictions including for the scheduling of commercial communications).

5.29.4. Financial products

Regarding the regulation of financial products, promotion is regulated by Act No. 147/2001 Coll. on Advertising, which in Section 10, paragraph 1, letter e) establishes supervision over compliance with this Act, while supervision of financial services is carried out by the National Bank of Slovakia, in accordance with a special regulation.

Specifically in the AV area at present, a broadcaster that is not subject to any of the self-regulatory mechanisms registered under the Media Services Act shall ensure that it does not broadcast any audiovisual commercial communication, except for product placement, on conduct that leads to excessive indebtedness under disadvantageous conditions, exploits financial distress or lack of financial literacy, or creates the impression that indebtedness is a solution to personal and financial problems and does not entail any risks.

The advertising rules apply directly to the producer of the advertised financial products.

There is no self-regulation in Slovakia for this topic. The general rules of Open protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications apply (including those based on Media Services Act (Art. 80(c)).

5.29.5. Health products without prescription (over-the-counter medicines)

National legislation closely copies the AVMSD provisions (Artt. 9(1)(f), and 28b AVMSD) and applies to broadcasters, VOD services, and VSPs. ACCs for prescription-only medicines is prohibited.

OTC medicines may be advertised, subject to advertising and medical rules that are applicable to the content of the ads themselves (content requirement, disclosure requirement, etc.), as described by the Act on Advertising.

ACCs for OTC medicines is self-regulated by the Open protocol to the code of ethics for advertising practice on advertising practice in the dissemination of commercial media communications. The rules pertain to the creation and dissemination of the ACCs for OTC medicines (Art. 10). Since the Protocol is part of the co-regulatory oversight mechanism, it is built on the principle of country of origin and voluntary binding.

The Code of Ethics of the Advertising Council contains information and content requirements for the ACCs of OTC medicines too (Artt. 44 and 45).

5.29.6. Alternative and other medicinal products

The Slovak legislations do not contain specific rules for audiovisual providers (broadcasters, VOD services, VSPs, and influencers) regarding ACCs for products offering alternative options to the public, relate to herbal smoking products (e.g. cannabidiol (CBD)) as an alternative medicine product (e.g. for cancer patients), and personal care devices provide alternative solutions for consumers to obtain vitamins or avoid physiotherapy visits (light therapy, electrotherapy, devices for pain relief like TENS), and sleep aids to offer alternatives to traditional sleep aids like somniferous drugs (e.g. devices producing white noise).

In Slovakia, the activities of so-called “healers” that fall outside the scope of regulated healthcare under the Act on healthcare providers are not comprehensively governed by specific legislation on healing. Their services are generally treated as being outside standard medical care, with no verification of their safety or effectiveness comparable to conventional medicine. Likewise, Slovak law does not set rules for ACCs dealing with alternative products.

5.29.7. Forbidden ACCs for some categories of products

National legislation closely copies Article 9(1)(d) AVMSD) regarding the prohibition of ACCs for tobacco and e-cigarettes.

Additionally, the Media Services Act contains strict rules and restrictions regarding the broadcasting of political advertising during election campaigns.

The Advertising act bans ACCs for infant formula, weapons, ammunition and explosives.

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