

# Inventory Alcohol Marketing Regulations

With this form STAP, the Dutch Institute for Alcohol Policy, would like to ask you to fill out information regarding alcohol marketing regulations in your country.

First, we will ask you to give an overview of the different alcohol marketing regulations that exist in your country. Next, some general questions about time bans and the monitoring system in your country will follow. Finally, we will ask you to fill out more specific questions per regulation. We have included separate Regulation Forms for this part of the questionnaire. For each alcohol marketing regulation that exists, please fill out a separate Regulation Form (please let the number of the form correspond with the number in the table on page 1 of this questionnaire, where you summarized all existing regulations).

Thank you very much for participating and providing the data!

<b>Organization:</b>	Dutch Institute for Alcohol Policy - STAP
<b>Country:</b>	Romania
<b>Date:</b>	22.11.2009

## 1. Overview Alcohol Marketing Regulations

Below, please fill out all regulations on alcohol advertisement and alcohol sponsorship and promotion that exist in your country.

*\*With Coverage we would like to know which types of alcohol marketing are being covered by the regulation (e.g. cinema, digital media, event sponsoring, outdoor, print, promotional items, radio, tv, sport sponsoring, etc.)*

No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	DECIZIA 187-2006 continut audiovizual	Decision no. 187 of the 3rd of April 2006 with regard to the Code regulating the contents of the audio-visual	2006		<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:

## 2. Watersheds / Time bans

We would like to know more about time bans or watersheds in your country on alcohol marketing on TV, radio and in the cinema. Also if no alcohol advertising is allowed at all for this type of medium, please indicate.

Time ban on TV?		
1	Is there a watershed (time ban) for alcohol advertising on <b>TV</b> in your country?	<input checked="" type="checkbox"/> Yes, namely: between 6.00 & 22.00 hours <input type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	DECIZIA 187-2006 continut audiovizual
3	Is sponsorship of TV <i>programmes</i> during this watershed still permitted? (e.g. a movie or soap series sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4	Is sponsorship of <i>events</i> that are televised during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5	Are Corporate Social Responsibility messages of an alcohol producer still permitted on TV during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the <b>radio</b> in your country?	<input checked="" type="checkbox"/> Yes, namely: between the following hours: a) 6.00 – 8.00 and 10.00 – 22.00, from Monday to Friday; b) 6.00 – 22.00, on Saturday and Sunday <input type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	DECIZIA 187-2006 continut audiovizual
8	Is sponsorship of radio <i>programmes</i> during this watershed still permitted? (e.g. a radio program sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9	Is sponsorship of <i>events</i> that are broadcast on the radio during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10	Are Corporate Social Responsibility messages of an alcohol producer still permitted on the radio during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the <b>cinema</b> in your country?	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No → go to next part (3)
12	In which regulation is the cinema time ban embedded?	

### 3. Monitoring system

We would like to know more about organizations that monitor the adherence to alcohol marketing (regulations) in your country.

Please fill out in the table below as many organizations you know in your country that monitor whether (part of) the alcohol marketing regulations are being adhered to by the parties that the regulations concern (e.g. alcohol producers, broadcasters, etc).

We are interested in the monitoring of statutory as well as non-statutory regulations or co-regulation.

*\* In the final column you can indicate which types of data are used by the monitoring organization. Where do the data come from? You can select multiple options if necessary.*

Name organization	Which regulation is/are monitored?	Independent from commercial interests?	Official part of the regulation system?	Monitoring routinely/systematically ?	Includes marketing other than on TV, radio, print or outdoor?	Source data used:*
CNA	DECIZIA 187-2006 continut audiovizual	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input type="checkbox"/> Government <input checked="" type="checkbox"/> Own inventarisat <input type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:



## Regulation Form No. 1

<b>Organization:</b>	Dutch Institute for Alcohol Policy - STAP
<b>Country:</b>	Romania
<b>Date:</b>	22.11.2009

Below, please indicate the name of Regulation No. 1 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

<b>Name Regulation No. 1:</b>	DECIZIA 187-2006 continut audiovizual
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising:  Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 1 contain?	10

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 1. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

*\* To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

*\*\*The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

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Article (paragraph)*	Type of restriction**	Text article
article 16	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: (1) The criteria of classification of productions broadcast within programmes services are meant to ensure the children protection and to inform the public on their content.            (2) The license holders hold the responsibility for classifying audiovisual productions.            (3) The general criteria for the classification of productions that shall be taken into account by the license holders are the following:            d) the context in which drugs and alcohol consumption is presented;</p>
article 104	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: Between 6.00 – 22.00 hours it is prohibited to broadcast programmes sponsored by companies whose names or trademarks are identical to the name or trademark of an alcoholic beverage.</p>
article 126	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: (1) Any form of advertisement for distilled alcoholic drinks is prohibited within television program services between 6.00 – 22.00 hours.            (2) Any form of advertisement for distilled alcoholic drinks is prohibited in radio broadcasting program services between the following hours:            a) 6.00 – 8.00 and 10.00 – 22.00, from Monday to Friday;            b) 6.00 – 22.00, on Saturday and Sunday.</p>
128	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: The broadcast of advertisement for alcoholic drinks that promote violent, aggressive or antisocial behavior or attitudes is prohibited.</p>
129	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: The broadcast of advertising spots for alcoholic drinks featuring minors is prohibited.</p>
130	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:</p> <p>English translation: It is prohibited to broadcast promotional announcements or competitions that include references to the name or trademark of a distilled alcoholic beverage; within competitions it is prohibited to offer prizes sponsored by companies producing such beverages.</p>

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Article (paragraph)	Type of restriction	Text article
131	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text:  English translation: The broadcast of sports transmissions sponsored by alcoholic beverages producers may be broadcast only between 23.00 – 6.00.
132	<input checked="" type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text:  English translation: Sports events taking place on the territory of Romania which do not respect the provisions of the Law no. 148/2000, with its subsequent alterations and completions, concerning tobacco products and alcoholic beverages shall not be broadcast by broadcasters licensed in Romania.
133	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text:  English translation: In advertising spots for alcoholic beverages the use of characters, scenery or situations from the broadcast programs is forbidden.
134	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	Original text:  English translation: The advertising packages that promote products of distilled alcohol shall end with the audio and visual warning "Excessive consumption of alcohol seriously damages health".

Next, we have some general questions about Regulation No. 1.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input type="checkbox"/> No <input checked="" type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: everything but audiovisual media <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input type="checkbox"/> Alcohol producers <input type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

*\* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*\*\* A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

**How publicly available?**

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input type="checkbox"/> Yes, see www. <input type="checkbox"/> No <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: www.cna.ro/ <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input type="checkbox"/> Yes, see www. <input type="checkbox"/> No <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <input type="checkbox"/> No <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
<b>Pre-screening procedure</b>		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:

Complaint system		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to:  <input checked="" type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name:CNA English translation: The National Audiovisual Council
13	What is the composition of the 'evaluating committee'?	
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: 3 nominations from the Senate; 3 from the Chamber of Deputies; 2 from the President of Romania; and 3 from the Government. Committee appointed by: Romanian parliament
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input type="checkbox"/> Financial penalty between and euro <input type="checkbox"/> Other, namely: