



Setting the Scene on Audiovisual commercial communications

Key findings from recent and current
EAO publications

26 March 2026, Lille

Eric Munch

Department for Legal Information
European Audiovisual Observatory

M **SERIES
MANIA
FORUM**

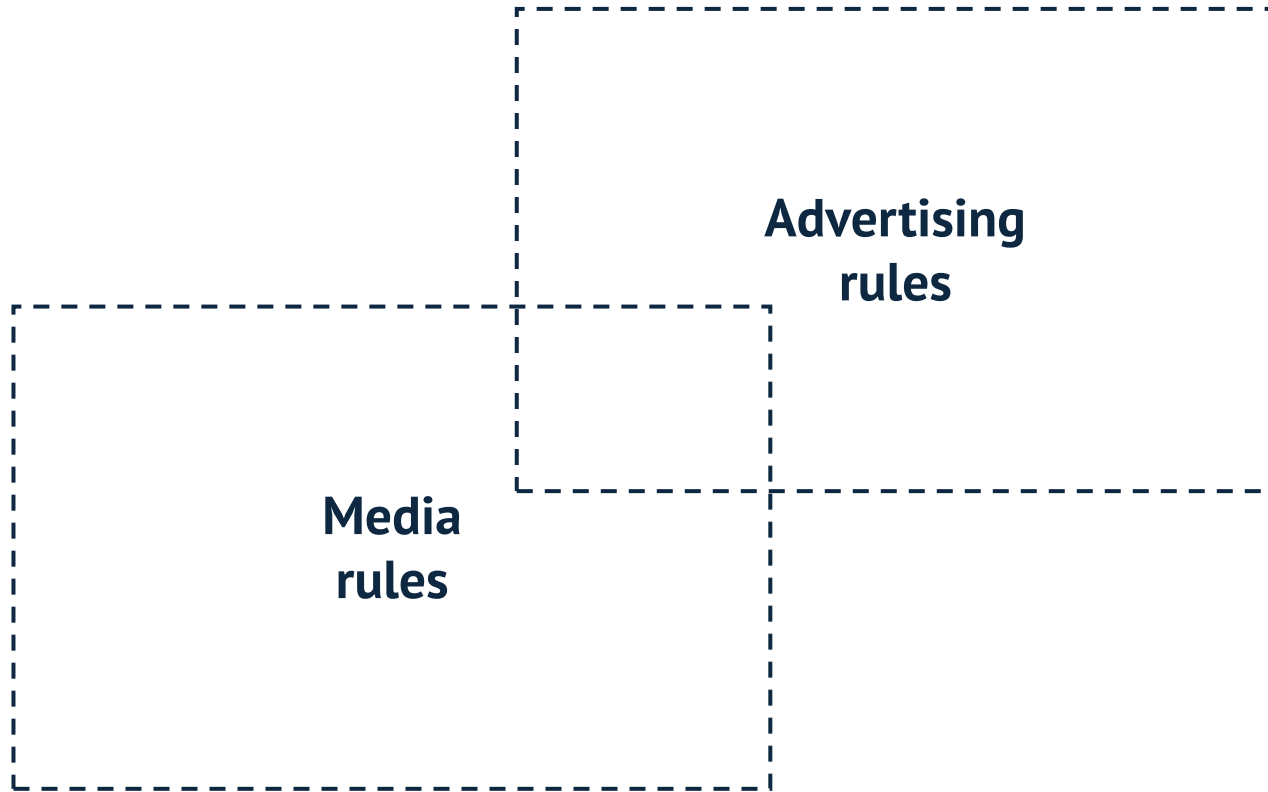
**INTERNATIONAL
FESTIVAL
LILLE
HAUTS-DE-FRANCE**

ACC rules in the EU

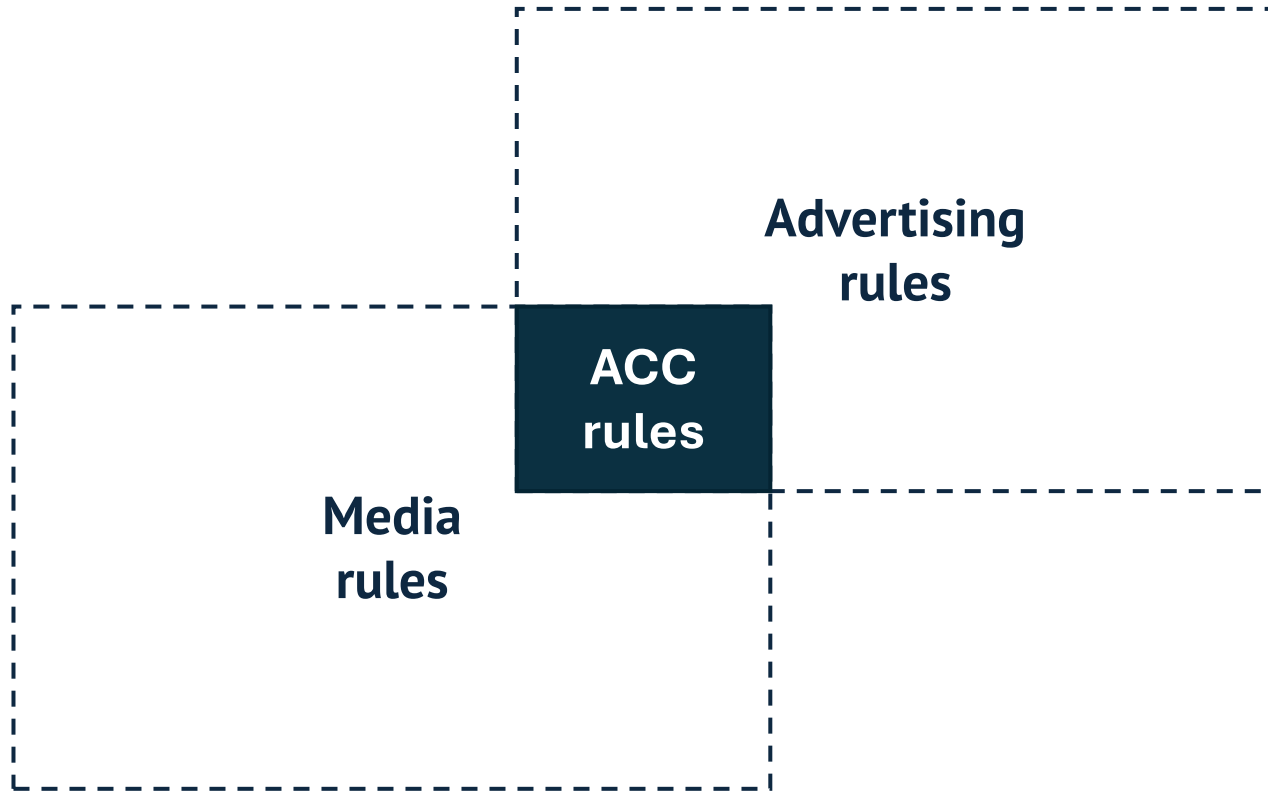
Advertising
rules



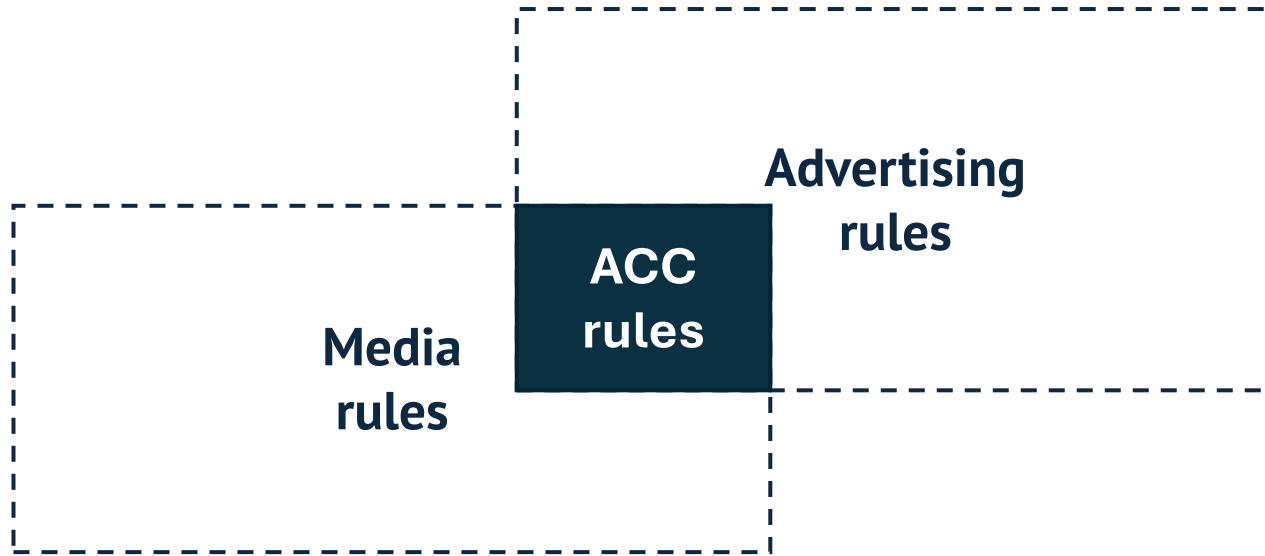
ACC rules in the EU



ACC rules in the EU



ACC rules in the EU



Audiovisual commercial communications (ACC) rules at the EU level mostly stem from the AVMSD,¹ a **minimum harmonisation tool** providing EU Member States with a common set of rules, with relative flexibility in implementing them.



At the national level, differences exist with regard to **rules** and what **products and services** they apply to, but also to the **players** they apply to.



¹ Directive 2010/13/EU, as amended by Directive (EU) 2018/1808

ACC rules at the national level

General bans

Co-funded by the
European Union



Creative
Europe
MEDIA

**EU-wide general
bans in the AVMSD**

Tobacco¹



**Prescription
medicines**



as per Article
9(1) AVMSD

General bans at national level

**Weapons and
ammunitions (15)**



BE (VL), CY, CZ, EE, FR, GR, HR, HU,
LU, MT, NO, PL, PT, SE, SK

Alcoholic beverages (10)



AT, BE(FR), FI, FR, IE, LV, NO, PL, SE, SI

Infant formula (7)



EE, IE, LT, LV, MT, SE, SK

Gambling products and services (6)



BE(FR), BG, EE, IT, LT, PL

**Sexuality-related
products or services (6)**



CY, EE, HU, PL, PT, RO

Narcotic substances (5)



BG, CZ, DE, EE, IT

Financial products (2)



EE, FR

**Most
common**





**Least
common**

¹ includes cigarettes and other tobacco products, as well as electronic cigarettes and refill containers

Data based on preliminary findings from a study of the European Audiovisual Observatory, co-funded by the European Union.

Specific categories of products

Identification of media-specific rules per jurisdiction for products not explicitly addressed in the AVMSD

Gambling products and services (18) 	BE (FR), BG, CY, EE, ES, FI, FR, HR, HU, IE, IT, LT, MT, NL, NO, PL, PT, RO	Most common
OTC medicines (8) 	AT, EE, HR, HU, IE, IT, LV, RO	
Financial products (7) 	EE, ES, FR, IE, PT, RO, SK	
Alternative medicines (1) 	IE	

1 No media-specific rules does not mean no rules.

2 Rules in sector-specific legislation (health, gambling, etc.) often touch upon advertising, **which encompass ACCs but are broader.**

Main categories of rules identified

Co-funded by the
European Union



Creative
Europe
MEDIA



1 **Minor protection rules** often take the form of a ban on making available ACCs for certain products in or near programmes intended for children

Jurisdictions where such categories were identified:*

BE (VL), EE, ES, FI, FR, HR, HU, IE, IT, MT, PT, RO



2 **Content requirements** for ACCs themselves: they must be clear, non-misleading and identifiable as such

AT, EE, HU, IE, LV, MT, NO, RO



3 **Scheduling rules** often specific to broadcasters, but not exclusively, which prohibit the dissemination of ACCs for certain types of products during certain time slots

BE (FR), CY, EE, ES, FI, HR, IE, IT, MT, NL, PL, PT, RO, SI, SK



by jurisdiction

Alcoholic beverages



- scheduling (12): EE, ES, FI, IE, IT, MT, NL, PL, PT, RO, SI, SK
- general ban¹ (10): AT, BE (FR), FI, FR, IE, LV, NO, PL, SE, SI
- minor protection (7): BE (VL), FI, HU, IE, IT, PT, RO
- content requirement (5): HU, LV, MT, NO, RO
- specific media restriction (3): EE, IE, SE
- warning (3): EE, RO, SI

¹for all alcoholic beverages, or only certain types of beverages

Gambling products and services



- minor protection (10): EE, ES, FI, FR, HR, HU, IE, MT, PT, RO
- scheduling (9): BE (FR), CY, ES, HR, IE, MT, NL, PL, RO
- general ban² (6): BE (FR), BG, EE, IT, LT, PL
- license verification (5): ES, HU, IE, NO, RO
- content requirement (3): IE, NO, RO
- specific media restriction (4): HU, HR, MT, NO
- warning (1): RO

²for certain gambling products and services



by jurisdiction

OTC medicines



- content requirement rules (4): AT, EE, IE, RO
- minor protection rules (3): EE, HU, RO
- warning rules (2): HR, RO
- specific media restriction rule (1): IT

Alternative medicines



- warning rule (1): IE

Financial products



- content requirement rules (3): (IE, RO, SK)
- general ban¹ (2): EE, FR
- license verification obligations (2): ES, PT
- warning rule (1): RO

¹for certain financial products

The case of ACCs for “junk food” in European and National law

A few takes



National transpositions of Articles 9(4) and 28b(2) AVMSD identify different actors as being in charge of drafting codes of conduct with regard to ACCs for HFSS foods and beverages:

- **AVMS providers;**
- **Self-regulatory organisations (SROs);**
- **National regulatory authorities.**



SROs often have codes of conduct in that regard even when they are not identified by national media legislation as being in charge of that.



Video-sharing platform providers were found to be mentioned less often in national media legislation regarding codes of conduct in the context of HFSS foods and beverages. This apparent imbalance does not however mean that no rules apply, but applicable rules may come from non-media legislation.