

Belgium – 2019 Alcohol Covenant

Unofficial English translation of the provisions directly related to advertising. Preamble, legal context, complaints handling procedures, compliance etc. to be found in the original French version in the footer below.

Full title	2019 Covenant on Advertising and Marketing of Alcoholic Beverages
------------	---

Chapter I. Scope

Article 1	<p>1.1. For the purposes of this Covenant, advertising is to be regarded as any communication that is directly or indirectly designed to promote the sale of alcoholic beverages, irrespective of the location or the communication tools deployed. The term "Marketing" means the same as in article 2.9 of the Law on Consumer Protection.</p> <p>1.2. Within the meaning of this Covenant, alcoholic beverages shall be those with an alcohol content in excess of 0.5 per cent (%) by volume. The annexes also set out the rules specific to each Party/ sector.</p> <p>1.3. Parties other than the Minister will ensure that this Covenant is expressly subscribed to, from the inception of their commercial relations and for their individual sectors, by advertising practitioners, public relations agencies, production companies, importers, the operators of public house and drinks outlets, event organisers, their managers, employees, agents and consultants and any parties that produce advertising for alcoholic beverages or undertake promotional campaigns on behalf of their members.</p>
-----------	--

Chapter II. Location, form and content

Article 2	<p>Advertising must not:</p> <p>2.1. Target minors in terms of its content nor its means of communication;</p> <p>2.2. Take place in social or healthcare institutions or in work environments, except in hospitality establishments.</p>
-----------	---

Article 3	<p>Advertising must not:</p> <p>3.1. Incite or encourage excessive, irresponsible or illegal consumption;</p> <p>3.2. Associate the consumption of alcoholic beverages with psychological and physical benefits that help deal with various physical, psychological or social problems or reduce, or even eliminate, anxiety or social or psychological conflicts; advertising should not seek to highlight the potential stimulating, uplifting, sedative, therapeutic or tranquilising effects of alcoholic beverages or suggest they may improve mental or physical performances.</p> <p>3.3. Make a connection between the consumption of alcohol and social or</p>
-----------	---

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-_fr_-_2019.pdf

sexual success.

3.4. Denigrate any other beverage or include a criticism of abstinence, sobriety or moderate consumption.

3.5. Suggest that alcoholic beverages are a necessary condition to render daily life happier or to create a festive atmosphere

Minors

Article 4

Advertising must not:

4.1. Target minors neither by its content nor its means of communication;

4.2. Feature individuals who are or who appear to be minors;

4.3. Present the consumption of alcoholic beverages as a sign of maturity, or the abstention from alcohol as a sign of immaturity;

4.4. Encourage minors to buy alcoholic beverages by taking advantage of their lack of knowledge, inexperience and credulity;

4.5. Use designs or marketing techniques referring to those popular or fashionable amongst minors, or geared towards images or claims primarily relating to the culture of minors;

4.6. Encourage minors to persuade their parents or other people/ third parties to buy the alcoholic beverages referred to in advertising;

4.7. Exploit the special trust minors have for their parents, teachers or others;

4.8. Present alcoholic beverages as a means of dealing with dangerous situations.

Marketing

Article 5

5.1. Alcoholic beverages may not be distributed free or for a token price on public roads.

5.2. Alcoholic beverages should be clearly marketed as alcoholic products so as to avoid any confusion with non-alcoholic products, if possible via physical separation.

Health

Article 6

Advertising must not:

Health

6.1. Refer to the recommendations or the approval of a doctor, nor represent people engaged in a medical or paramedical profession or wearing clothing associated with the medical profession or located in medical establishments or those exhibiting medical characteristics.

6.2. Make a connection between the consumption of alcoholic beverages and

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-_fr_-_2019.pdf

Reviewed by: RB

Approved by: RB

Date posted online: 15/03/2020

2 of 10

better health;

6.3. Be directed at pregnant women;

6.4. Create the impression that alcoholic beverages are likely to cure, relieve or prevent certain illnesses.

Road safety

Article 7

Advertising must not make a connection between alcoholic beverages and driving a vehicle, unless the message is intended to warn people about drinking and driving.

Work

Article 8

Advertising must not make a connection between alcoholic beverages and a good performance at work, unless the message is intended to warn of the dangers of drinking at work.

Sport

Article 9

Advertising must not in any circumstances imply that consumption of alcoholic beverages has a positive influence on athletic performance.

Alcohol content

Article 10

The alcohol content should be stated solely for information purposes and this information should be clear and precise, so as to avoid any confusion with non-alcoholic products. High alcohol content may not in any way be presented as a quality.

Chapter III. Media arrangements

Article 11

11.1. In the case of advertising for newspapers, magazines and periodicals, and advertising via posters, or all other forms of print advertising, television, cinema, radio or the Internet, the provisions set out in Annex B will apply. Parties other than the Minister will take the steps required to ensure their members comply with these provisions.

11.2. Any advertising for an alcoholic beverage is prohibited during a period covering five minutes prior to and five minutes after a programme aimed at a minor audience.

Any advertising for an alcoholic beverage is prohibited in newspapers and periodicals mainly targeted at minors.

Any advertising for an alcoholic beverage is prohibited during the screening in a cinema of a film mainly aimed at a minor audience.

Any advertising for an alcoholic beverage is prohibited via digital media which mainly targets a minor audience.

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-_fr_-_2019.pdf

Annexes – Responsible Consumption Messages

Annexes A and B

ANNEX A: JEP Regulations (available on www.jep.be)

ANNEX B:

1. (a) For advertising for any beverage related to the harmonised nomenclature codes 22.04, 22.05, 22.06 and 22.08 (GRS note – this means alcoholic drinks other than beer):

Print

(i) In newspapers, magazines and periodicals and advertising materials all advertising should include the educational slogan:

“Notre savoir-faire se déguste avec sagesse” in French or

“Ons vakmanschap drink je met verstand” in Dutch.

(Enjoy our know-how wisely).

When different drinks are included on a single page, the slogan should be stated just once on this page. If the page mentions drinks falling within the harmonized nomenclature "22.03" (beer) and secondly "22.04, 22.05, 22.06 and/or 22.08" (other alcoholic drinks) only the educational message on drinks harmonized nomenclature code "22.04, 22.05, 22.06 and 22.08 " must be stated for the entire page.

Guidelines for the location of the message in the advertising space, the kind of typeface and the size of the typeface are set out below:

Location: the message should be featured horizontally at the bottom and should form an integral part of the visual.

Typeface: Arial – cursive (see message below).

Colour: positive or negative, clearly distinguishable from the background

Minimum character size: Format A4 2/1: 4 mm. Format A4 1/1: 3 mm. Other formats: proportional, with a minimum of 2.5 mm.

Posters

(ii) On posters, all advertisements should include the educational message "Notre savoir-faire se déguste avec sagesse" in French or "Ons vakmanschap drink je met verstand" in Dutch (Enjoy our know-how wisely). Guidelines for the location on the posters, the kind of typeface and the size of the typeface are set out below:

Location: the message should be featured horizontally at the base/ lower part and should form an integral part of the visual.

Typeface: Arial – cursive (see message below).

Colour: positive or negative, clearly distinguishable from the background.

Minimum size of the typeface Atribus: 25 mm, 10 m2: 45 mm, 20 m2: 60 mm. Other formats proportional.

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-_fr_-_2019.pdf

Reviewed by: RB

Approved by: RB

Date posted online: 15/03/2020

4 of 10

Audiovisual

(iii) On television or in cinemas (and mutatis mutandis – acknowledging differences - on websites), all spots should include the educational message "Notre savoir-faire se déguste avec sagesse" in French or "Ons vakmanschap drink je met verstand" in Dutch (Taste our know-how wisely).

Guidelines for the location in the television commercial or cinema commercial, the kind of typeface, the size of the typeface and the duration are set out below:

Location: the message should be featured horizontally at the base and should form an integral part of the visual.

Typeface: Arial – cursive (see message below).

Colour: positive or negative, clearly distinguishable from the background colour. Minimum height of the typeface in proportion to the image: 5%.

Duration: for commercials of more than 10 seconds: a minimum of 5 seconds.

Radio

(iv) On the radio, all spots should include the informative message "Notre savoir-faire se déguste avec sagesse" in French or "Ons vakmanschap drink je met verstand" in Dutch (Taste our know-how wisely).

The location and duration to be taken into account for radio commercials are set out below:

Location: the slogan "Notre savoir-faire se déguste avec sagesse" in French or "Ons vakmanschap drink je met verstand" in Dutch should be heard at the end of the radio commercial. This requirement does not apply to radio commercials of less than 10 seconds.

(v) On digital media, the slogan "Notre savoir-faire se déguste avec sagesse" in French or "Ons vakmanschap drink je met verstand" in Dutch should be stated clearly and legibly.

Beer

(b) For advertising for any beverage related to the harmonised nomenclature code 22.03 (that means beer):

Print

(i) In newspapers, magazines and periodicals and advertising material all advertising should include the educational message "Une bière brassée avec savoir se déguste avec sagesse" in French or "Bier met liefde gebrouwen, drink je met verstand " in Dutch. (Beer brewed carefully, to be consumed with care).

When different drinks are included on a single page, the message should be stated just once on this page. If the page mentions drinks falling within the harmonized nomenclature "22.03" (beer) and secondly "22.04, 22.05, 22.06 and/or 22.08" (other alcoholic drinks) only the educational slogan on drinks harmonized nomenclature code "22.04, 22.05, 22.06 and 22.08 " must be stated for the entire page. The guidelines for the location of the message in the

URL of source:

https://www.jep.be/sites/default/files/rule_recommandation/convention_alcool_-_fr_-_2019.pdf

advertising space, the kind of typeface and the size of the typeface are set out below.

Location: the message should be featured horizontally at the base and should form an integral part of the visual.

Typeface: Arial – cursive (see message below).

Colour: positive or negative, clearly distinguishable from the background colour.

Minimum character size Format A4 2/1: 4 mm. Format A4 1/1: 3 mm. Other formats: proportional, with a minimum of 2.5 mm.

Posters

(ii) On posters, all advertisements should include the educational message "Une bière brassée avec savoir se déguste avec sagesse" in French or "Bier met liefde gebrouwen, drink je met verstand" in Dutch. The guidelines for the location on the posters, the kind of typeface and the size of the typeface are set out below.

Location: the message should be featured horizontally at the base and should form an integral part of the visual.

Typeface: Arial – cursive (see slogan below).

Colour: positive or negative, clearly distinguishable from the background colour.

Minimum character size Atribus (bus shelter): 25 mm, 10 m²: 45 mm, 20 m²: 60 mm. Other formats proportional

Audiovisual

(iii) On television or in the cinema (and mutatis mutandis – the differences acknowledged - on Internet sites), all broadcasters should include the educational message "Une bière brassée avec savoir se déguste avec sagesse" in French or "Bier met liefde gebrouwen, drink je met verstand" in Dutch. The guidelines for the location in the television commercial or cinema commercial, the kind of typeface, the size of the typeface and the duration are set out below.

Location: the message should be featured horizontally at the base and should form an integral part of the visual.

Typeface: Arial – cursive (see slogan below).

Colour: positive or negative, clearly distinguishable from the background colour.

Minimum character size: in proportion to the height of the image: 5%.

Duration: for commercials lasting more than 10 seconds: a minimum of 5 seconds.

Radio

(iv) On the radio, all commercials should include the shortened educational message "Une bière se déguste avec sagesse" in French or "Bier drink je met verstand" in Dutch (Beer is to be consumed with care). The guidelines to be taken into account for the location of the message in radio commercials are set

out below.

Location: the shortened slogan "Une bière se déguste avec sagesse" in French or "Bier drink je met verstand" in Dutch should be heard at the end of the radio commercial. This requirement does not apply to radio commercials lasting less than 10 seconds.

(v) In digital media, the educational slogan should be stated: "Une bière se déguste avec sagesse", in Dutch, "Bier drink je met verstand" in a clear and readable manner.

'BOB' campaigns

(vi) "BOB" (designated driver) campaigns

For beer advertising campaigns in places or points of sale where road safety may be an issue (e.g. parking areas or service stations), it is recommended that a current 'BOB' slogan should always be included on the advertising media or the signature "BOB" should be featured next to the media. The use of the BOB logo and/or message for promoting beers is strictly limited to active members of the ARNOLDUS GROUP, partner of the Belgian Road Safety Institute (IBSR) (see Article 4.1.2 "Specifications for using the BOB sign" - <http://www.beerparadise.be/pdf/LastenboekFR2003.pdf>.)

2. Location, kind of type face, size of type face

(a) For advertising for any beverages related to the harmonised nomenclature codes 22.04, 22.05, 22.06 and 22.08 (alcoholic drinks other than beer):

*Notre savoir-faire
se déguste avec
sagesse*

*Notre savoir-faire se déguste avec
sagesse*

Notre savoir-faire se déguste avec sagesse

English: Enjoy our know-how wisely

URL of source:

https://www.jep.be/sites/default/files/rule_recommandation/convention_alcool_-fr_-2019.pdf

Reviewed by: RB

Approved by: RB

Date posted online: 15/03/2020

7 of 10

*Ons vakmanschap
drink je met verstand*

*Ons vakmanschap drink je met
verstand*

Ons vakmanschap drink je met verstand

*German: Wir liefern das Know-How, genießen Sie mit
Vernunft*

(b) For advertising for any beverages related to the harmonised
nomenclature code 22.03 (beer):

*Une bière brassée avec
savoir se déguste avec
sagesse*

*Une bière brassée avec savoir se
déguste avec sagesse*

*Une bière brassée avec savoir se déguste avec
sagesse*

English: Beer brewed carefully, to be consumed with care

Bier met liefde gebrouwen, drink je met verstand

*Bier met liefde gebrouwen, drink je
met verstand*

*Bier met liefde gebrouwen, drink je met
verstand*

German: *Bier, zünftig gebraut, vernünftig getrunken*

Two further items of significance from the annexes

From Annex C. 3) As a reminder, the Convention specifies that alcohol advertising “may not target minors either by its content or by its mode of communication” (arts 2 and 4).

The Advertising Council (advertisers, communication agencies and media), the Belgian Wine and Spirits Federation and the Belgian Brewers Federation undertake to remind their respective members that this principle applies to all media (in this regard). including games developed on certain websites).

From Annex D: 1) Make prior notices to the JEP mandatory for certain types of campaign. Currently, the advertising sector can request opinions from JEP, on a voluntary basis, prior to the broadcast of their campaigns.

The Federation of Belgian Brewers, and Vinum Et Spiritus undertake to require their respective members systematically to request a prior opinion from the JEP for all campaigns intended to be broadcast, at national level, on radio and/or television and/or cinema. These opinions will be processed in accordance with JEP Regulations.

Reviews will be invoiced at member rates, namely 250 euros excluding VAT for members of the Advertising Council (i.e. advertisers who are

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-fr_-2019.pdf

members of the UBA) and for members of the Federation of Belgian Brewers, and Vinum and Spiritus.

URL of source:

https://www.jep.be/sites/default/files/rule_recommendation/convention_alcool_-fr_-_2019.pdf

Reviewed by: RB

Approved by: RB

Date posted online: 15/03/2020

10 of 10