

NOTE

This is an extract from EASA's January 2024 policy newsletter; in this case on AVMSD and influencer marketing. It is reported verbatim.

---

**AVMSD and influencer marketing**

On 11th January, the European Commission has made available its report on the application of the Audiovisual Media Services Directive (2019-2022). This report, long overdue since December 2022, was prepared solely on the basis of feedback received from Member States. Overall, the report does not push for an AVMSD revision. It keeps faith in the Country-of-Origin principle and reminds about new self-regulatory initiatives to protect minors from HFSS and alcohol advertising.

Under the "Audiovisual commercial communications" chapter, some Member States reported concerns or legislative action in the field of HFSS advertising to children, while others indicated "support measures regarding the identification of audiovisual commercial communications in vloggers' content". Remarkably, the report states without any ambiguity that "no issues with audiovisual commercial communications for alcoholic drinks were identified".

Under the chapter on co and self-regulatory initiatives, the benefits of self-regulation were emphasized several times by Member States, noting that "new co-regulatory or self-regulatory schemes were adopted during the reporting period", among which "many were based on the activities of relevant national self-regulatory bodies". One Member State highlighted the "crucial role played by the national self-regulatory body in steering voluntary cooperation among the relevant players in the advertising sector". The contribution of advertising self-regulation to the fight against inappropriate HFSS and alcohol ads is also well-recognised.

Other parts of the document report issues around the absence of a definition of "vlogger" and with the definition of "on-demand" audiovisual media service provider. Other chapters deal with the challenges linked to the country-of-origin principle, the protection of minors, video-sharing platforms, and finally cooperation between regulatory authorities.

On 11th January, the Belgian Presidency of the Council presented its priorities to the CULT parliamentary committee. In addition to other known elements of the presidency's programme, Minister Benjamin Dalle mentioned a discussion between ministers on 14th May 2024 about a "possible upcoming revision of the AVMS Directive".

Finally, today 22<sup>nd</sup> January, took place a session of the [Council's Audiovisual Media Working Party](#). There, the Council's presidency informed the member states about the upcoming [Content with Conscience Conference](#), in which EASA will take part as a panellist. The presidency also presented an early draft of the Council's conclusions on influencer marketing. The importance of enhancing the cognitive and ethical skills of influencers through training programmes, tools and material, appears several times throughout these draft conclusions. From EASA's perspective, its Influencer Marketing Standard Training seems well-positioned to meet this need.

.....