

G-Regs™

## France – ARPP Price Recommendations

**Full title**

**March 2012 – ARPP (Autorité de régulation professionnelle de la publicité) Advertising Regulation Authority recommendations on price advertising (ARPP Recommendation sur la Publicité de Prix).** These recommendations are based on the principles of the ICC (International Chamber of Commerce) Consolidated Code of Advertising and Marketing Communication Practice, specifically Article 5 of General Provisions – Truthfulness - which includes "Marketing communications must not contain any statement, claim, or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead the consumer, in particular, but not exclusively, with regard to...the value of product and the total price to be paid by the consumer."

The text highlighted in yellow below has been Google-translated for the purposes of this document and was sent out for translation 27-8-14

**Scope**

The present Recommendation applies to advertising, one of the main purposes of which is to communicate on one or more prices, using figures, deployed outside points of sale and/or e-commerce Web sites, and targeting consumers.

The rules in this Recommendation apply to the prices and price-related details.

The generic term "price-related details" here refers to legal details (mandatory under positive law), corrective information (restricting the meaning or scope of the price concerned by the advertising) and other information.

It should be noted that any details not linked to a price stated in figures are subject to the rules set out in the "Details and References" Recommendation.

- The general and specific rules are designed for an average consumer, in other words, normally informed, reasonably attentive and aware.
- The rules apply except in cases where the regulations specifically set out conditions for the presentation of prices and related details.

**Section 1****1. Presentation of the Price****Article 1/1****Readability**

The price must be readable in normal reading conditions. This means that the characters should be:

- Of sufficient size,
- Normally spaced,
- In a font that facilitates readability (though not necessarily uniform through the whole of the advertising),
- In a colour that contrasts with that used for the background of the advertising. For example, light colours should be avoided for a text printed on a similarly light background.

When a price is accompanied by a sign, used to reference a related detail, the sign should be large enough to be constantly readable in normal reading conditions.

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<b>Article 1/2</b>	<b>Intelligibility, clarity and transparency</b> <p>To ensure the intelligibility of the price, this should be formulated in a way that makes it easy for the consumer to correctly apprehend.</p> <p>Thus, the presentation of prices should enable the consumer:</p> <ul style="list-style-type: none"><li>➤ To establish the relationship between the price(s) and the product or service from which the buyer expects to derive advantages,</li><li>➤ To be aware of any conditions or limitations.</li></ul>
<b>Section 2</b>	<b>Presentation of price-related details</b>
<b>Article 2/1</b>	<b>Legibility of references to prices</b>
<b>Article 2/1.1</b>	<p>General rules</p> <p>Whatever medium the advertising appears on/in, legal, corrective (qualifying) and informative references related to the price must be legible under normal reading conditions.</p> <p>To this end, the references must be horizontal and use characters large enough, normally spaced and in a font that is easy to read (without the font necessarily having to be uniform throughout the advertisement), in a colour that contrasts with the background of the advertisement. For example, a light colour should not be used for text written on a similarly light background.</p> <p>When a sign (2) preceding the information is used as a reference, it must be large enough to be constantly readable in normal reading conditions.</p> <p>(2) The sign may, for example, be an asterisk (a star), a digit or a letter, etc.</p>
<b>Article 2/1.2</b>	<b>Additional rules depending on the medium used</b>
<b>Article 2/1.2.1</b>	<b>For television and cinema advertising</b> <p>For references appearing in fixed double exposure on the screen or within moving text (either a banner or non-materialised), the period of the display or the speed of movement of the text must allow the consumer to read all the information without having to wait for another broadcast of the advertising message.</p>
<b>Article 2/1.2.2</b>	<b>For press advertising</b> <p>The size of the characters used in price-related details must be selected according to the format of the media and the advertisement. If a publication or advertisement is in a small format, the size of the selected characters is of key importance and should always enable the price-related details and references to be read in normal conditions.</p>
<b>Article 2/1.2.3</b>	<b>For poster advertising</b> <p>The size of the characters used in the price-related details must be selected according to the poster format and the type of location.</p>
<b>Article 2/1.2.4</b>	<b>For the communication of digital advertising</b> <p>Special attention must be paid to the period of time of the display and the size of the characters in references, bearing in mind the diversity of existing advertising formats, techniques and media.</p> <p>In advertising messages displayed within in a rolling or moving text, care should also be taken with the speed of the text and its contrast with the background colour.</p> <p>When the advertising format, technique or medium prevents the references from appearing</p>

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in the advertisement itself, they must be made directly accessible by some other means.

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**Article 2/1.2.5****For radio advertising**

When references to price are made during a radio advertisement, they must be clearly audible.

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**Article 2/1.2.6****For other advertising documents**

When a reference to another page (as in catalogues, mail shots, etc.) is used, the way these references are used, notably in terms of position in the document, must be perfectly readable and clear.

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**Section 3****Applications – special situations****Article 3/1**

**Display of several prices in a single advertisement.** When several prices appear in the same advertisement, it is always possible to highlight one of them. This can be achieved by displaying the prices in different sized characters, provided they comply with the aforementioned principles of legibility, intelligibility, clarity and accuracy. Showing a number of different prices in the same advertisement must not result in any ambiguity on the part of the consumer with regard to the relationship between the prices and the corresponding products or services.

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**Article 3/2**

**Prices with/without VAT<sup>4</sup>.** The price with VAT included must be shown in advertisements displayed to consumers. When the price without VAT is also shown, the VAT inclusive price must be at least as legible (in terms of size of characters, contrast, duration of display on screen and positioning within the advertisement).

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**Article 3/3****Price of products sold in batches**

In the case of products sold in batches, the advertisement must show the total price of the batch in a clear and unambiguous manner.

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**Article 3/4****Price related to a unit of measurement**

When a price is related to a unit of measurement<sup>(5)</sup> the price indicated to pay for the product or service must be easy to spot using any appropriate means (character size, character colour, location or use of bold or underlining etc.)

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**Article 3/5****Tariff advantages reserved for certain customers**

Some advertising distributed outside the points of sale and/ or merchant websites may present tariff offers reserved for particular groups of consumers (loyalty card holders, according to age or number of persons comprising a household, or within the framework of a partnership with other retailers or service providers etc.).

When the advertising is aimed at both consumers benefitting from these tariff offers and those who do not, the presentation of the different prices applying respectively to the persons concerned must not be such that the non-promotional price appears under conditions of reduced legibility (character size or location etc.)

When the advertising presents a tariff offer linked to a loyalty card in the form of purchase slips or credit registered on the card, the presentation of a price, deduced from the amount of the reduction to be applied to future purchases, must not be such that the price to be paid appears under conditions of reduced legibility (character size or location etc.)

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**Article 3/6****Prices “from”**

When an advertisement shows a price “from” or “starting at”, any appropriate means should

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be used to ensure that the price of the product(s) is perfectly readable and easy to locate. (This includes choice of character size, colour, location, and use of bold characters or underlining.)

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**Notes**

4. In France, TTC and HT are common abbreviations for "Toutes Taxes Comprises" (including tax) and "Hors Taxe" (excluding tax), respectively. The tax in question is value-added tax (VAT).

5. Whether or not this has been enforced by a provision of positive law

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