

Full title of law or regulation	SRC Check: Recognition/ identification of advertising Last updated by SRC on 20/08/2014: <a href="http://www.checksrc.nl/check/herkenbaarheid_van_reclame/">http://www.checksrc.nl/check/herkenbaarheid_van_reclame/</a>
Title of sections	Q&A and Checklist
Clauses	The starting point is that advertising must be clearly recognisable/ identifiable as such (See Art.11.1 DAC). An advertisement must be easy to identify as such. See Example Case <a href="https://www.reclamecode.nl/webuitspraak.asp?ID=51035&amp;acCode">2011/00080</a> : <a href="https://www.reclamecode.nl/webuitspraak.asp?ID=51035&amp;acCode">https://www.reclamecode.nl/webuitspraak.asp?ID=51035&amp;acCode</a>
Q & A Check	<ol style="list-style-type: none"> <li>1. Is it clearly an advertisement? YES: Good – advertising must be clearly recognisable as such. NO: Advertising must be clearly recognizable as such, even when social media is used as an advertising medium. For more information, see the checklist (below)</li> <li>2. In the case of a TV or Radio commercial, are subliminal advertising techniques being used? YES: Subliminal advertising is not permitted and is not clearly recognisable as advertising NO: Good.</li> <li>3. In the case of direct postal mail, is your company name / logo on the envelope? YES: Good – advertising by post must also be clearly recognisable. NO: In the case of direct postal mail, it should be easy to identify whether or not it is advertising. If the recipient has to open the envelope in order to tell whether it is advertising, then Art. 11.1 DAC has not been complied with. So, on the envelope, enter the name or logo of the advertiser / brand (if it is well known) or another caption or inscription that shows that the contents include advertising.</li> <li>4. Do you present advertising in the form of an editorial article without mentioning that the article is an advertisement? YES: Make it clear that the article is intended as an advertisement. Enter the word "advertorial" (<i>advertorial</i>) or make another statement that clearly shows that it is advertising. NO: Good – because there must be a clear distinction between editorial and commercial content.</li> </ol>
Checklist	<p>DON'Ts:</p> <ol style="list-style-type: none"> <li>1. Do not use surreptitious advertising (Promoting a product or service without clearly mentioning that it is an advertisement)</li> <li>2. Do not use subliminal advertising techniques (Techniques that try to influence viewers or listeners - perhaps without them being aware of it – via the insertion of images and / or sounds of very short duration)</li> </ol> <p>DO's:</p> <ol style="list-style-type: none"> <li>1. Make it clear that it is advertising. Please state this if necessary. Also consider formatting and content and take into account the target audience for which the advertisement is intended (11.1 DAC).</li> <li>2. For advertisements aimed at children, consult the Children Checklist: <a href="http://rcccheck.stippacceptatie.nl/check/kinderen/">http://rcccheck.stippacceptatie.nl/check/kinderen/</a></li> <li>3. For product placement – make clear it is advertising and for which product.</li> </ol>