

G-Regs™

Spain – Electronic Promotional



Law	<p><u>Online promotional material</u></p> <p>Commission Recommendation 2003/217/EC extends the application of the provisions on promotional literature from the EU Directive 1999/94/EC to promotional material “distributed by electronic means” and electronic storage media (VHS, DVD, CD-ROMs). It does not apply to marcoms in TV and Radio broadcasts. Note that the Recommendation has not been implemented into national legislation, so it is not a mandatory requirement, but an invitation to act accordingly. In practice, the provisions are often followed</p>
Context	This document provides back-up information in the context of the Content section of the G-Regs website Cars Spain
Key links	<p>Commission Recommendation 2003/217/EC</p> <p>http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003H0217&from=EN</p>
Definition	<p>Promotional material is defined as any form of information used in the marketing, advertising and promotion of new passenger cars for sale or lease to the general public. It includes text and pictures on websites of vehicle manufacturers or companies, organisations and persons that offer new passenger cars for sale or lease (Art. (2) Commission Recommendation 2003/217/EC)</p>
Sub-head	Promotional Material distributed by electronic means (including car manufacturer websites, online/virtual showrooms, online advertising, e-mail marketing)
Clauses	<p>Promotional material distributed by electronic means must contain the following statement:</p> <p>“Further information on specific fuel consumption and CO2 emissions of new passenger cars is given in (reference to name of the guide/IDAE) which can be obtained free of charge at all points of sale and (... reference to national designated body; or direct link to the organisation charged with the distribution by electronic means...).</p> <p>Spanish example: <i>“puede obtenerse información adicional sobre el consumo específico de combustible y las emisiones específicas de CO2 de los turismos nuevos en “la Guía de Vehículos Turismo de venta en España, con indicación de consumos y emisiones de CO2”, que puede obtenerse gratuitamente en todos los puntos de venta y en IDAE (Instituto para la Diversificación y Ahorro de la Energía).</i></p> <p>Example here taken from www.bmw.es</p> <p>“Encontrarás más información sobre los valores oficiales para turismos nuevos en las orientaciones sobre el consumo de combustible y las emisiones de CO₂, disponibles de forma gratuita en todos los puntos de venta y en IDEA.</p>

URL of source: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003H0217&from=EN>

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- At least the official specific fuel consumption (combined test cycle) and official specific CO2 emission figure (combined test cycle) of the vehicle to which it refers - where the promotional material contains reference to any particular new passenger car model, version or variant (data to be expressed in the same way as on the [national label](#) as established under Directive 1999/94/EC);
 - The information must be easy to understand even on superficial contact, and no less prominent than the main part of the information provided;
 - It should be ensured that the recipient of the promotional material receives this information automatically as soon as the promotional material is displayed for the first time on the web page.
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Sub-head**Electronic, magnetic, optical storage media** (i.e. DVD, CD-ROM)**Clauses**

Electronic, magnetic or optical storage media used for the marketing, advertising and promotion of new passenger cars to the general public must contain:

The following statement (which can be provided orally or visually): "Further information on specific fuel consumption and CO2 emissions of new passenger cars is given in (reference to name of the guide/ IDAE) which can be obtained free of charge at all points of sale and (... reference to national designated body; or direct link to the organisation charged with the distribution by electronic means...).

Spanish example: "*puede obtenerse información adicional sobre el consumo específico de combustible y las emisiones específicas de CO2 de los turismos nuevos en "la Guía de Vehículos Turismo de venta en España, con indicación de consumos y emisiones de CO2", que puede obtenerse gratuitamente en todos los puntos de venta y en [IDAE](#) (Instituto para la Diversificación y Ahorro de la Energía).*

- At least the official specific fuel consumption (combined test cycle) and official specific CO2 emission figure (combined test cycle) of the vehicle to which it refers - where those media contain reference to any particular new passenger car model, version or variant (data to be expressed in the same way as on the national label as established under Directive 1999/94/EC);
 - The information should be easy to understand, even on superficial contact, and no less prominent than the main part of the information provided;
 - If the electronic, magnetic or optical storage media only contains reference to the make, and not to any particular model, then fuel consumption and specific CO2 emission data need not be provided.
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