

e.mag

the voice  
of Europe's  
periodical press

FAEP

JUNE/JULY.2009

02 **Cost/benefit analysis  
of policies for labelling  
requirements in advertising**

**Council discussions on  
consumer rights advance**

**In the lobby:**

Equal treatment, Telecom package, behavioural online practices, Energy Labelling

03 **Privacy:  
a hot topic in Brussels**

**International online press  
clipping licensing being  
developed**

**Swedish Permanent  
Representative Danielsson  
summarises the Council  
priorities**

04 **Focus on advertising fades in  
the Alcohol Forum**

**Academic study presents  
over-complicated definition  
of media pluralism**

**FAEP News  
FAEP Agenda**

## EU AFFAIRS

# Surprising results from the European elections indicate a business-friendly future

*DE Die Europawahlen Anfang Juni haben die industriefreundlichen Kräfte im Parlament gestärkt. Aber eine zunehmende Fragmentierung der politischen Gruppen erschwert die Interessenvertretung.*

*FR Le Parlement européen sorti des élections début juin, devrait être plus favorable pour les entreprises puisque le PPE a renforcé sa majorité. Cependant, les groupes politiques étant plus fragmentés, les dossiers sensibles pourront être plus difficiles à adopter.*

From the June 4th-7th, European citizens elected 736 MEPS (reduced from 785). Industry should be able to work well with the new Parliament as the pro-business groups EPP and ALDE will make up the majority. The EPP stays dominant with 264 seats (35,9%). Despite the fact that the British Conservatives are expected to leave and form an anti-federalist political group, the EPP will still be the largest political group. Moreover ALDE remains the third main force with 80 seats (11%).

On the left-wing side, the PSE is now a distant second with 22% of the seats instead of 27,6% it held in the former Parliament (161 MEPs). On the contrary, the Greens increase their weight (53 MEPs and 7,2% of the seats) and distinguish themselves more visibly than other minority groups. However, even with the GUE, the left wing of the Parliament totals only 246 seats against 344 for the EPP and ALDE together.

However, the Parliament faces an increased fragmentation which could be an obstacle for creating majorities on certain legislative files, due to an overall increase in independent and non-aligned MEPs being elected. This could in particular become an issue when the Parliament will have to accept the new Commission, including the confirmation of the current President Barroso.

The formation of the political groups will be officially announced at the first plenary session of the new Parliament, on 14th of July. On this day, the new President of the Parliament will also be elected as will committee chairmen and members.



European Parliament in Brussels

©OPT-JRemy



**European  
Recycling Award**  
apply before Friday,  
**31 July 2009.**  
[www.paperrecovery.org](http://www.paperrecovery.org)

## IN THE LOBBY

### Equal Treatment file shows promise

In a meeting with the relevant officials of the European Commission at the beginning of June, FAEP was informed that the Commission will work with the Council to ensure that media-friendly wording is introduced into the proposed Equal Treatment Directive, thus ensuring that advertising and media content will not be subject to the restrictive measures foreseen in the Directive.

### 'Telecom package' - still not adopted

On Thursday 11 June, the Council of Ministers for telecoms had an informal discussion to decide how to proceed with the adoption of the so-called telecom package, following the rejection of a compromise text by the European Parliament. The text will now go into conciliation procedure but only to renegotiate the point on piracy. Even if it is an almost done deal, the text should not be formally adopted before the end of 2009.

### Behavioural practices online – a forum to exchange views launched

At the beginning of June, the services of DG SANCO launched a Forum to discuss the concerns raised by new online practices based on the collection of data. All parties are welcome to contribute to the debate around the issues of protection of minors, misleading advertising practices, security of the data collected or self-regulatory regime. The forum can be found at [forums.ec.europa.eu/fair\\_data\\_collection](http://forums.ec.europa.eu/fair_data_collection)

### Press position on Energy Labelling finds support

The European Commission finally joins the press position supported and promoted by FAEP in letters and meetings to reject mandatory information requirements in advertising for energy related products. Still there is the need for more precise wording at Council level to exclude media advertising from all sorts of public policy messaging in marketing, in order to prevent misinterpretation.

## ADVERTISING

# Cost/benefit analysis of policies for labelling requirements in advertising

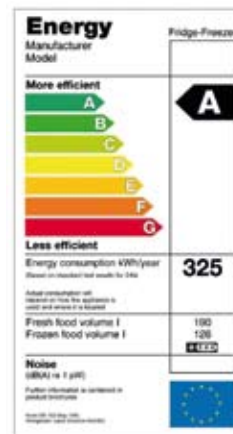
**DE** Inwieweit Werbevorschriften den Medien schaden und dem Verbraucher nutzen soll eine von der Kommission in Auftrag gegebene Studie feststellen. Die Aufgabenstellung der Studie verschiebt den Fokus der aktuellen Debatte zulasten der Medien.

**FR** La Commission a lancé une étude sur l'impact des messages informatifs dans la publicité et son utilité pour atteindre des politiques publiques. Malheureusement, le champ de recherche ne couvre pas toute la chaîne du processus d'information du consommateur avant qu'il ne procède à un achat.

For the first time, the European Commission has launched a process to examine the possible impact of labelling requirements in advertising for the media as well as the potential usefulness for public policy objectives. The Media Task Force of the Commission launched a tender for a study titled "media policy aspects of advertising, labelling and public information" in mid May. The scope of the study does not seem to be very thorough, as it does not focus on informed purchasing decisions by consumers, based on labelling at point of sale, such

as in the showroom of a product or in product specific marketing brochures. It therefore narrows down the angle purely to the role of advertising delivering the public policy message. The European Commission hopes to receive a cost/benefit analysis of policies that might affect advertising revenues if labelling requirements were in place.

The outcome of this study will be presented in spring 2011. This study therefore will not impact the current debates on energy labelling and car labelling. But it could lead to an unbalanced view of the effectiveness of public policy messaging techniques.



## CONSUMER PROTECTION

# Council discussions on consumer rights advance

**DE** Die Verbraucherrechterichtlinie kann sich gegen Verlagsinteressen richten, wenn sie eine frühzeitige Auflösung eines bestehenden Abos möglich macht. Die gilt es zu verhindern.

**FR** Les discussions sur la proposition de directive relative aux droits des consommateurs avancent rapidement au Conseil sans tenir compte des intérêts des éditeurs de magazines.

The discussions around the Commission proposal harmonizing rules dealing with business contracts with consumers, especially from a distance or outside the standard selling points, are progressing in the Council.

The Czech Presidency has already proposed an amended version of the directive to the working group which does not take into account the concerns publishers raised through FAEP and national associations. Indeed this proposal, if adopted, would make codes of conduct legally binding and give the possibility for consumers to easily cease their magazine subscriptions, not acknowledging the time sensitivity of this product. The legislative process is in its early stages, as the Parliament, newly re-elected, will not start working on it before September. Nonetheless, lobbying still needs to be done early to ensure decision makers grasp fully the specificities of the magazine sector.

## ADVERTISING

# Privacy: a hot topic in Brussels

DE Die Erfassung des Nutzerverhaltens im Internet für Werbezwecke besorgt die Kommission. Das Vertrauen der Nutzer in das Internet stehe zur Disposition.

FR La vie privée sur l'Internet est un des sujets d'actualité à Bruxelles et la Commission européenne est prête à réguler s'il s'avère que certaines pratiques relatives à la récolte des données sont nuisibles pour les consommateurs.

Following announcements by big online players testing new ways of delivering advertising as well as pressure from the consumer lobby, the Commission has started an open consultation on practices using the collection of data and profiling of users to improve the relevancy of their services.

After some months of consulting, DG SANCO services have narrowed down the issues for investigation to the issues of price discrimination, the collection of data and retention period by search engines and consumer trust in eCommerce services and last but not least surreptitious advertising.

On 12 June, FAEP met with Commission officials to explain their online business models, how they process data and for which purposes. The key message delivered at the meetings is that consumer trust is fundamental for publishers and so, they would not engage in any practice that would damage their brand and jeopardize their readership.

This issue is a growing one and as Commissioner for consumer protection, Meglena Kuneva said: "Doing nothing is not an option". Continued education and transparency is the way forward to avoid any regulation that would stifle innovation.



Commissioner Kuneva is responsible for Consumer Protection and leads the online privacy debate in Brussels.

## INTELLECTUAL PROPERTY

# International online press clipping licensing being developed

DE Ein neues Netzwerk soll die internationale Lizenzierung von Presseartikel weltweit ermöglichen. Auf der Jahrestagung von IFFRO wurde hierzu berichtet.

FR Lors de sa participation à la réunion bi-annuelle d'IFFRO, la fédération Internationale des organismes de droits de reproductions, un nouveau projet destiné à faciliter les licences d'articles de presse en ligne a été présenté à FAEP.

At the beginning of June, FAEP attended the IFFRO – the International Federation of Reprographic Rights Organisation - annual meeting. This is an opportunity for FAEP to see what is done by collecting societies to manage the right of publishers.

PDLN, the Press Database and Licensing Network, a network of collecting societies presented a project which aims to support international cooperation between press owned database and licensing organizations leading to more efficient international licensing of press articles worldwide, for content owners, intermediaries and users. This new network tries to develop a one stop shop approach for users of international press articles.

More information can be found at [www.pdln.info](http://www.pdln.info)



**Christian Danielsson**, Swedish Permanent Representative in Brussels, highlighted on Monday 22nd June the results of the last European Council on 18 - 19 of June.

He declared that the Council meeting was successful as it arrived at a clear position on several subjects. One of the issues, particularly important for the future of the European Union, is the nomination of the President of the European Commission. While unanimously backing Jose Manuel Barroso, the Member States agreed to consult the European Parliament before proceeding officially to the nomination. The current Czech and incoming Swedish presidencies of the EU are now starting consultations with political groups in Parliament in order to see whether a majority of MEPs are ready to support him. The Swedish presidency would like to see the European Parliament able to vote in July. The future shape of the Commission will also depend on the adoption of the Lisbon Treaty, which is also in the top 3 priorities of the Swedish presidency along the financial crisis and climate change.



se2009.eu

## Focus on advertising fades in the Alcohol Forum

DE Das Alkoholforum löst seine Marketing Task Force auf und weckt damit Hoffnung auf eine Debatte, die nicht mehr die Werbung in den Mittelpunkt stellt.

FR Après 2 ans d'échanges, la Commission a décidé de clôturer le groupe de travail „marketing“ du forum sur l'alcool, sans conclusions quant aux effets de la publicité sur la consommation des jeunes.

Meeting on 9th June, the Marketing Task Force of the Alcohol Forum discussed whether any further aspects of alcohol marketing needed to be examined. Participants agreed that most subjects had been thoroughly discussed and that good lessons had been learned. Chairing the meeting, Director General for Health, Robert Madelin, concluded that after nearly two years

of discussing these issues, he had learned that social marketing could have a role to play in reducing alcohol related harm and that there was still a mix of opinions about whether alcohol advertising has an impact on consumption among young people.

In the overall context of the work of the Forum, Mr. Madelin considered that no further outcomes from the Marketing Taskforce were foreseen, and he thus proposed to close the Marketing Task Force, with a view to possibly reviving the group if further points need discussion this time next year.

For the time being, therefore, alcohol advertising will not be a focus of the Alcohol Forum from the Commission side. As reported in the May eMAG, however, it is to be expected that NGOs will maintain their call for restrictions and bans of alcohol advertising.

### INFORMATION SOCIETY

## Academic study presents over-complicated definition of media pluralism

DE Medienpluralismus kann angeblich mittels 166 Indikatoren in den Mitgliedsstaaten gemessen werden. Das jedenfalls schlägt eine Studie vor, die von der Kommission in Auftrag gegeben wurde.

FR Une étude sur le pluralisme des médias, réalisée pour le compte de la Commission, relève 166 critères pour évaluer le niveau de pluralisme dans un état. Les éditeurs de presse ont souligné que nombres de ces indicateurs pouvaient porter atteinte à la liberté d'expression.

With over a year of input from several different academic institutes across Europe, the draft conclusions of 'indicators of risk' for media pluralism were presented at a workshop in Brussels on 8th June. Funded by the European Commission, the team

of academics decided to adopt a very broad definition of media pluralism which covers legal and socio-cultural dimensions.

With this broad interpretation, the draft final study identifies 166 'risk indicators' to be used when assessing the level of media pluralism in any given country. FAEP reaction at the workshop was to state that the definition is far too broad and some of the indicators would impinge on editorial freedoms and commercial/employment practices.

This input should feed the finalization of the study, which is expected to be presented to the Commission in July. The Commission says that the study was simply funded by them and that it is an independent work. Consequently, it will not be endorsed as any official Commission position, at least under the current Commission.

## FAEP Gala Event in Brussels: 7 Oct. 09

FAEP's gala event for 2009 will take place on 7th October. 200 EU and publishing guests are expected to attend the early evening exhibition and reception around the theme: "Empowering citizens – the magazine media". Dr. Hubert Burda will make a key-note introduction from the publishing side with further words being spoken by leading EU figures. Block the date now!

## Green Week 2009

In 2008 the Commission invited FAEP to present its view on car labelling in advertising. This year FAEP and ENPA contribute to the panel discussion on "can media and society change climate attitude?" with a joint candidate: Florian von Heintze, deputy editor-in-chief of the German Bild Zeitung. The press has a positive story to tell, in particular about the huge editorial space devoted to these issues.

## Save the date: 29 Sept. 09

A high level Media Lounge event of the paper value chain in the European Parliament will introduce the sustainability side of our sector to the new MEPs. At the same day the FIPP/FAEP Environment Committee will hold its first meeting with its new Chairman Peter Phippen, Managing Director of BBC Magazines in Brussels.

### AGENDA

**6/7 OCTOBER 2009 / BRUSSELS**

FAEP quarterly meetings

**7 OCTOBER 2009 / BRUSSELS**

FAEP Annual Gala Event

**7/8 OCTOBER 2009 / BRUSSELS**

Corporate Advisory Group Meeting

**26/27 NOVEMBER 2009 / SPAIN**

FAEP quarterly meetings

**David Mahon** (EN, FR)  
Executive Director

+32 2 536 06 02  
david.mahon@faep.org

**Max von Abendroth** (D, EN, FR)  
Director of Communications  
and Sustainability

+32 2 536 06 04  
max.abendroth@faep.org

**Ingrid de Ribaucourt** (FR, EN, SP)  
EU Affairs Manager

+32 2 536 06 06  
ingrid.deribaucourt@faep.org