

**The Spanish Food and Drinks Federation (FIAB) Self-Regulatory Code on Food Advertising to Children (PAOS) May 2005**

The Code establishes that the application of its rules will be based on the different age of the children addressed by the concrete advertising message, with a special protection provided for adverts addressed to under-12s.

The text of the PAOS Code includes the following provisions:

- In presenting the product, advertising must not mislead children's judgement, must not upset them and must not exploit their imagination
- Food advertising must avoid the use of an 'excessive commercial pressure', therefore it cannot encourage or urge them directly to buy the advertised product by exploiting their credulity and inexperience, nor can it encourage them to persuade their parents or other adults to buy the advertised product
- All claims or benefits attributed to the advertised food or drink must refer exclusively to its use and their prices must be expressed clearly without using expressions like 'only' or 'no more than'.
- By no means will advertising exploit children's special trust and admiration for their parents or guardians, teachers or other adults such as professionals of children's programmes, real or fictional characters appearing in films or cartoon series.
- Food and drinks advertising to children will not use personalities that are particularly close to the younger audience, but such personalities will be able to participate in public health and educational campaigns specifically aimed at promoting healthy eating habits or physical activity.
- No tele-promotions (or 'tele-sales') will be addressed to children.
- Food and drinks advertising to minors must be clearly distinguished from programmes.
- Comparisons within adverts must be drawn in a clear and understandable way for minors.

The Code also provides that:

- FIAB must always disclose the names of the companies that adhere to its Code

- The Advertising Jury of self-regulatory organisation 'Autocontrol' is called to judge over the complaints regarding the implementation of the Code.
- The sanctions for the breach of the rules of the new Code consist of fines ranging from a minimum of 6,000 euros up to a maximum of 360,000 euros and will be issued according to the degree of responsibility, the damage to the reputation of the company, the presence of disloyal competition and the repetition of the breach, among other criteria as well.

Finally, in order to monitor the regular and consistent implementation of the PAOS Code, the latter provides for the creation of a Commission presided by the Spanish Food Safety Agency (AESAs) and made up of two representatives of FIAB, one representative of SRO Autocontrol and two representatives of the Council of Consumers and Users (CCU).