

New Regulation Regarding the Food Advertisements

Pursuant to the Regulation published in the Official Gazette dated March 27, 2018 and numbered 30373 "Regulation on Procedures and Principles of Broadcasting Service" was amended. With the relevant amendment it has been clarified how the provision, "Commercial communications of foods and beverages, containing nutrients and substances excessive consumption of which is not recommended in general nutrition diets shall not accompany the children programs at the beginning/end or shall not be included in the children programs" under 7th paragraph of article 9, under the title of "Commercial Communication in Broadcasting Services" of the Law on the Establishment and Broadcasting Services of Radio and Television no 6112 will be implemented.

Food Profile Model and the prepared Foods and Beverages List by the Ministry of Health are taken as basis for the determination of goods not recommended for excessive consumption within the scope of this article. This list has been published on the website of the Supreme Board of Radio and Television.

This new regulation, which mainly relates to restrictions on food advertisements with or in conjunction with children programs, also includes provisions that rule health warnings to be run in the advertisement of certain foods in other programs beside the children programs.

Highlights of the Amendment

Pursuant to the Regulation it has been established that:

- Foods and beverages have been divided into 3 categories as red, orange and green on the List.
- Red category was determined as the foods and beverages that are not allowed to be advertised during children programs, orange category as foods and beverages allowed to be advertised if the specified criteria are satisfied and green category as foods and beverages allowed to be advertised.
- Products such as "chocolate, sugar, sugar, cake, biscuits, fruit juice, energy drink, chips, cookies..." are in the red category and in the orange category there are products such as "nuts, crackers, breakfast cereals, whole milk dairy products, dough products, fat..." and in green category there are "fresh fruits, vegetables, meat, fish, eggs..." and similar products.
- Advertisement of foods under the red category in children programs is not allowed.
- Given that the content of the thematic children channels consists of entirely children programs the advertisement of foods under the red category in these kinds of channels are not allowed.
- The advertisement of foods under the red category are allowed in other programs provided that it is broadcasted written warnings in the form of a flowing tape at the bottom of the screen prepared by the Ministry of Health, which can be easily read by the viewers, and contain statements encouraging regular and balanced nutrition.
- Certain requirements are set out for the foods in the orange category and if these requirements are not satisfied, the advertisement of these products will also not be allowed in children programs.
- Advertising of nutrition substances in the green category are allowed in children programs and other programs.
- In accordance with the Regulation which will enter into force within 15 days following its publication, it will not be allowed to advertise the foods under the red category in the children programs as from April 11, 2018, and for the products in the orange category, a transition period of 2 years is foreseen.



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