



|
2023

**EUROPEAN TRENDS IN ADVERTISING
COMPLAINTS, COPY ADVICE AND
PRE-CLEARANCE**



EASA

EASA – the European Advertising Standards Alliance – is the single authoritative voice on advertising self-regulation in Europe. EASA promotes high ethical standards in commercial communications by means of effective self-regulation for the benefit of consumers and businesses in Europe and beyond.

Effective advertising self-regulation helps ensure responsible advertising, meeting consumers' demand for honesty and transparency, regulators' demand for responsibility and engagement and businesses' demand for freedom to operate responsibly. EASA and its members have developed a robust and coherent system of advertising self-regulation that can respond effectively to new challenges.

EASA was set up in 1992 to represent national SROs across Europe. In 2004, it developed into a partnership between the SROs and organisations representing the advertising industry. Today, EASA is a network of 41 organisations committed to making sure advertising is legal, decent, honest and truthful. EASA's membership is made up of 27 European advertising self-regulatory organisations (SROs), and 13 advertising industry associations, including advertisers, agencies, the media and 1 digital pure-play company. EASA is a not-for-profit organisation with a Brussels-based Secretariat. For further information please visit www.easa-alliance.org.

EASA acts as a co-ordination point for best practice sharing in the implementation of self-regulation, as well as operational standards for its national SRO members. Part of EASA's role involves coordinating the cross-border complaint mechanism. EASA also collects and analyses top line statistical data on received and resolved complaints, as well as on copy advice requests and pre-clearance from its SRO members each year.

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1 Key findings

This report shows the main trends in complaints lodged with SROs against advertisements, the copy advice services provided, and the number of pre-cleared ads throughout 2023¹.

It is based on data collected by 26 SROs in 24 European countries.



55,790 complaints related to 35,096 advertisements were received by 26 European SROs



The UK and Germany accounted for 83% of all complaints received in Europe



Misleading advertising remained the predominant issue complained about at 68% followed by social responsibility at 25%



On average, SROs resolved half of received complaints within the first week, 76% in two weeks, and 96% within one month



Online advertising achieved the 50% mark of complaints, followed by television at 38%, whilst outdoor advertising saw a decrease to 4%



Complaints against retail advertisements amounted to 23%, followed by leisure services at 22% and Health and beauty services and products at 10%.



179 cross-border complaints were registered last year, increasing by 34.59% compared to 2023.



89,429 requests for copy advice were submitted to the SROs



84,448 ads were pre-cleared by the SROs providing this service to the industry

¹ Data was collected by SROs from 01/01/2023 – 31/12/2023 and provided to EASA during the summer of 2024.

1.1 Methodology

Every year, EASA collects statistical complaints' data from the advertising self-regulatory organisations (SROs) in its membership. A complaint is defined as an expression of concern about an advertisement by a member of the public, a competitor, or an interest group (among others), which requires a response from an SRO. A complainant can raise one or more concerns about the ad within the same complaint. The SRO may then open one case for one ad based on one complaint or several similar complaints. Multiple cases may be opened against a single ad if several complaints raise different issues. The following pages will discuss solely the number of complaints received by SROs, as an indicator of the prevalent audience attention to seemingly problematic issues in ads.

The present report covers data² from 26 SROs in 24 European countries³ (22 SROs from European Union Member States as well as the SROs from Serbia, Switzerland, Turkey, and the United Kingdom). In 2024, EASA's network grew with the addition of the Lithuanian SRO, LRSB, which is not represented in this report given it covers data relevant to 2023. EASA's network covers over 97% of the European Union's population and over 74% of Europe's.

The data collected by EASA identifies the issues which prompted complaints, the products and services that generated the most complaints, and the medium that carried the most complained-about ads. The annual collection and analysis of complaints data are a useful tool in determining and anticipating trends as well as in identifying any problematic sectors or issues.

The main method used for data processing is the calculation of the European averages based on aggregate complaints data, available at the national level. It is a method which relies on the calculation of the sum of the total complaints resolved by each SRO per issue, product, medium, or other categories. Subsequently, the percentage has been computed in relation to the total number of complaints within a given category or section. Where appropriate, the European mean average is also presented, which rely on an average share of complaints (in percentages) in each country.

If granular data within a particular category with second level classification at national level is available, this data will be presented here. However, it is important to keep in mind that those graphs only refer to the group of markets where such granular distribution is available.

The number of complaints received by individual SROs can vary greatly (see table 1, section 2.1). The European average is thus not necessarily mirroring the share of complaints per issue, medium, service, etc. at the national level. For national complaints data or further information please contact the [EASA secretariat](#).

² The report covers data on complaints received and handled from 1 January to 31 December 2022.

³ It is important to note that 2020 is the first year that the Serbian SRO, NAESO, provided data for the annual report, as they joined only in 2020. The Russian SRO, AMI RS, joined in 2019, and their first input in this report dates back only to 2020, but their membership was later paused, and the figures will not appear in subsequent reports. Consequently, readers ought to bear in mind this as they analyse the report's graphs and tables.

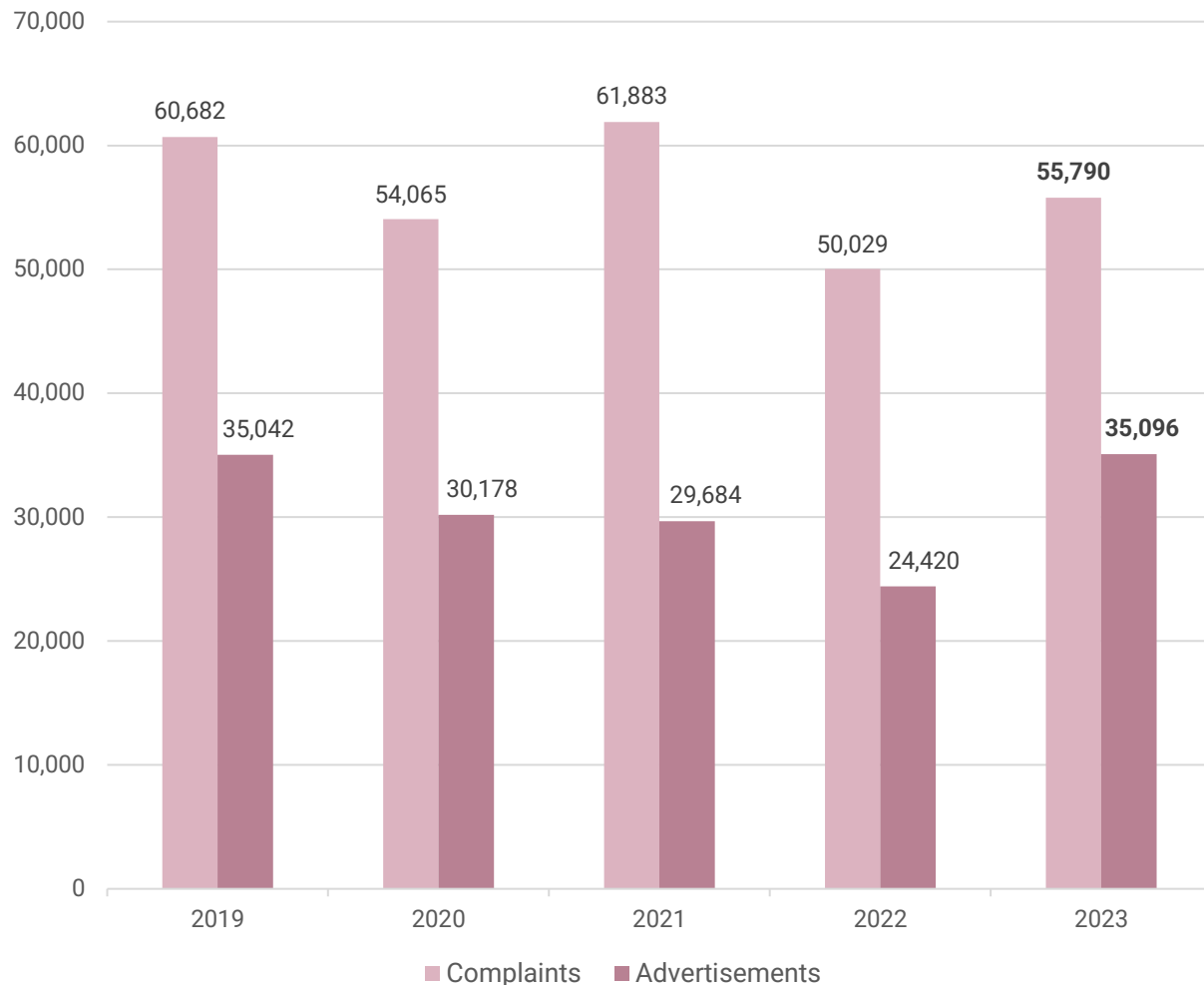
2 Complaints in Europe in 2023

55,790 complaints about 35,096 advertisements in Europe

In 2023, EASA’s network of European self-regulatory organisations (SROs) received and dealt with a total of 55,790 complaints related to 35,096 advertisements. The number of complaints increased by 10.5% from the previous year in 2022. The number of complaints has seen its highest increase since 2019. Following the COVID-19 pandemic, complaint numbers had been decreasing until this year. The lowest point in the last five years was reached in 2022, with 50,029 complaints.

On average across the previous five years, 56,489 complaints have been handled by SROs annually against an average of 30,884 advertisements.

Graph 1: Complaints lodged with SROs and the number of complained about ads across Europe from 2019 to 2023



2.1 Complaints by country

Consumers in the UK, Germany, the Netherlands, and Italy accounted for 92% of lodged complaints

The map below in Graph 2 and Table 1 on the following page depicts a breakdown of complaints received in 2023 per country. The UK, in dark blue on the map, received 71% of all complaints, with Germany falling in second place registering 12% of complaints. The Netherlands also accounted for 9% of complaints followed by Ireland 9%. The rest of the detailed breakdown can be found in the table on the following page.

Graph 2. European complaints map

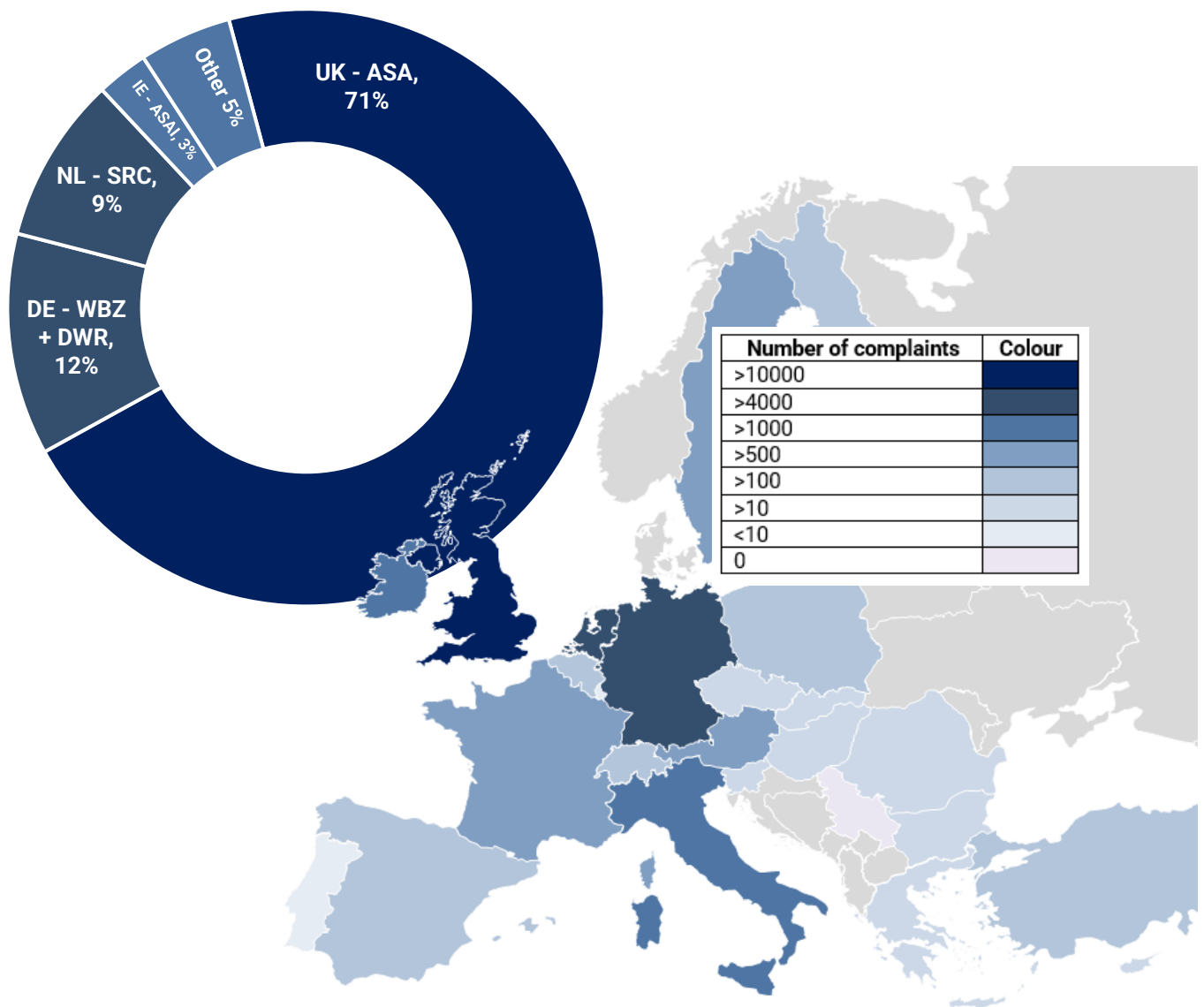


Table 1: Complaints per country across Europe from 2019 to 2023

Country – SRO	N°	2023	2022	2021	2020 ⁴	2019 ⁴
UK – ASA	1	39,427	33,324	43,190	36,297	37,056
DE – WBZ	2	3100	1,008	1,444	1,343	3,636
DE – DWR		355	5,000	6,000	5,600	9,191
DE – Total		6,827	6,008	7,444	6,943	12,827
NL – SRC	3	4,866	4,198	6,157	4,015	4,255
IE – ASA Ireland	4	1,399	1,187	1,422	1,614	1,858
FR – ARPP	5	552	567	736	714	792
IT – IAP	6	544	2,378	577	1,797	794
SE – Ro.⁵	7	511	617	660	688	621
AT – ÖWR	8	334	503	413	411	338
ES – AUTOCONTROL	9	258	214	209	239	293
PL – RR	10	240	165	245	221	488
RO – RAC	11	155	93	81	102	125
CH – CSL/SLK⁶	12	152	122	51	110	139
SK – SRP	13	108	59	73	79	107
FI – MEN & LTL	14	103	129	145	132	161
BE – JEP	15	97	155	151	123	465
TR – RÖK	16	91	175	160	202	207
EL – SEE	17	57	59	74	84	77
CY – CARO	18	28	15	24	22	24
CZ – CRPR	19	22	15	Unavailable	38	40
HU – ÖRT	20	8	13	29	31	16
BG – NCSR	21	6	11	13	28	34
PT – ARP	22	5	6	4	11	8
SI – SOZ	23	0	10	24	14	16
LU – CLEP	24	0	1	1	0	5
RS – NAESO	25	0	0	0	0	N/A

⁴ Data for 2020 and 2019 also includes the Russian SRO AMI RS's figures: 43 and 150 respectively.

⁵ For the years 2017 and 2018, the reporting represents the cumulative number of other Swedish SR bodies dealing with consumer complaints

⁶ CSL/SLK's figures for 2017, 2018, and 2019 have been amended in December 2021, to reflect the reality of the number of received complaints, as opposed to only the actionable complaints.

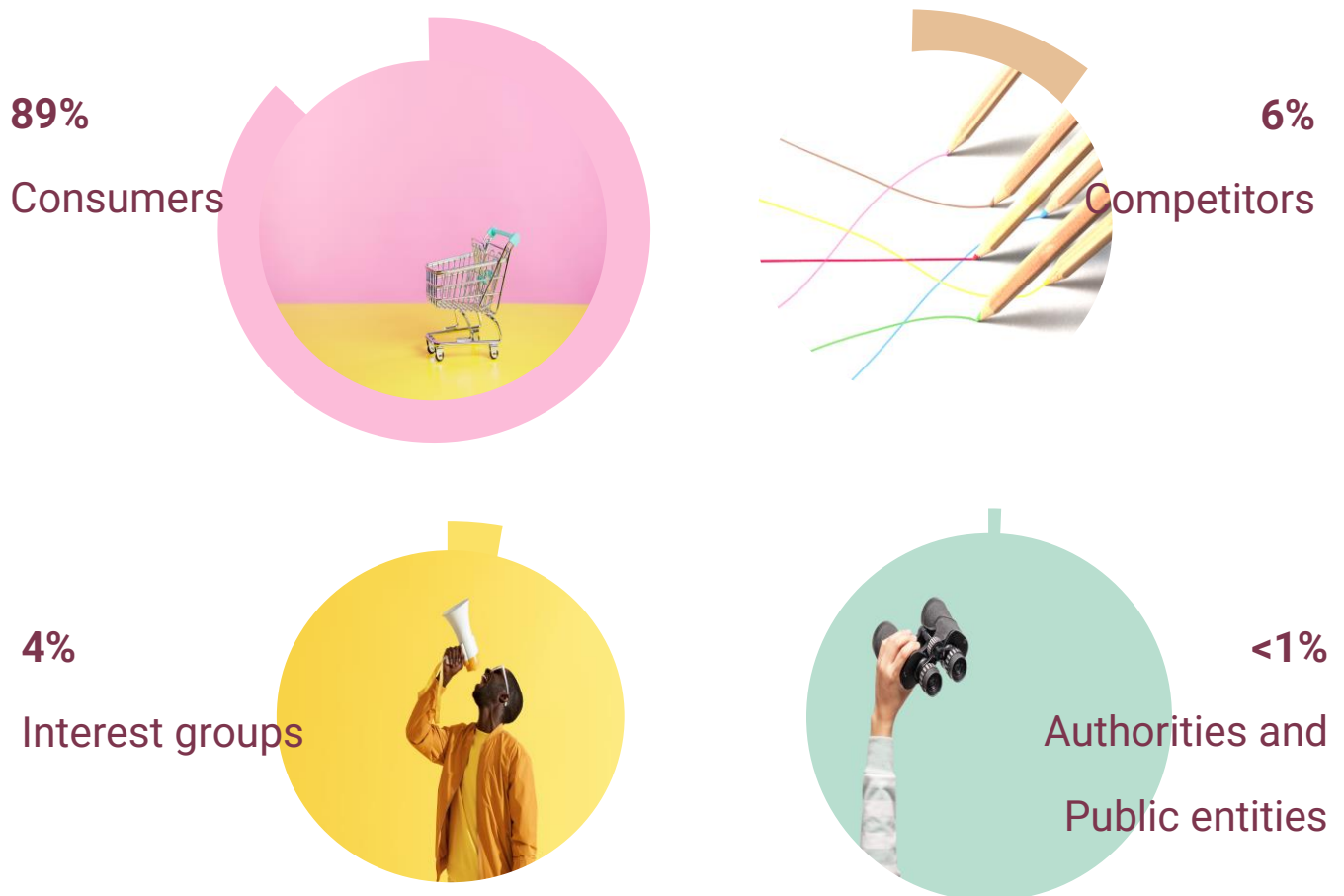
2.2 Source of complaints received

The majority of complaints were lodged by consumers

In 2023, 89% of complaints received by SROs were from consumers, 6% from competitors of other brands and advertisers, and 4% from interest groups.

In 2023, as in previous years, the figures show little variation. For instance, consumers continue to hold the top position, with the number of complaints they logged increasing by over 2%, while interest groups hold the third position, leaving the competitors in the second place. Finally, the number of complaints received from public authorities and entities accounts for less than 1%

Graph 3: Source of complaints received across Europe in 2023 (European total average)



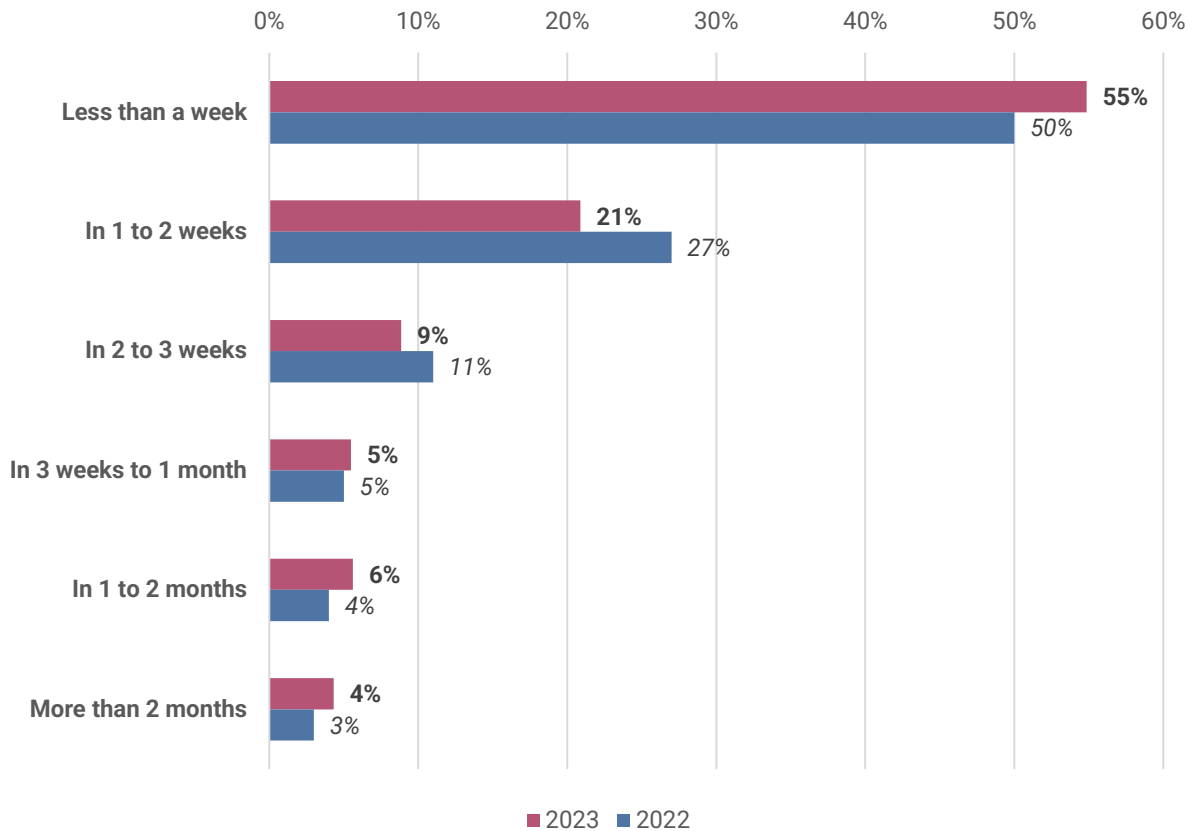
2.3 Speed of complaint resolution

Over half of all complaints were handled in less than one week, and 76% in two weeks

The speed of complaints handling varies depending on the complexity of the case and the ease with which SROs can reach out to the relevant different parties. Simple cases are resolved within a few days, whereas more intricate cases will take longer if the secretariat requires additional time to gather the necessary information. If scientific substantiation of advertising claims is required, complaints may lead to a prolonged investigation.

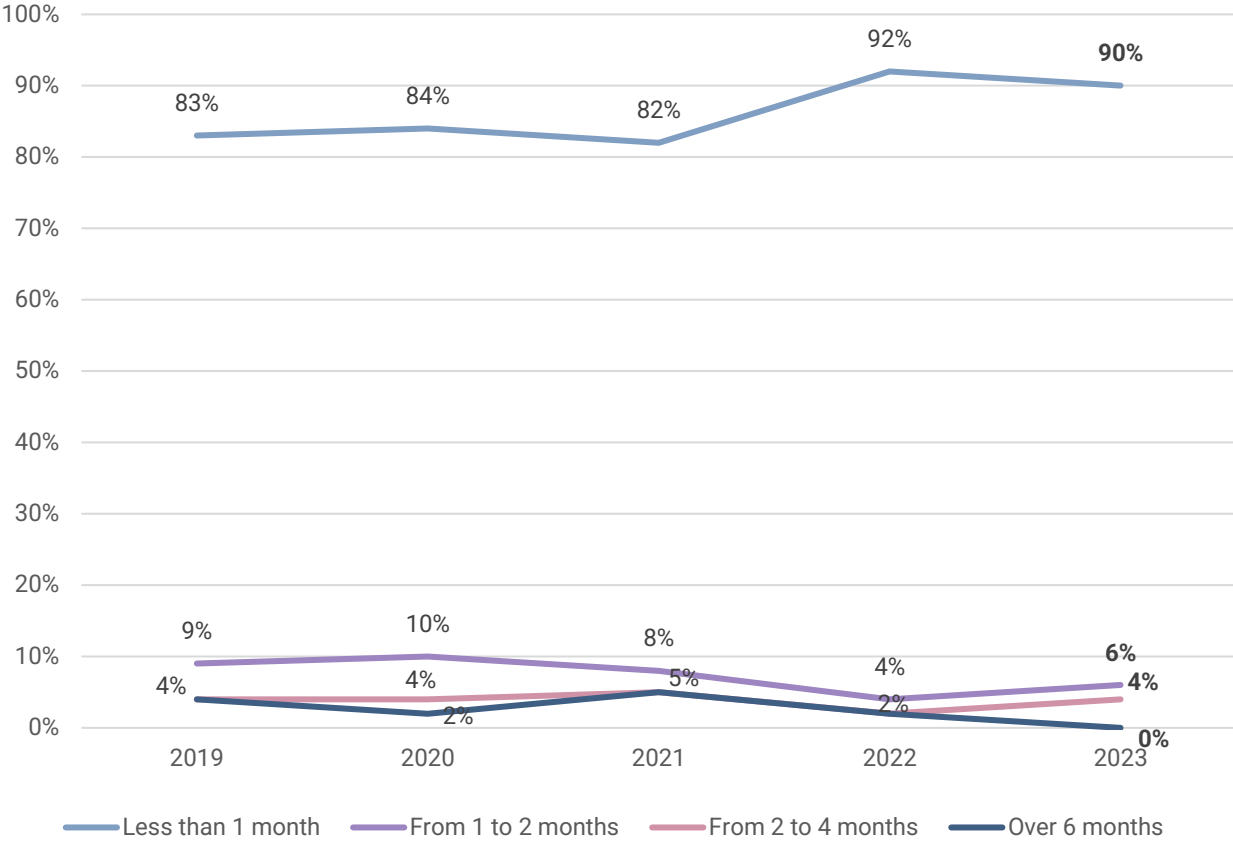
In 2023, SROs resolved over 50% of complaints received in less than one week, and a total of 96% within the first month. The rest of the complaints were mostly solved within the subsequent month (4%).

Graph 4: Speed of complaint resolution across Europe in 2022 and 2023 (European total average)



As illustrated in Graph 5, the European SROs' speed of complaint resolution has been consistent for the past few years. This is good news, as the faster complaints are handled, the quicker consumers will receive the due redress they are owed, a notification that their queries are being heard, treated properly, and advertisers contacted to possibly modify or withdraw an ad campaign.

Graph 5: Speed of complaint resolution across Europe from 2019 to 2023 (European total average)



2.4 Outcome of complaints resolved

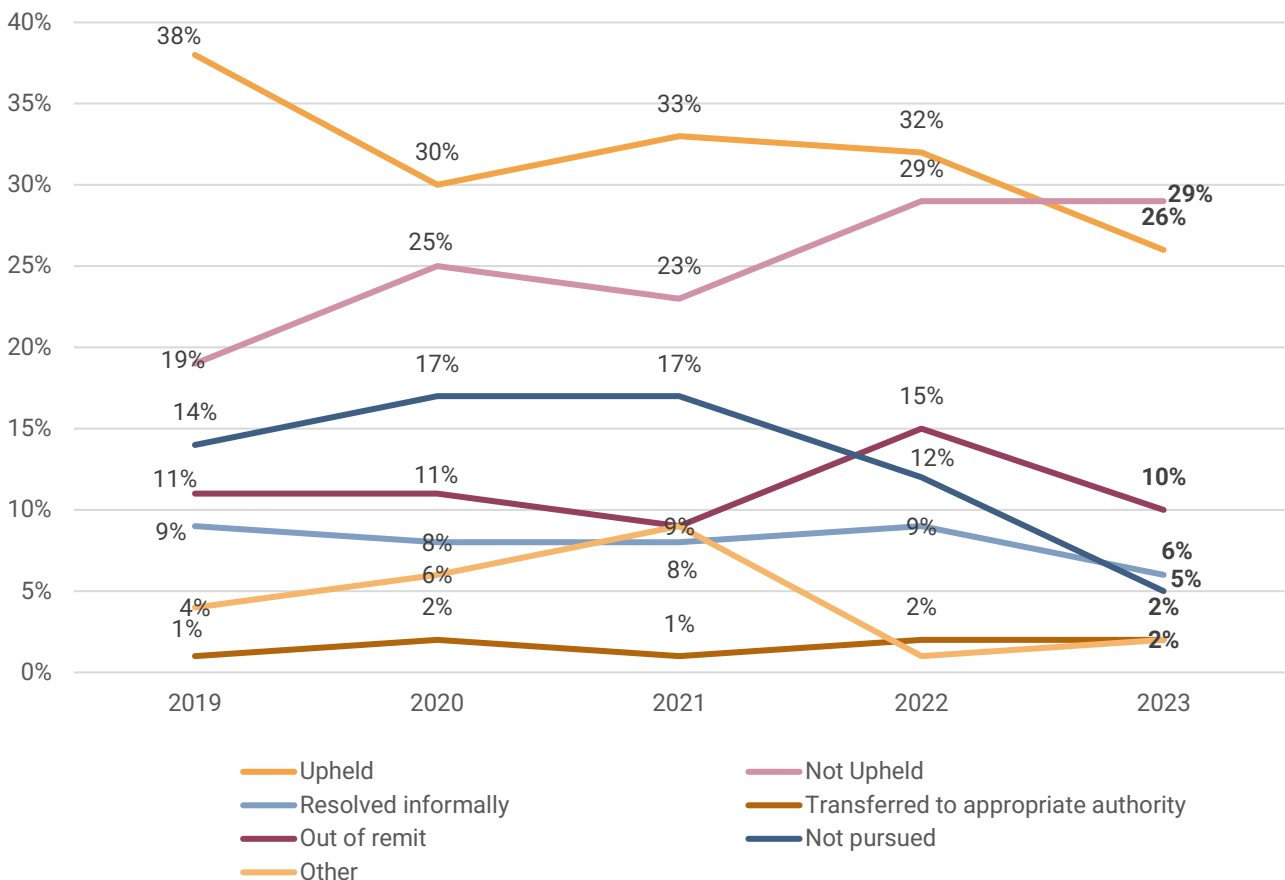
On average, 26% of complaints were upheld, while 52% were not upheld and 12% were not pursued

In 2023, on average, 26% of complaints were upheld by the SROs' juries. The responsible SRO's jury considered that the advertisements complained about in these cases are in breach of the relevant national advertising codes. Conversely, about 29% of complaints were not upheld by SROs. The share of complaints that were received and were out of the SROs' remit accounted for 10%. While the number of complaints that were not pursued due to a lack of adequate information or unsubstantial reasons for complaining accounted for 5%.

The graph below showcases how the different outcomes of complaints evolved since 2019.

In 2023, the number of complaints not upheld surpasses the number of upheld complaints, with upheld complaints decreasing by 6% compared to the previous year and not upheld complaints remain the same as in 2022. Informally resolved complaints remained relatively stable over the past 3 years. These are cases that were solved before the SROs' jury or complaints committee could take a decision, by mediating between the advertiser and the plaintiff towards a satisfactory solution for the latter.

Graph 6: Outcome of complaints across Europe from 2019 to 2023 (European mean average)



2.5 Issues complained about

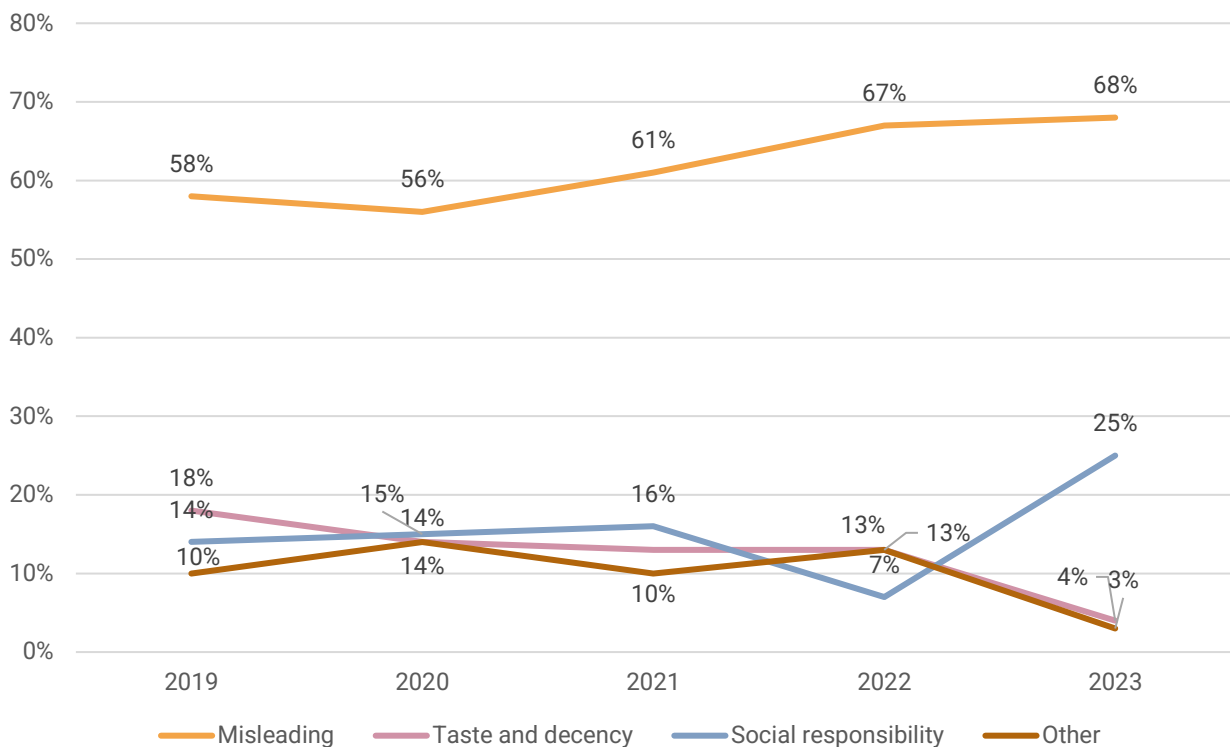
In 2023, consumer concerns over misleading advertising increased by 1 point to 68% of complaints, with social responsibility in second place at 25%

The graph below illustrates the evolution over the past 5 years of the issues that complainants outlined in their queries. Complaints against purportedly misleading advertising remains the dominant share of complaints lodged with SROs across Europe, reaching a high of 68% in 2023.

In 2023, social responsibility rose to second place with 25%, replacing taste and decency, which dropped to third place with 4%. Social responsibility issues, encompass gender-based and non-gender-based discrimination, inappropriate content for children, exploitation of credulity, and play on fear and violent content. This increase in 2023 in taste and decency is partly attributed to a surge in complaints lodged with the ASA in the UK on grounds of discrimination.

Other categories, aggregating together 3% of complaints, relate to issues surrounding health & safety, privacy & data protection, denigration of competitors, breaches of sectoral rules, imitation, and transparency of commercial intent in the ad, as well as breaches of rules on non-commercial ads or market rules for SROs that extend their remit to include this.

Graph 7: Issues complained about across Europe from 2019 to 2023 (European total average)

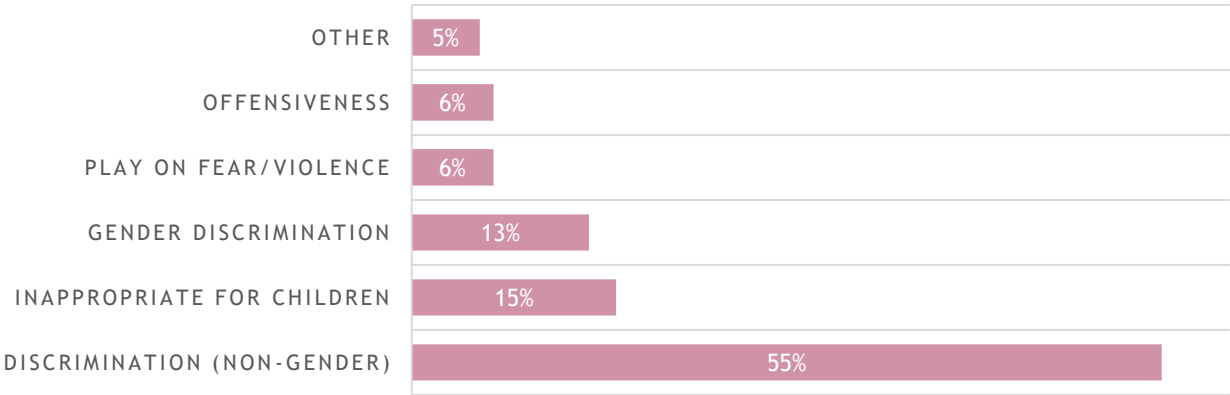


A detailed analysis of complaints concerning taste and decency and social responsibility highlights that these two categories together accounted for a total of 5,432 complaints in 2023. To have a better understanding of this, a more detailed look into both categories reveals that 42% of complaints referred to non-gender-based discrimination depictions, such as based on religion, ethnicity, age, etc. While a 10% of complaints shows that consumers took issue with discrimination on the basis of gender roles, stereotypes, or portrayal of the human body.

This year, only a 4% across these two categories, were lodged on grounds of general offensive content. Such complaints often differ considerably across the countries due to local sensitivities and cultural narratives. However, they all had in common the fact that consumers took issue with the creative execution of the ad and its depiction of actors in ways that offended customs, social or cultural norms, religious practices, or other decency standards. 11% percent related to issues inappropriate content for children, of the ad was served to a wide audience that may have included children. 5% related to content that played on the audience’s fears or contained violent content, and less than a percent took issue with ads that purportedly exploited incredulity or inexperience.

It's important to note that not all SROs differentiate between these subcategories. We have combined both categories of Social Responsibility and Taste & Decency together as what is considered to be the realm of the former or latter depends on the SROs’ rules, itself reflective of local social structures. Therefore, the figures presented in this section should be taken as a top line general overview of the situation, noting that each country may have vastly different statistical trends in this area. If an SRO does not distinguish between distasteful, offensive, or harmful content, they will not be included in the overview graph below. Finally, it’s also worth keeping in mind that each country, region, and language will have distinct definitions of what is considered distasteful, offensive, harmful, or discriminatory. As such, these figures serve here only to give an idea of the type of portrayals and depictions that some consumers may find unacceptable in their views – this is not to say that the SROs’ jury or complaints committee agreed with their complaint (see p.11 on outcome of complaints).

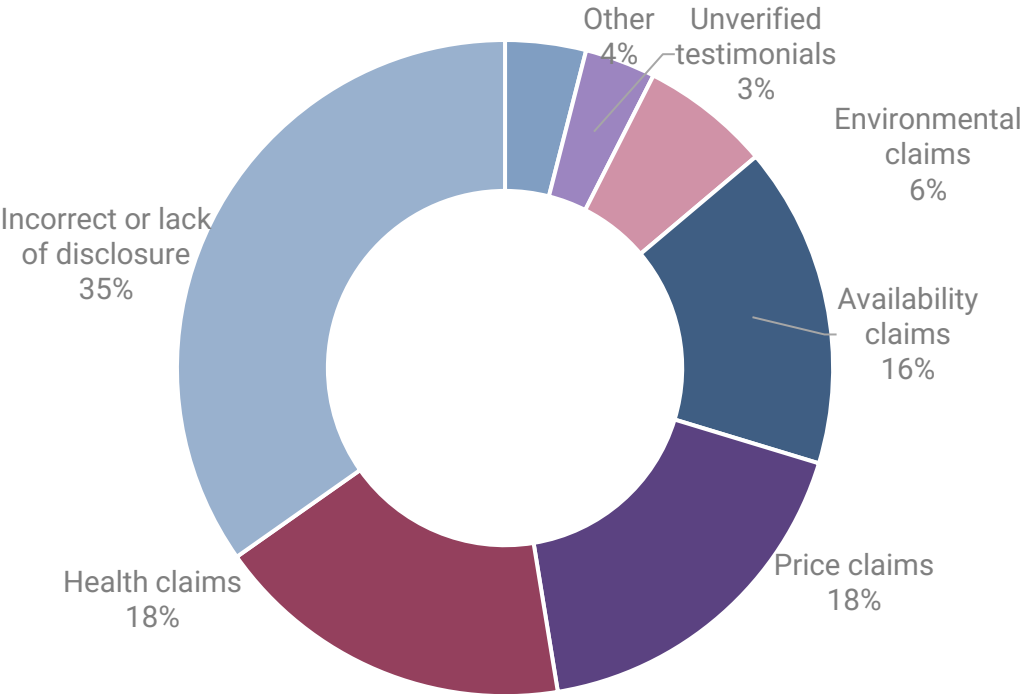
Graph 8: Distribution of complaints under the categories of taste and decency and social responsibility (2023)



It is also relevant to look in more depth into the category of misleading advertising, as it contains certain distinct classifications. Though the below graph outlines the major trends in the complaints lodged with SROs in the category of misleading advertising, these sub-classifications are not necessarily reflected in all SROs' complaints' handling systems, as each organisation has their categories and handling processes. Nonetheless, across Europe, the most misleading claims related to Incorrect or lack of disclosure, with 35% of complaints lodged for this issue. Health claims and price claims both occupy second place, each accounting for 18%. Another 16% related to availability claims, followed by 6% for environmental claims.

Finally, 4% pertaining to unverified testimonials – such as ads featuring consumer or expert testimonials that have not been backed by scientific evidence or have been paid by the brand to testify in favour of them.

Graph 9: Distribution of complaints under the category of misleading advertising



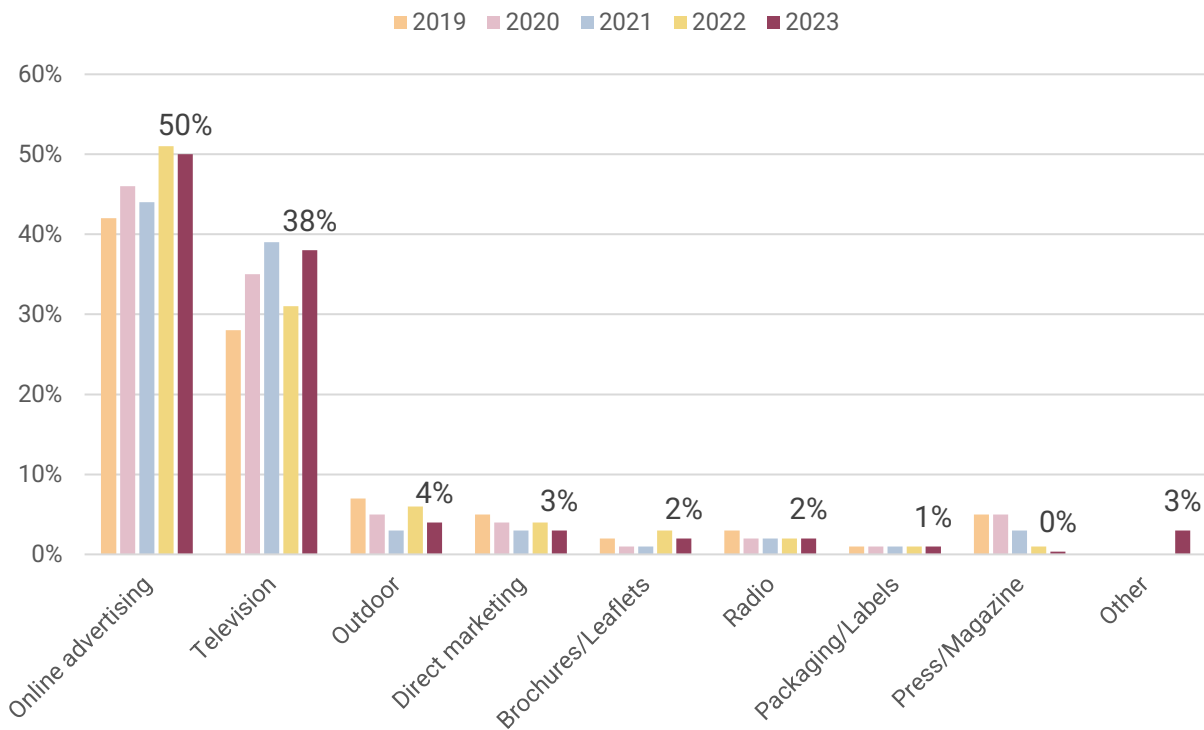
Half of all complaints targeted online ads

Online advertising accounted for the highest share of all complaints in Europe in 2023, at 50%. This follows past year’s trend, as illustrated in the graph below. Such complaints included marketers’ websites, display ads, online games, social media pages, influencer marketing, native advertising, in-app advertising, and other digital and online media channels.

Television ranked second, covering 38% of complaints⁸. Outdoor advertising ranks third again, as in previous years, and corresponds to roughly 4% of complaints, whilst direct marketing, press, radio, brochures, and packaging accounted for over 8% of all complaints together. Other media types, such as point-of-sale, cinema, and teleshopping reached 3% in 2023.

The evolution of these media categories over time is shown in the graph below. Online advertising remained the medium with the highest complaints, with television ads in the second position.

Graph 10: Medium of complained about ads received across Europe from 2018-2022



⁷ A couple of name changes occurred in the Media section in 2021. *Digital Marketing Communications (DMC)* was changed to *Online advertising*, to better reflect the category’s remit of influencer marketing, banner ads, paid search, etc. Similarly, *Audio-visual media services (AVMS)* was changed to *Television*, as it only included linear and non-linear TV, and it wrongly alluded to the European Union Directive on Audio-Visual Media Services, which also includes online in its remit, unlike the statistical category here. Readers are informed as well that the sub-category “digital outdoor” that was previously located under *Digital Marketing Communications (DMC)*, and which accounted for 2% of DMC complaints, was moved in the *Outdoor* category, now making up 22% of this category’s complaints. These changes were proposed and approved by EASA’s Self-Regulatory Committee and its Board.

⁸ The category *Television* includes both linear and non-linear TV.

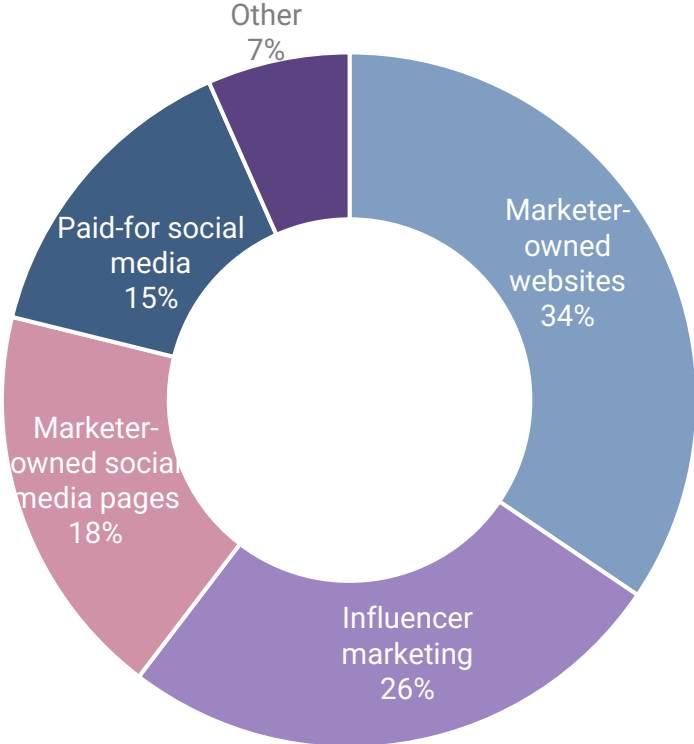
Looking closer at online advertising as a medium, for SROs that are able to provide granular data distinguishing between sub-categories of online ads. In 2023, unlike the previous year, influencer marketing (26%) has fallen to second place, overtaken by marketers' social media pages, which take the lead at 34%. This marks a significant 14-point increase for marketers' social media pages compared to the previous year. Meanwhile, influencer marketing, though still a key player, has declined by 6 points from its 2022 level of 32%. Marketer-owned social media pages hold third place with 18%, closely followed by paid social media at 15%.

It is worth reminding here that self-regulatory rules enforced by SROs are applicable to both paid for ads but also on organic content disseminated via social media by marketers on their own pages.

The category "Other" includes in-app advertising (<3%), paid search (<2%) and advert-games (<1%).

Finally, similar to previous graphs depicting granular data within a given classification category, the below figures are only reflected of a pool of SROs that keep such detailed records. By covering a majority of the SR network, it provides a general top line overview of the trends in this category. Within any given country or market, statistical may differ from the data shown in this report.

Graph 11: Distribution of complaints against online advertisements across Europe from 2019-2023

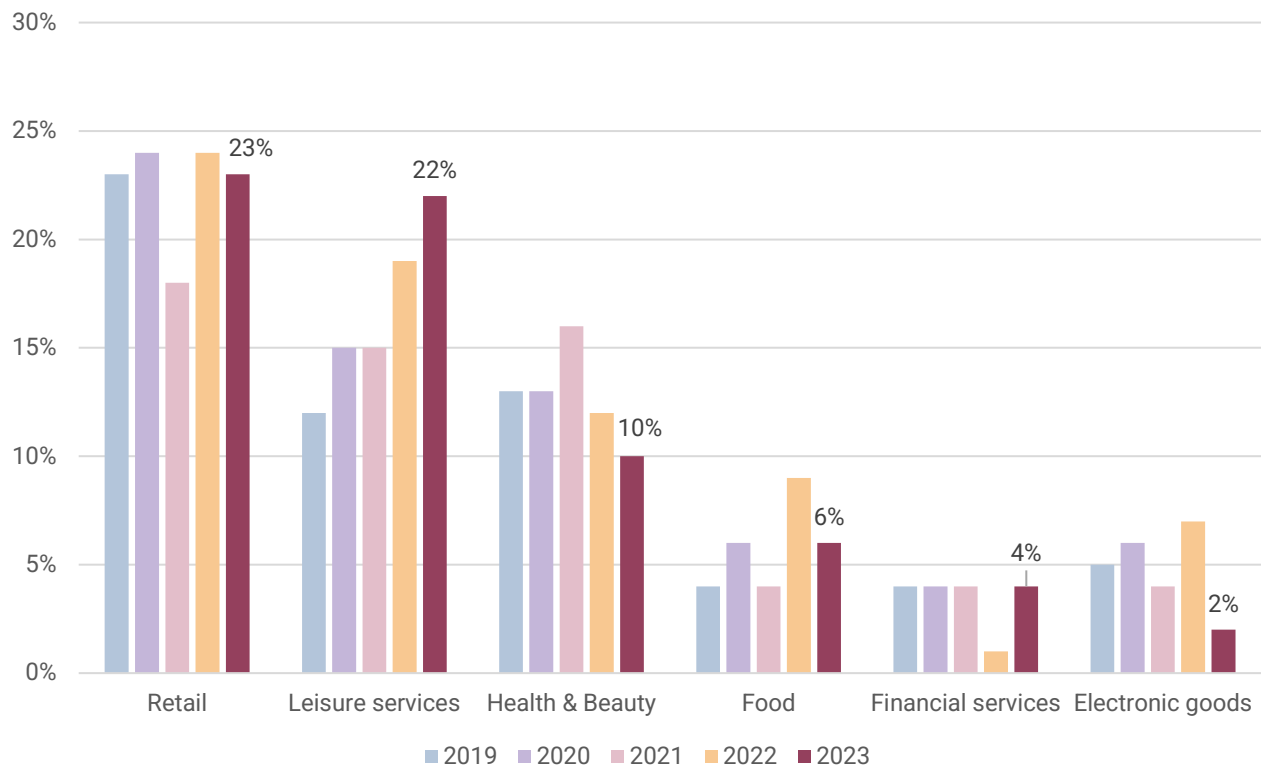


2.7 Complaints about advertising for products and services

Ads for retail, leisure services, and health & beauty services and products were the most complained about sectors

A comparison of the products and services that generated the highest number of complaints reveals that, in 2023, the largest proportion of complaints was lodged against advertisements for retail products and services, accounting for 23% of all complaints. For the second consecutive year, retail remains in first place, with a slight decrease of just one point compared to the previous year. Following in second place are leisure services, which account for 22%, just one point behind the leading category. The health and beauty sector holds third place with 10%. The following graph indicates the share of the commercial categories of products and services most complained about, and on the next page is an infographic displaying the shares of all products and services in more detail.

Graph 11: Complaints for the first six commercial categories across Europe from 2019 to 2023
(European total average)



SROs recorded complaints for other sectors as well, such as non-commercial advertising, business directories, cars, telecommunications, clothing accessories, as shown in the graph below. These categories have not seen a great change from previous years' statistics. other categories would include transport services, magazines, real estate, toys, education services, gambling, energy providers, employment services, e-cigarettes, and house maintenance.

Graph 12: Share of complaints per product/service across Europe in 2023 (European total average)



Leisure services and products 22%, includes, in decreasing order of number of complaints hotels and holiday arrangements (34%), entertainment, including sports (34%), travel services (18%), restaurants (8%), dating and erotic services (4%). Meanwhile, Health & Beauty has 10% that includes cosmetics medication as well as any other health or beauty services.

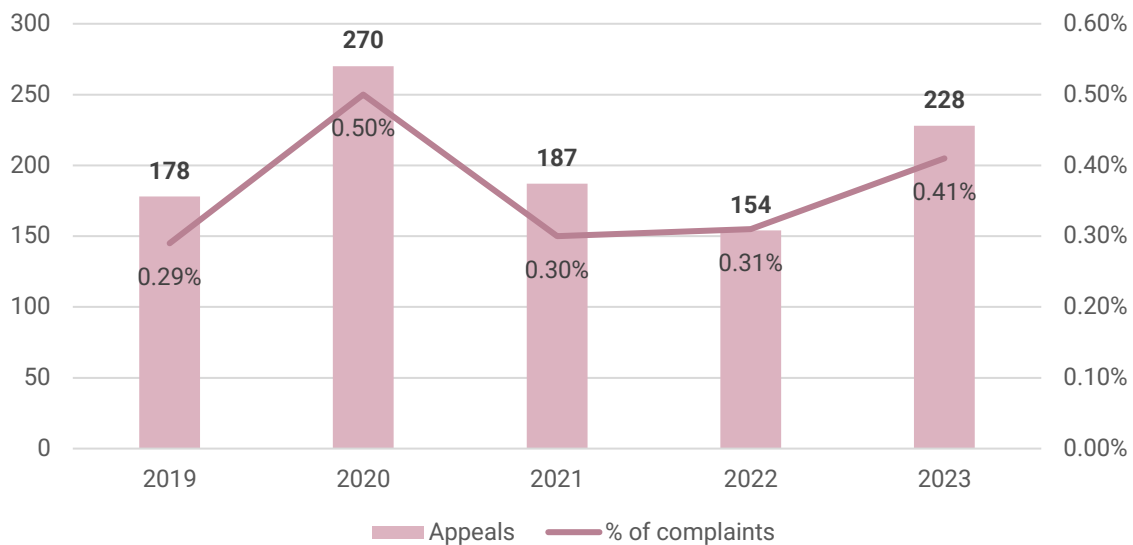
2.8 Appeals

In 2023, SROs' decisions were appealed 48% more

Appeals can be filed by both complainants and advertisers requesting a review of decisions taken by the jury or complaints committee. An appeal may only be lodged with the SRO under strict rules, such as based on newly available evidence or a proven vice with the adjudication procedures in the first instance decision. They are often dealt with by a different body than the jury responsible for the original decision, though this is defined by the SROs' rules on the matter and not all organisations follow the same procedures. Nonetheless, all SROs ensure that the decisions that are appealed are reviewed by an independent, impartial, and expert jury.

This year, the number of appeals has risen significantly, growing from 154 in 2022 to 228 in 2023—a 48% increase, bringing the total to nearly half again as many appeals compared to the previous year. The 154 appeals constituted 0.41% of all complaints. Graph 12 below shows how the number of appeals evolved over the past 5 years and their representative share compared to the annual total number of complaints.

Graph 13: Appeal and share of appeals (%) as part of total complaints 2019-2023



Over half of all appeals in 2023 (76%) were lodged by the advertiser, with another 24% filed by the advertiser.

Graph 14: Share of lodged appeals per category of appellants (%)

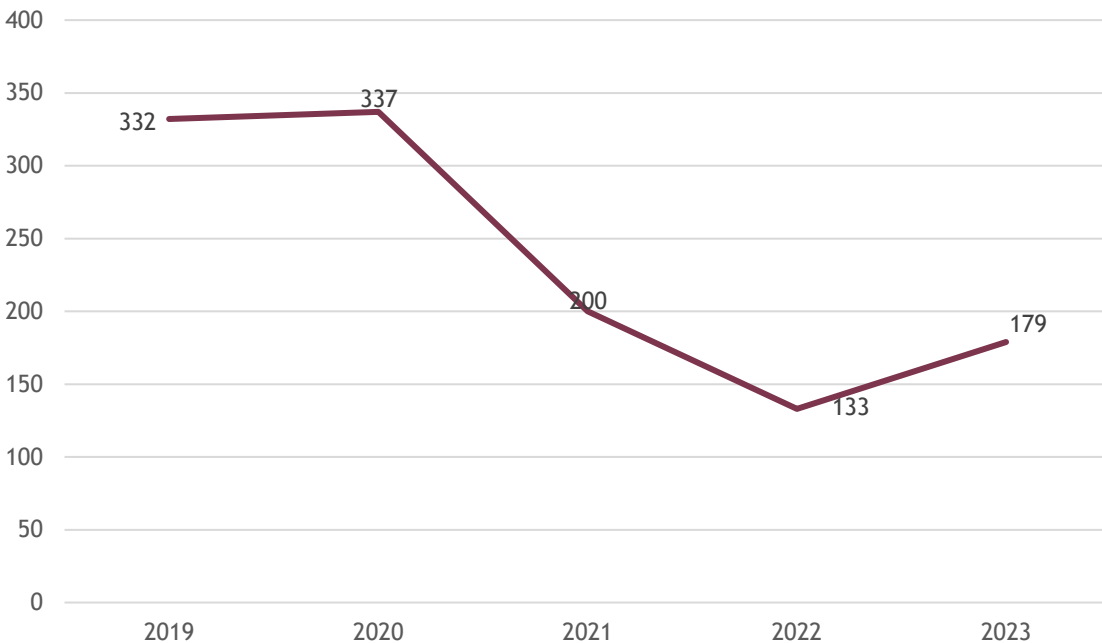


3 Cross-Border Complaints: top-line overview

In 2023 EASA's SROs transferred 179 complaints, 46 more than in 2022.

Over the course of 2023, EASA was notified of a total of 179 cross-border complaints, which translates into a 34.59% increase in referred complaints in comparison with the preceding year.

Graph 16: Cross-border complaints received between 2019 and 2023



Source: Annual Cross-Border Complaints Report 203 & Online Database⁹

The EASA Cross-Border Complaints system is based on the principles of the country of origin and mutual recognition, enshrined in European Union law. In practice, this means that all advertisements comply with the advertising laws and advertising self-regulatory codes of the country wherein the medium carrying the advertisement is based. However, in the case of Direct Mail and Digital Marketing Communications (DMCs), the country of origin that is responsible for the complaint is the one wherein the advertiser is based. In the case of Online Behavioural Advertising (OBA), it is the country in which the principal decision-making authority is conducted that counts as the country of origin.¹⁰ The vast majority of CBCs are lodged against digital

⁹ The “Online Database” refers to EASA’s internal online cross-border complaints platform that member self-regulatory organisations use to register and send their complaints through to other SROs. EASA acts as a facilitator and caretaker of the platform, using the confidential data only for statistical purposes.

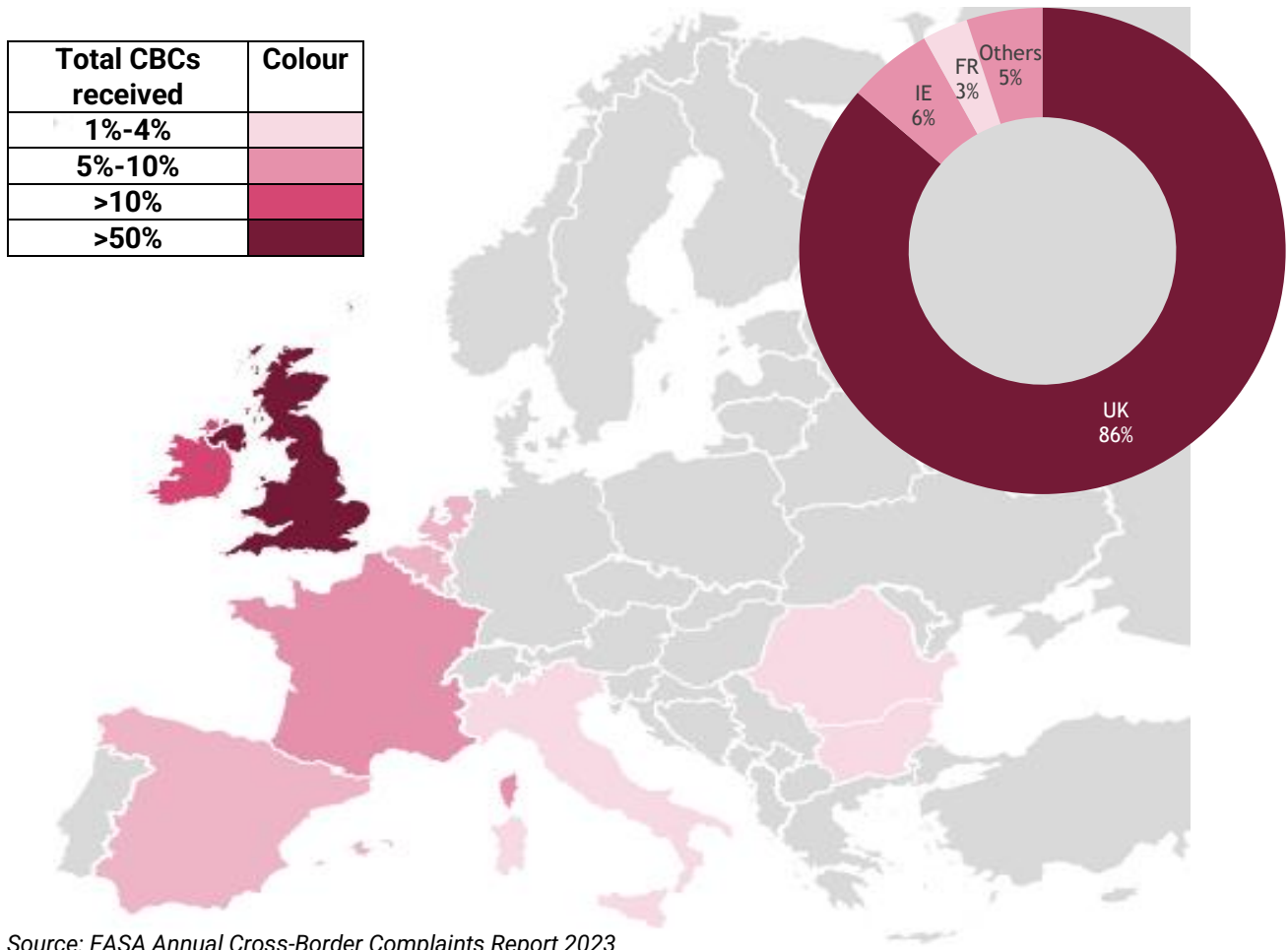
¹⁰ Switzerland requires that advertisements addressed by Swiss-based marketers to consumers in other countries comply with the rules and laws of those countries (known as the “principle of the country of destination”). Consequently, in such cases, the Self-Regulatory Organisation (SRO) in the plaintiff’s country assesses the complaint based on its own national rules before passing it to the Swiss SRO, which communicates the decision to the advertiser. Some other SROs, in EU member countries, operate under different principles as well. However, SROs always share information and best practices to have a swift and definitive decision for each CBC.

marketing communications. This entails that it is the SRO in the country of origin of the advertiser that is responsible for handling the complaint according to local rules and legislation.

From the analysis of the figures for 2023, it transpires that consumers in the UK were the source of the vast majority of complaints transferred abroad, with 85.5% of CBCs. The 156 CBCs predominantly targeted misleading advertising material in 87% of cases, relating to ads by leisure services (36%), clothing and accessories (13%), and health and beauty services (7%), of which the marketers' headquarters are in Ireland in 25.14% of cases and Ireland in 22.35%. These ads appeared in 97% of CBCs in the online space as digital marketing communications. Only 5% of complaints were upheld, versus 20% that were not and 27% that were closed as SROs were unable to pursue the cases. Less than 4% of CBCs prompted no cause for investigation on the part of SROs and 12% fell out of their remit. Finally, the remaining share of CBCs were either transferred to the appropriate body, withdrawn by the plaintiff or resolved informally.

Further details are available in the CBC report on the EASA website.

Graph 17: Cross-border complaints per country of origin of the media/advertiser in 223



Source: EASA Annual Cross-Border Complaints Report 2023

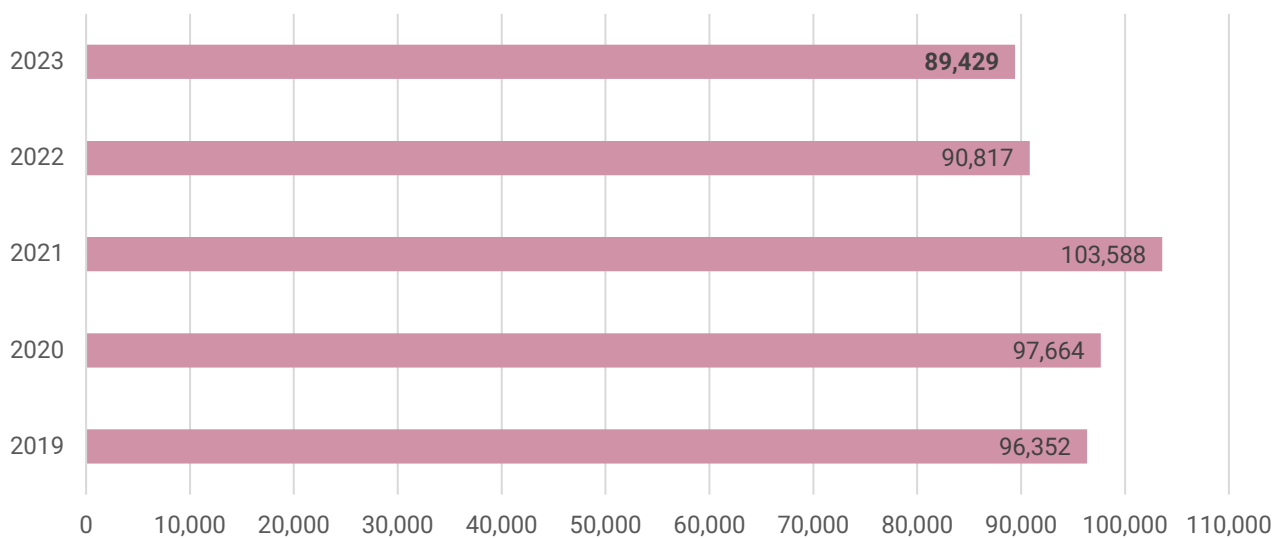
4 Copy Advice requests

SROs serviced 89,429 ads with copy advice

Copy advice is provided by an SRO as a voluntary service for companies wishing to receive feedback on a confidential basis as to whether their ads meet the required advertising standards before they go ahead with the marketing project. The feedback is non-binding and does not guarantee that the ad will not be subject to complaints later once the ad is aired or published. Companies can ask for advice at any stage of the campaign development process. In 2023, 25 out of 26 SROs offered such a service across Europe.

Graph 18 below illustrates the numbers of copy advice requests dealt with across Europe. European SROs provided a total of 89,429 copy advice services in 2023 – a decrease of 2% compared to the previous year.

Graph 18: Copy advice requests across Europe from 2019 to 2023



78% of copy advice requests dealt with by SROs in 2023 were handled within 72 hours. Of those, 6% were dealt with in less than 24 hours, an additional 12% in less than 48 hours. Only a handful of copy advice requests (2%) were unresolved after the first three days of the requests being filed, with a mere 0.067% taking more than a week to be solved.

Table 3 presents a full overview of copy advice requests per country across Europe from 2019 to 2023. In 2023, most copy advice requests were received by AUTOCONTROL in Spain, accounting for 38% of them, followed by the UK at just under a third (31%) of requests and France with the ARPP with 29%.

Table 2: Copy-Advice requests per country across Europe from 2019 to 2023

Country/SRO	N°	2023	2022	2021	2020	2019
ES – AUTOCONTROL¹¹	1	33620	36,187	45,281	43,866	39,971
UK – Clearcast	2	24740	25,075	28,446	28,400	29,323
UK – ASA		3347	2,947	2,310	2,485	3,020
UK – Total		28087	28,022	30,756	30,885	32,343
FR – ARPP	3	25932	24,690	25,391	20,841	21,674
DE – WBZ	4	600	650	800	800	1,100
DE – DWR		23	20	32	40	0
DE – Total	5	623	670	832	840	1,100
HU – ÖRT	6	656	641	691	645	634
IE – ASAI	7	94	88	117	115	139
IT – IAP	8	93	106	103	95	142
TR – RÖK	9	81	137	114	81	59
PT – ARP	10	56	67	83	82	79
NL – SRC	11	34	46	89	51	75
RO – RAC	12	33	25	31	28	25
BE – JEP	13	28	27	25	32	16
CY – CARO	14	23	19	15	30	22
CZ – CRPR	15	17	16	Unavailable	17	5
BG – NCSR	16	16	34	25	27	39
AT – ÖWR	17	11	2	2	2	0
PL - RR	18	10	-	-	-	-
SE – Ro.	19	8	20	17	10	18
EL – SEE	20	0	3	1	2	0
SI – SOZ	21	0	1	1	2	4
FI – MEN & LTL	22	0	0	0	2	1
SK – SRPR	23	0	8	14	7	6

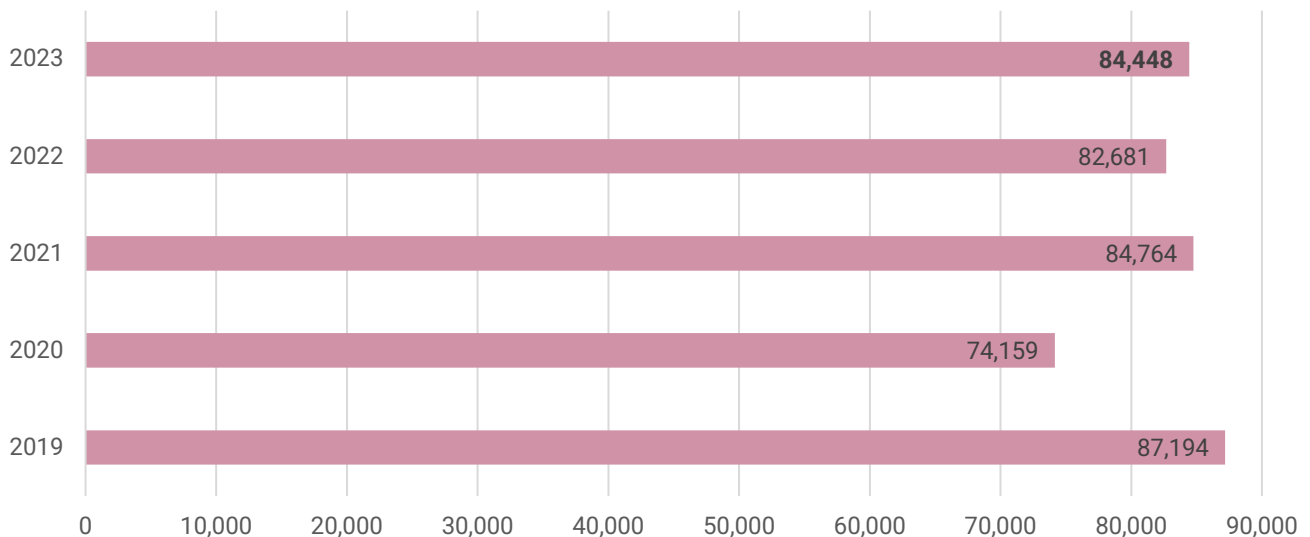
¹¹ AUTOCONTROL provides mandatory copy advice for companies who signed the PAOS Code (food advertising intended for children) and the Toys Code.

5 Pre-Clearance service

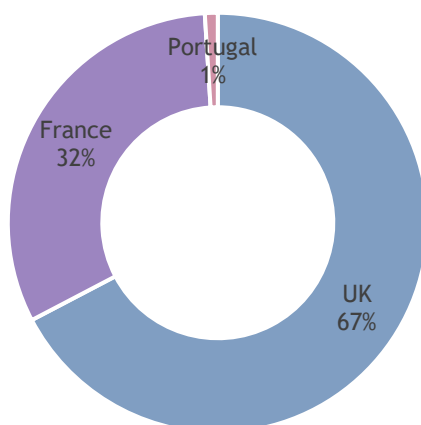
84,448 ads were pre-cleared in 2023 by the 3 SROs providing this service

In 3 European countries, namely France, Portugal, and the UK, ads appearing on TV and radio, or ads for particular sectors, such as alcohol advertisements, are subject to compulsory pre-clearance. The mandate is led by the local advertising industry, at the behest of either the advertisers or the media, and facilitated by the SRO, who check the ads' compliance with relevant legislation and SR rules. This means that advertisements in those categories must be assessed by the national advertising self-regulatory organisation for compliance with the relevant statutory or self-regulatory code before they can be broadcast or published.

Graph19: Pre-clearance requests across Europe from 2019 to 2023



Graph 20: Share of pre-cleared ads per country in 2023



As shown in Graph 20, in 2023, a total of 84,448 were reviewed by SRs in the UK, France and Portugal.

The graph on the side indicates the share of ads that each of the SROs in these countries have pre-cleared over the course of 2023: 57,571 by Clearcast; 26,621 by ARPP and 256 advertisements were pre-cleared by ARP (<1%).

Annex: Definitions and key terms

General definitions

Complaint

A complaint is defined as an expression of concern about an advertisement by a member of the general public, a competitor, an interest group, etc. which requires a response. One complaint is defined as one or several different concerns about one advertisement by the same complainant.

Case

A case is defined as an advertisement subject to assessment/investigation by the SRO jury. Cases include assessments and decisions taken by all competent SRO bodies, such as the SRO council/jury, the SRO complaints committee or the SRO secretariat

Copy advice

Advice on (a) proposed advertisement(s) provided by a self-regulatory body, usually on a non-binding basis, as to whether or not it is compliant with the local advertising code.

Pre-clearance

Examination of an advertisement by a self-regulatory body or another body/institution as a compulsory precondition from publication or transmission.

Ban

A complete ban on advertising of the product/issue concerned, usually made by law.

Restriction

Codes/laws in place which significantly affect the advertising of the product/issue concerned.

Case handling duration

The time elapsed from the receipt of the complaint until the moment where the decision is made effective.

SR Code

The self-regulatory (SR) Code is a set of rules governing the content of advertising.

Own-initiative investigation (SRO)

Examination of advertisements by an SRO jury following the flagging of these ads by the SRO secretariat, e.g. through a monitoring exercise.

Appeal

Challenge to the complaints committee's decision either by the complainant or the advertiser, for example on the basis of new evidence. Appeals are normally considered by a different body than the jury which reached the original decision.

Outcomes of complaints

Upheld

Complaints that are investigated by the SRO and adjudicated by the SRO jury are upheld if the jury decides that the marketing communication does breach the advertising codes. Subsequently, the advertiser is asked to withdraw or change the advertisement to ensure it complies with the rules.

Not upheld

Complaints that are investigated by the SRO and adjudicated by the SRO jury are not upheld if the jury decides that the marketing communication does not breach the advertising codes. No further action is taken.

Not pursued/not investigated

A complaint is not pursued if the SRO considers that there is no basis for investigation (e.g. the concern of the complainant would not be shared by most people) and subsequently dismisses the complaint, or where not enough information was provided by the complainant, or the requirements of complaint submission were not met.

Resolved informally

When a minor or clear-cut breach of the self-regulatory codes has been made, the SRO may decide to resolve the complaint informally, i.e. the marketer agrees to change or withdraw its marketing communication right away.

Transferred to the appropriate authority

For example, complaints that have been transferred to the appropriate legal backstop.

Out of remit

A complaint falls out of remit if either the complaint or the marketing communication falls outside the scope of the self-regulatory code (e.g. the complaint is about the product advertised and not the advertisement as such). However, the SRO might decide to forward the complaint to another complaint-handling body for action.

Nature of the complaints

Misleading advertising

Misleading advertising refers to any claim, whether made expressly, by implication, or by omission, which is likely to lead members of the general public to suppose that the advertised goods or services, or the conditions (including price) under which they are offered, are materially different from what is, in fact, the case.

Marketing communication should not contain any statement, or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead a member of the general public.

Social responsibility

Marketing communication should respect human dignity and should not incite or condone any form of discrimination, neither denigrate any person or group of persons, firm, organisation, industrial or commercial activity, profession or product. Moreover, advertisements should be so

framed as not to abuse the trust of people, exploit their lack of experience or knowledge and should not without justifiable reason play on fear or exploit misfortune or suffering.

Marketing communication should pay particular attention to advertising for children and should not suggest that possession or use of the promoted product will give a child or young person physical, psychological or social advantages over other children or young people, and should not undermine the authority, responsibility, judgment or tastes of parents, having regard to relevant social and cultural values. Advertising targeting children should not present prices in such a way as to lead children and young people to an unrealistic perception of the cost or value of the product, or imply that the product is immediately within the reach of every family budget.

Health and safety

Advertisements should not without reason, justifiable on educational or social grounds, contain any visual presentation or any description of dangerous practices or of situations that show a disregard for safety or health.

Taste and decency

Advertisements should not contain statements or visual presentations which offend prevailing standards of decency. Claims over taste and decency issues include complaints lodged in relation to alleged offensiveness, discrimination based on gender and inappropriate sexualisation as well as inappropriateness for children audience. This may include shocking images or claims used merely to attract attention, sexually offensive material, hostile or discriminatory content, as well as content that might cause distress to children.

Denigration of competitors

Advertisements should not make incorrect, false, unduly announcements to give bad effects to reputation, financial situation, business activities in goods and services of competitors in order to obtain a competitive edge.

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