



DIGITAL MARKETING TO CHILDREN
Methodological challenges for
linking public health siloses

SITUATION ANALYSIS FOR SLOVENIA

Material for the NIJZ and WHO Capacity building workshop 2017

Prepared by:

dr. Mojca Gabrijelčič Blenkuš, Mateja Juvan, Helena Koprivnikar,
dr. Barbara Lovrečič, dr. Mercedes Lovrečič, dr. Mirna Macur,
dr. Sandra Radoš Krnel, dr. Maja Roškar

Ljubljana, 02nd October 2017

TABLE OF CONTENTS

- 1. DEFINITIONS 1
- 2. INTRODUCTION 3
- 3. QUESTIONNAIRE..... 4
- 4. ALCOHOL 5
- 5. TOBACCO 11
- 6. NUTRITION..... 15
- 7. GAMBLING & GAMING 19
- 8. COMPARATIVE ANALYSIS OF ALL WORKING AREAS..... 23

1. DEFINITIONS

- **Advertising** is, by definition, a recognisable form of market communication with a specific format and signature of the client. Consequently, it makes no sense to speak about surreptitious advertising. There are, however, surreptitious advertising messages and surreptitious market communication¹.
- **Brand name** means any name, logo, slogan and manufacturer's or retailer's trademark clearly linked with or owned by a producer or retailer. Brand names are used directly on products or indirectly on different carriers. The placement of brand name carriers (in programmes, on clothes, etc.) may be a form of surreptitious marketing¹.
- **Child** – Different legal acts in the Republic of Slovenia propose different definitions of the child. Following a review of the existing definitions, for the purposes of this exercise, a child shall be defined as a person under 18 years of age¹.
- **Co-regulation** gives, in its minimal form, a legal link between self-regulation and the national legislator in accordance with the legal traditions of the Member States².
- **Gambling** means playing a game of chance hoping to win a prize. There are classical games of chance (lottery, tombola, sports betting, raffles, etc.) and special games of chance (mainly played at casinos and in gaming saloons, such as black jack, roulette, poker, slot machines, etc.). In Slovenia, casinos offer live games of chance and slot machines, while, in gaming saloons, all gambling relies on slot machines. Furthermore, gambling may occur online as well³.
- **Gaming** means playing computer games. Unlike gambling, gaming is not about winning money. The prize consists in killing as many enemies as possible or in obtaining as many precious artefacts (swords, etc.) as possible – and so on. Gaming is about being good and moving to the next level³.
- **Information society service** pursuant to Article 3, Point 61 of the Electronic Communications Act, an information society service is understood to be any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services. "At a distance" means that the service is provided without the parties being simultaneously present. "By electronic means" implies that the service is sent initially and received at its destination by means of electronic equipment for the processing (including digital compression) and storage of data, and entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means. "At the individual request of a recipient of services" means that the service is provided through the transmission of data on individual request. Information society services include sales of goods and services, data access and web advertising, access to communication networks, data transfer and the storage of the recipient's data in the communication network⁴.

¹Ministry of Health. 2011. Report of the working group for the preparation of measures in the field of restricting the marketing of unhealthy food to children. Unpublished text.

²Directive 2010/13/EU of the EUROPEAN PARLIAMENT AND OF THE COUNCIL of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive). Accessible at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0013&from=SL>. (Obtained, 19.7.2017).

³Macur M. 2017. Internal communication.

⁴Electronic Communications Act (Official Gazette of the Republic of Slovenia, number 109/12, 110/13, 40/14, 54/14, 81/15 in 40/17) Accessible at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6405>. (Obtained, 19.7.2017).

- **Marketing** is an umbrella concept encompassing all market-related activities, from product development and pricing to channels of trade and promotional activities. These include advertising, product placement, personal selling, press releases, point-of-sale promotions, etc.¹.
- **Marketing channels/elements** refer to television, radio, printed media, websites and different Internet sources, cinemas, video games, e-mail and other electronic texts, space and surfaces within commercial premises, schools and healthcare institutions, different prizes, public entertainment events, product placements, cartoon and film heroes (cross-promotion), oral messages, celebrities and other types of promotion¹.
- **Placing on the market** means to make products, irrespective of their place of manufacture, available to consumers located in the EU, with or without payment, including by means of distance sales; in the case of cross-border distance sales, the product is deemed to be placed on the market in the Member State where the consumer is located⁵.
- **Related products** are electronic cigarettes and electronic cigarettes without nicotine, herbal products for smoking and new tobacco products⁵.
- **Self-regulation** constitutes a type of voluntary initiative which enables economic operators, social partners, non-governmental organisations or associations to adopt common guidelines amongst themselves and for themselves².
- **The impact of marketing** depends on two elements: (1) the communication medium used (determining the range, frequency and impact of the message) – and the related exposure of children to marketing messages; and (2) the creative content (determined by the content, design and transmission of the message) – and the related power of market communication (based on the 2010 WHO Resolution)¹.
- **The Logout Centre for Assistance in Case of Excessive Internet Use** is an education and advisory centre providing awareness-raising services, individual and group counselling, trainings, lectures and workshops on creative, moderate and balanced use of digital technologies and the web, as well as innovative programmes offering assistance to those who are overburdened by technologies or have become addicted to them (addiction to computer games, sports betting and gambling, the social media, etc.)⁶.
- **Tobacco products** are products made and derived from (genetically modified) tobacco and intended for human consumption⁵.

¹Ministry of Health. 2011. Report of the working group for the preparation of measures in the field of restricting the marketing of unhealthy food to children. Unpublished text.

²Directive 2010/13/EU of the EUROPEAN PARLIAMENT AND OF THE COUNCIL of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive). Accessible at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0013&from=SL>. (Obtained, 19.7.2017).

⁵Restriction on the Use of Tobacco and Related Products Act (Official Gazette of the Republic of Slovenia, number 9/17 in 29/17). Accessible at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6717>. (Obtained, 19.7.2017).

⁶Logout. Accessible at: <http://www.logout.si/>. (Obtained, 20.7.2017).

2. INTRODUCTION

Current knowledge and public health approaches are not adequate for controlling (prevention, monitoring, counteracting) digital marketing. Awareness raising and knowledge capacity building in the area of digital and social media marketing would help framing more effective public health agenda. . It is obvious that digital marketing is linked to all lifestyle factors that public health is dealing with. Multidisciplinary competence and participatory approach are needed. Joining forces in all lifestyle areas, tobacco, alcohol, gaming and gambling, physical activity, others (including mental health) – would mean defining and tackling common issues more efficiently, by identifying potentials and challenges and defining common goals and agendas.

Basic overview of the situation in Slovenia in marketing and digital marketing to children in different lifestyle areas and comparative analyses of different areas are provided in a background paper for the Capacity building workshop, held on 12th October 2017 at the National Institute of Public Health in Ljubljana.

Objectives of the workshop are as following:

- to raise awareness and to build capacity for Slovene health promotion workforce in the area of digital marketing;
- to define common denominators for more efficient work in the area of digital marketing of “lifestyle products” to children and adolescent in Slovenia;
- to develop background materials and recommendations for the work in the area of digital marketing to children in the future;
- to contribute to the work of WHO in compiling evidence and best practices to tackle the growing problem of digital marketing to children.

3. QUESTIONNAIRE

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?
2. If yes, what kind of rules exist? What channels of marketing they do apply to? Do they apply also for digital marketing? If yes, what kind of digital marketing?
3. How successful are such rules for digital marketing in your working area? What are the main challenges (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...) in digital marketing?
4. What are the key obstacles and key facilitators for improvement of the situation (reducing or restricting pressure) in digital marketing in your working area?
5. What are the most promising steps forward in reducing or restricting pressure in digital marketing in your working area?

4. ALCOHOL

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?

Yes, regulatory and selfregulatory rules for reducing marketing pressure of the products to children are introduced.

- Regulatory rules are regulated by the
 - ↳ Restrictions on the Use of Alcohol Act (Official Gazette of the Republic of Slovenia, number 15/03) (1.1)
 - ↳ Act Amending the Restrictions on the Use of Alcohol Act (Official Gazette of the Republic of Slovenia, number 27/17) (1.2)
 - ↳ Act Amending the Audiovisual Media Services Act (Official Gazette of the Republic of Slovenia, number 84/15) (1.3)
 - ↳ Act Amending the Health and Hygiene Safety of Foodstuffs and Products and Materials Coming in Contact with Foodstuffs Act (Official Gazette of the Republic of Slovenia, number 42/02) (1.4)

- Selfregulatory rules are regulated by the
 - ↳ Code of Advertising Practice of Slovenia (2.1)

2. If yes, what kind of rules exist? What channels of marketing they do apply to? Do they apply also for digital marketing? If yes, what kind of digital marketing?

Kind of rules that exist for reducing marketing pressure of the products to children

- **Sales and Offer Restrictions**
 - ↳ Age-based restrictions on sales and offers
 - Ban on sales and offers of alcohol beverages to minors (under 18 years of age) (1.1)
 - Ban on sales and offers of alcohol beverages to persons who are likely to offer these drinks to minors (under 18 years of age) (1.1)
 - ↳ Time restrictions on sales and offers
 - Ban on selling alcoholic beverages between 9 pm and 7 am – with the exception of establishments licensed to sell alcoholic beverages until closing time (1.1)
 - Ban on selling alcoholic beverages with more than 15 % alcohol by volume (ABV) in establishments between the opening time and 10 am (1.1)
 - Ban on selling and / or offering alcoholic beverages during working hours at a workplace (1.1)
 - Ban on selling and / or offering alcoholic beverages in facilities and the land surrounding these facilities with an ongoing public event throughout the duration of the public event unless the organizer has been issued a permit to sell and have on offer such beverages by an administrative unit (1.2)
 - Ban on selling and offering alcoholic beverages with more than 15 % alcohol by volume in sports facilities and adjacent land (sport centers) one hour before, as well as during public

sports events; ban on selling and/or offering alcoholic beverages with 15 % or less alcohol by volume may be issued, covering the time span beginning one hour before the start of the event and continuing throughout the duration of the event with the aim to protect order, public order, property and people (1.2)

- ↳ Restrictions on sales and offers through specific marketing channels
 - Ban on sales of alcoholic beverages from automatic vending machines (1.1)
 - Ban on selling and/or offering alcoholic beverages in facilities (together with the adjacent land) performing education and health services (1.1)
 - Ban on teleshopping for alcoholic beverages (1.3)
- ↳ Other restrictions on sales and offers
 - Ban on selling alcoholic beverages to intoxicated persons (1.1)
 - Ban on selling and/or offering alcoholic beverages to persons who are likely to offer these drinks to intoxicated persons (1.1)
 - Vendors of alcoholic beverages shall have on offer at least two different types of non-alcoholic beverages at the same or lower price than the cheapest alcoholic drink on offer (1.1)
- **Advertising restrictions**
 - ↳ Full ban on advertising of alcoholic beverages containing more than 15 % alcohol by volume (1.4 and 2.1)
 - ↳ Restrictions on advertising alcoholic beverages containing 15 % or less alcohol by volume through marketing channels as follows
 - on radio and television between 7 am and 9.30 pm (1.4)
 - in cinemas before 10 pm (1.4)
 - on roadside billboards, boards, posters and illuminated signs (1.4)
 - on billboards, boards, posters and illuminated signs located within a 300-metre range from kindergartens and schools (1.4)
 - in buildings and land used for education and healthcare purposes (1.4)
 - at events aiming primarily at minors, as well as at sports events (1.4)
 - ↳ Restrictions on advertising alcoholic beverages containing 15 % or less alcohol by volume
 - Advertising messages shall not encourage excessive alcohol consumption or imply a causal relationship between alcohol consumption and success in life (1.4 and 2.1)
 - Advertising messages shall not be directed at young people and shall not show alcohol consumption (1.4 and 2.1)
 - Advertising messages shall not portray persons under 25 years of age (1.4 and 2.1)
 - Advertising messages shall not associate alcohol consumption with increased physical exercise capacity or driving (1.4 and 2.1)
 - Advertising messages shall not create an impression that alcohol consumption contributes to success in social and sexual life (1.4 and 2.1)
 - Advertising messages shall not stress that alcohol may have healing effects, that it may be used as a stimulant, a sedative or a means to address personal problems (1.4 and 2.1)
 - Advertising messages shall not portray abstinence or moderate alcohol consumption in a negative way (1.4 and 2.1)
 - Advertising messages shall not contain inducements to prefer an alcoholic beverage because of its high alcohol content (1.4 and 2.1)

- Advertising messages shall not contain any symbols, images, characters from cartoons and other youth programmes (1.4)
- Advertisements shall contain one of the following health warnings: “The Minister responsible for health warns that alcohol consumption may create health problems,” or “The Minister responsible for health warns that excessive alcohol consumption causes health problems.” (1.4)

The marketing channels to which the existing rules apply to

- **Traditional marketing channels**

- ↳ Newspapers, magazines and other printed publications (2.1)
- ↳ Brochures, leaflets, etc. (2.1)
- ↳ Radio (1.4 in 2.1)
- ↳ Television (1.3, 1.4 and 2.1)
- ↳ Cinemas (1.4 in 2.1)
- ↳ Posters and other advertising surfaces and media in public spaces and at publicly visible locations – including moving picturegraphics (2.1)
- ↳ Roadside billboards, boards, posters and illuminated signs (1.4)
- ↳ Billboards, boards, posters and illuminated signs located within a 300-metre range from schools
- ↳ Automatic vending machines (1.1)

- **Digital marketing channels**

- ↳ Electronic and video carriers (2.1)
- ↳ E-mail, mobile phones, etc. (2.1)
- ↳ Other electronic media (the Internet, using dedicated online advertising space, such as advertising banners, textual advertisements, or non-dedicated online space for sending virtual advertising messages via e-mail or other channels, as well as for sharing video and other advertising content on social portals, including other content not posted on the advertiser's website, but which has clearly been published by the advertiser) (2.1)

*Article 15 of the Act Amending the Health and Hygiene Safety of Foodstuffs and Products and Materials Coming in Contact with Foodstuffs Act stipulates as follows:

- The advertising of alcoholic beverages containing more than 15 % of alcohol by volume is prohibited;
- Alcoholic beverages containing 15 % or less alcohol by volume may be advertised on printed materials, such as bulletins, catalogues, flyers and leaflets intended for advertising and business communication, as well as on other conveyors of information except on roadside billboards, boards, posters and illuminated signs;
- Alcoholic beverages containing 15 % or less alcohol by volume may be advertised in newspapers and magazines, on radio and television, in electronic publications, on teletext and in other formats of daily and periodical editorial programmes availing themselves of a publically available transmission of voice, sound or picture.

** The Act Amending the Health and Hygiene Safety of Foodstuffs and Products and Materials Coming in Contact with Foodstuffs Act was adopted in 2002. Its provisions apply to (digital)

marketing channels developed by 2002. However, electronic devices, digital media and the related means of communication and communication tools have witnessed a rapid development over the last years. The alcohol industry is very adaptive to these changes. The Health and Hygiene Safety of Foods, and of Materials and Articles Intended to Come into Contact with Foods Act does not apply to (digital) marketing channels developed after 2002, which is why it needs to be updated to include, for example, the digital media, modes of communication and other media that have not been covered by the existing legislation for the simple reason that they were developed at a later stage.

3. How successful are such rules for (digital) marketing in your working area? What are the main challenges (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...) in (digital) marketing?

Main challenges

- **Definition of target group**
 - children and adolescents
- **Definition of marketing channels**
 - regulation of the Internet, the Virtual World and the new digital media not yet covered by the existing legislation
- **Issues**
 - The alcohol industry deliberately violates advertising rules on alcoholic beverage marketing. This is partly because violations – leading to low, non-deterrent penalties – pay off, and partly because advertising is nevertheless effective
 - A number of (digital) marketing channels is not covered by the existing legislation because they have been developed after the adoption of the relevant legal acts. The alcohol industry takes advantage of these channels
 - The alcohol industry avails itself of problematic forms of advertising, i.e. surreptitious advertising (e.g. with brand name logos)
 - Self-regulatory restrictions on alcohol beverage marketing have proven unsuccessful
 - Introduce a full ban on all types of alcoholic beverage advertising is missing
 - Ban all sponsorships and donorships aimed at the promotion of alcoholic beverages is missing
 - Special attention to be given to a ban on sales promotion activities
 - Establish a system detecting, monitoring and evaluating marketing communication messages about alcoholic beverages in all the media, including the world wide web and mobile applications, to guarantee a better surveillance
 - More knowledge and studies of the impact of advertising of product on (mental and physical) health are missing

4. What are the key obstacles and key facilitators for improvement of the situation (reducing or restricting pressure) in digital marketing in your working area?

Key obstacles (inhibitory factors)

- Need for political will and consensus
- Need for a large societal consensus
- Non-existent / inappropriate (outdated) national and eu legislation
- Inappropriate / inconsistent implementation of the existing legislation
- Low legal penalties – the alcohol industry chooses to violate the existing legislative provisions because the penalties are not deterrent
- Alcoholic beverages are food products – and yet they are exempt from the obligation to indicate on the packaging their composition and energy value (proposal: If alcoholic beverages fall under food products, the same rules should apply to them as to all the other food products. In the opposite case, alcoholic beverages should be excluded from the list of food products.)
- Poor labelling (without health warnings or a list of ingredients and composition)
- Advertising panels may be adopting decisions that can be perceived as problematic from the point of view of public health
- Monitoring the advertising practice of the alcohol industry calls for appropriate knowledge, as well as human and financial resources

Key enablers (facilitating factors)

- Observing the public opinion: according to public opinion polls, the general public favours restricted access to alcohol (including a full advertising ban – 57 % of the Slovenes support a full ban on alcoholic beverage advertising)⁷
- Consumers' and citizens' rights

5. What are the most promising steps forward in reducing or restricting pressure in digital marketing in your working area?

Recommendations for further steps

- Raising the awareness of consumers and citizens
- Recast of outdated legislation
- Optimising the implementation of the existing legislation
- Reviewing applications submitted by advertising chambers and panels
- International cooperation
- Estimate of the state of affairs and monitoring of the practice within the industry, with a focus on digital advertising
- Estimate of the response of the population and its subgroups to advertising, with special attention being paid to digital advertising
- Estimate of the impact of the social media and media marketing on alcohol consumption and related health consequences

⁷NIJZ. 2016. Alcohol policy in Slovenia: opportunities for reducing harm and cost. Accessible at: http://www.nijz.si/sites/www.nijz.si/files/publikacije-datoteke/alkoholna_politika_v_sloveniji_priloznosti_za_zmanjsevanje_strozkov_in_skode_f.pdf (Obtained, 20.7.2017).

- Estimate of the respect of the selfregulation and legislation by the alcohol industry (national and foreign), possible differences in advertising between domestic and foreign industries (e.g. Emotionally charged messages, apparent social responsibility)
- Estimate of short- and long-term marketing impact on public health
- Raising the awareness of the general public through information about the harmful nature of alcohol consumption (no threshold), particularly in children and adolescents because of the impact on their brain development
- Raising the awareness of the general public about marketing and its characteristics within the parallel virual world, together with strategies and tactics needed to understand these messages and develop resilience
- Special emphasis on programmes promoting lifestyle change (acceptable public image, especially for men) and intergenerational transmission of behavioural patterns
- Regular monitoring and consideration of the public's stance on arguments advocating restrictions on alcohol consumption and the prevention of (harmful) alcohol use
- Removing alcohol from the list of food products

5. TOBACCO

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?

Yes, regulatory and selfregulatory rules for reducing marketing pressure of the products to children are introduced.

- Regulatory rules are regulated by
 - ↳ Restriction on the Use of Tobacco and Related Products Act (Official Gazette of the Republic of Slovenia, number 9/17 in 29/17) (1.1) – the law covers tobacco products and related products
 - ↳ Act Amending the Audiovisual Media Services Act (Official Gazette of the Republic of Slovenia, number 84/15) (1.2) – the law covers tobacco and tobacco products, but does not cover related products
- Selfregulatory rules are regulated by
 - ↳ Code of Advertising Practice of Slovenia (2.1) – the codex covers tobacco and tobacco products, but does not cover related products

2. If yes, what kind of rules exist? What channels of marketing they do apply to? Do they apply also for digital marketing? If yes, what kind of digital marketing?

Kind of rules that exist for reducing marketing pressure of the products to children

- **Restrictions on placing on the market or sales**
 - ↳ Permit for selling tobacco, tobacco products and related products
 - Ban on sales of tobacco, tobacco products and related products without permit for sale of tobacco, tobacco products and related products (enters into force in november 2018) (1.1)
 - ↳ Age-based restrictions on sales
 - Ban on sales of tobacco, tobacco products and related products to minors (under 18 years of age) (1.1)
 - ↳ Restrictions on placing on the market and sales through specific marketing channels
 - Ban on sales of tobacco, tobacco products and related products from automatic vending machines (1.1)
 - Ban on sales of tobacco, tobacco products and related products from movable points of sale (1.1)
 - Ban on placing on the market of tobacco, tobacco products and related products via the internet, telecommunications or any other evolving technology or cross-border distance selling (1.1)
 - Ban on teleshopping for tobacco and tobacco products (1.2)
 - ↳ Ban on placing on the market or selling of specific products
 - Ban on sales of individual cigarettes, tobacco products and related products outside the original packaging of the manufacturer (1.1)

- Ban on placing on the market of tobacco for oral use (1.1)
- Ban on placing on the market of cigarettes and tobacco for rolling with a characteristic flavor (enters into force on 20 May 2020) (1.1)
- Ban on placing on the market of tobacco products, which contains the following additives: vitamins or other additives which give the impression that a tobacco product benefits health or that the additive presents a reduced health risk; caffeine or taurine or other additives and stimulants associated with energy and vitality; additives which colors emission; for tobacco smoking products, additives that facilitate inhalation or increase the intake of nicotine, and additives that have an unburned form of CMR properties (1.1)
- Ban on placing on the market of cigarettes and tobacco for rolling, which contains flavoring substances in any of the components, such as filters, paper, wrappers and capsules, whether they have technical characteristics which can change the smell or taste of the tobacco product or the smoke intensity. Filters, papers and capsules must not contain tobacco or nicotine. (1.1)
- Ban on placing on the market of tobacco products, which based on scientific knowledge contains additives in quantities that substantially or quantitatively increase the toxic or addictive effect or reinforce the properties of the CMR during the use of the tobacco product (1.1)
- Ban on production, placing on the market or cross-border distance sale of sweets, snacks, toys or other objects in the form of tobacco products and related products aimed for minors (under 18 years of age) (1.1)
- **Restrictions on advertising tobacco, tobacco products and related products**
 - ↳ Full ban on advertising or promoting tobacco, tobacco and related products
 - Ban on the direct advertising and promotion of tobacco, tobacco and related products: ban on the public display of products at points of sale (enters into force in march 2018), ban on promotional gifts, gift vouchers, stamps, discount coupons or other similar offers; ban on sales promotions (1.1)
 - Ban on the indirect advertising and promotion of tobacco, tobacco and related products: ban on the display of brands or other signs on objects that are not classified as tobacco, tobacco or related products by the act on the restriction of the use of tobacco and related products; ban on the free-of-charge offering of tobacco, tobacco and related products in public places (1.1)
 - ↳ Ban on sponsorship or donorship to support events, activities or individuals (1.1)
 - ↳ Ban on advertising products that may with their image or intended use promote the consumption of tobacco, tobacco and related products (1.1)
 - ↳ Ban on displaying or using tobacco, tobacco and related products on television and during public appearances for minors (under 18 years of age), with the exception of films, tv serials and series (1.1)
 - ↳ Packaging of tobacco and related products
 - Clearly defined labelling and packaging of tobacco and related products (health warnings, combined health warnings (pictorial and text health warnings, general warnings and information messages, etc.) (1.1)
 - Plain packaging of cigarettes and roll-your-own tobacco (enters into force on 1 january 2020) (1.1)

The marketing channels to which the existing rules apply to

- **Traditional marketing channels**

- ↳ Newspapers, magazines and other printed publications (2.1)
- ↳ Brochures, leaflets, etc. (2.1)
- ↳ Radio (2.1)
- ↳ Television (1.2 and 2.1)
- ↳ Cinemas (2.1)
- ↳ Posters and other advertising surfaces and media in public spaces and at publicly visible locations – including moving picturegraphics (2.1)
- ↳ Automatic vending machines (1.1)
- ↳ Movable points of sale (1.1)

- **Digital marketing channels**

- ↳ Information society service (1.1)
- ↳ Electronic and video carriers (2.1)
- ↳ E-mail, mobile phones, etc. (2.1)
- ↳ Other electronic media (the Internet, using dedicated online advertising space, such as advertising banners, textual advertisements, or non-dedicated online space for sending virtual advertising messages via e-mail or other channels, as well as for sharing video and other advertising content on social portals, including other content not posted on the advertiser's website, but which has clearly been published by the advertiser) (2.1)

3. How successful are such rules for (digital) marketing in your working area? What are the main challenges (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...) in (digital) marketing?

Main issues

- Inspectors reported numerous violations of tobacco advertising legal provisions contained in the previous legal act. From 2009 to 2015, market inspectors observed most aggressive advertising practices used for tobacco products at points of sale, particularly at service stations, as well as many violations. In 2016, most probably also because of the then approaching adoption of the new legal act, the number of observed violations decreased.
- Data related to the newly adopted legal act are not available yet.

4. What are the key obstacles and key facilitators for improvement of the situation (reducing or restricting pressure) in digital marketing in your working area?

Key obstacles (inhibitory factors)

- inappropriate / inconsistent implementation of the existing legislation

Key enablers (facilitating factors)

- public opinion polls: the introduction of legal tobacco restrictions is supported by the majority of the adult population in Slovenia⁸

5. What are the most promising steps forward in reducing or restricting pressure in digital marketing in your working area?**Recommendations for further steps**

- optimising the implementation of the existing legislation

⁸NIJZ. 2015. Slovenija brez tobaka - kdaj? Accessible at: http://www.nijz.si/sites/www.nijz.si/files/publikacije-datoteke/slovenija_brez_tobaka_kdaj.pdf. (Obtained, 20.7.2017).

6. NUTRITION

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?

Yes, regulatory, coregulatory and selfregulatory rules for reducing marketing pressure of the products to children are introduced.

- Regulatory rules are regulated by
 - ↳ School Meals Act (Official Gazette of the Republic of Slovenia, number 3/13) (1.1)
 - ↳ Audiovisual Media Services Act (Official Gazette of the Republic of Slovenia, number 87/11 in 84/15) (1.2)
- Coregulatory rules are regulated by
 - ↳ Audiovisual Media Services Act (Official Gazette of the Republic of Slovenia, number 87/11 in 84/15) (1.2)
- Selfregulatory rules are regulated by
 - ↳ Code of Advertising Practice of Slovenia (2.1)
 - ↳ Commitment to responsibility – self-regulation of non-alcoholic beverage producers (2.2)

2. If yes, what kind of rules exist? What channels of marketing they do apply to? Do they apply also for digital marketing? If yes, what kind of digital marketing?

Kind of rules that exist for reducing marketing pressure of the products to children

- **Sales Restrictions**
 - ↳ Ban on automatic vending machines for the distribution of food and drink in schools and educational institutions and on the surface belonging to their school premises; automatic vending machines for the distribution of hot drinks are allowed in chambers or places, which are exclusively intended for employees only (1.1)
- **Restrictions on food advertising**
 - ↳ Rules on protection of children from inappropriate audiovisual commercial communication
 - Providers of audiovisual commercial messages shall develop and publish codes of conduct in case of inappropriate audiovisual commercial messages accompanying television programmes targeted at children and promoting foodstuffs and substances with a nutritional or physiological impact, in particular fats, trans fatty acids, salt or sodium and sugars – i.e. foodstuffs and substances which are to be consumed with moderation (1.2)
 - Codes of conduct shall be designed to promote the development of healthy nutritional habits in line with the Nutritional Guidelines to Design Rules to Protect Children from Inappropriate Commercial Messages (1.2)
 - ↳ Restrictions on advertising content
 - Advertising shall not underestimate the importance of a healthy and active lifestyle (2.1)
 - Advertising shall not entice to overconsumption of the advertised product (2.1)

- Advertising shall not contain statements of motives which may mislead the consumer regarding the production date, the product's energy value, usage and quantity – all the substances shall be clearly and exactly indicated without misleading information (2.1)
- Advertising shall not abuse research outcomes or statements contained in scientific and expert publications: consumer preferences (e.g. taste preferences) shall not be used in advertisements to suggest a statistic validity of outcomes unless proven to be true (2.1)
- Nutritional statements and statements on possible health benefits shall be scientifically founded, credible, provable and presented in a way that is understandable to consumers (2.1)
- ↳ Restrictions on advertising targeted at children
 - Advertising shall not justify or promote poor nutritional habits or an unhealthy lifestyle (2.1)
 - Advertising shall not actively encourage children to eat or drink before bedtime or to frequently eat sweets and snacks during the day; snacks shall be clearly defined as snacks and not as meal replacements (2.1)
 - Children shall not be encouraged to eat more than usual (2.1)
 - Children shall not be misled about potential physical, social or psychological benefits related to the consumption of a particular product (2.1)

***Commitment to responsibility – self-regulation of non-alcoholic beverage producers**

- ↳ Different products on offer
 - The signatories have expressed their commitment to further reduce the energy outtake of their beverages by offering and promoting products of different nutritional profiles, especially products with a reduced or zero energy value, as well as with less or without added sugar (2.2).
- ↳ Information about the product's energy value
 - The signatories have pledged to publish the information about energy value on the front side of the packaging of at least 60 % of their products by 2020 (2.2)
- ↳ Age-based advertising restrictions
 - The signatories have decided not to advertise in the media (printed media, television, cinemas and websites) where more than 35 per cent of viewers are children under 12 years of age (2.2)
- ↳ Space-related advertising restrictions / restrictions on advertising through specific marketing channels
 - The signatories promise not to advertise in primary and secondary schools and to put on offer a comprehensive range of products when their products are sold within the premises of secondary schools (2.2)
- ↳ Promoting a healthy lifestyle
 - The signatories have pledged that, by 2020, at least 90 % of the producers shall promote a healthy lifestyle to larger society by providing financial or other support to events aiming at encouraging the Slovene population to exercise; the signatories have also committed themselves to further promote a healthy lifestyle of their employees (2.2).

The marketing channels to which the existing rules apply to

- **Traditional marketing channels**
 - ↳ Newspapers, magazines and other printed publications (2.1 and 2.2)

- ↳ Brochures, leaflets, etc. (2.1)
- ↳ Radio (2.1)
- ↳ Television (1.2, 2.1 and 2.2)
- ↳ Cinemas (2.1 and 2.2)
- ↳ Posters and other advertising surfaces and media in public spaces and at publicly visible locations – including moving picturegraphics (2.1)
- ↳ Automatic vending machines (1.1)
- **Digital marketing channels**
 - ↳ Electronic and video carriers (2.1)
 - ↳ E-mail, mobile phones, etc. (2.1)
 - ↳ Other electronic media (the Internet, using dedicated online advertising space, such as advertising banners, textual advertisements, or non-dedicated online space for sending virtual advertising messages via e-mail or other channels, as well as for sharing video and other advertising content on social portals, including other content not posted on the advertiser's website, but which has clearly been published by the advertiser) (2.1)

3. How successful are such rules for (digital) marketing in your working area? What are the main challenges (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...) in (digital) marketing?

Main challenges

- **Definition of target group**
 - children and adolescents
- **Definition of age limitation**
 - a child is defined under the age of 15 years (a general act on the protection of children against potentially harmful content)
- **Definition of marketing channels**
 - regulation of the media aiming primarily at children and adolescents
- **Definition of profiles**
 - WHO dietary profile adapted to national specificities

4. What are the key obstacles and key facilitators for improvement of the situation (reducing or restricting pressure) in digital marketing in your working area?

Key obstacles (inhibitory factors)

- omnipresent advertising
- "Fighting with windmills"

Key enablers (facilitating factors)

- Intersectoral cooperation
- International cooperation

5. What are the most promising steps forward in reducing or restricting pressure in digital marketing in your working area?

Recommendations for further steps

- raising the awareness of consumers and citizens, different stakeholder groups and policy-decision makers
- intersectoral cooperation with improved multidisciplinary competencies
- cooperation with other EU member states and with WHO EURO region and globally with the WHO level in the field of marketing restrictions in all lifestyle areas
- developing common understanding of digital marketing injects and particular mechanisms at the individual and societal level
- participatory agenda for reducing marketing pressure to children with defined responsibilities of all stakeholder groups
- transparent, independent and regular monitoring and evaluation of digital marketing and relevant measures

7. GAMBLING & GAMING

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?

Gambling – yes, regulatory and selfregulatory rules for reducing marketing pressure of the products to children are introduced.

- Regulatory rules are regulated by
 - ↳ Gaming Act (Official Gazette of the Republic of Slovenia, number 14/11, 108/12, 11/14 in 40/14) (1.1)
- Selfregulatory rules are regulated by
 - ↳ Slovenski oglaševalski kodeks (2.1)

Gaming – no, rules for reducing marketing pressure of the products to children are not introduced.

2. If yes, what kind of rules exist? What channels of marketing they do apply to? Do they apply also for digital marketing? If yes, what kind of digital marketing?

Gambling - kind of rules that exist for reducing marketing pressure of the products to children

- **Restrictions on organisation of gambling**
 - ↳ Gambling permits and/or concessions
 - Only gambling concessionaires (with their concessions granted by the Government of the Republic of Slovenia) shall accept and forward payments, advertise or perform other gambling-related services (1.1)
 - Companies that have obtained gambling concessions shall warn gamblers about potential risks, in particular that of gambling addiction, and shall make sure that gamblers are given instructions on responsible gambling and information on where to get help in case of addiction (1.1)
- **Restrictions of gambling**
 - ↳ Age-related gambling restrictions
 - Only adults (over 18 years of age) can visit casinos and gaming saloons (1.1)
 - Only adults (over 18 years of age) can participate in online gambling activities (1.1)
 - ↳ Self-exclusion
 - Gamblers may demand in writing that a gambling concessionaire shall ban them from gambling for a minimum period of six months and a maximum period of three years. Such an act of self-exclusion is applicable in the whole territory of the Republic of Slovenia. Self-exclusion may also apply to other countries in case of international agreements. Self-exclusion shall also apply, mutatis mutandis, to online gambling (1.1)
- **Restrictions on gambling advertising**
 - ↳ Advertising is strictly limited to gambling concessionaires in the Republic of Slovenia (1.1)

- ↳ Restrictions on advertising content
- Advertising shall not contain non-realistic winning possibilities, nor shall it claim that winning depends on knowledge and other factors that are within the gambler's sphere of influence;
- Advertising shall not allege that higher, regular or frequent stakes or similar activities shall considerably increase the possibility of winning (2.1)
- Advertising shall not contain promises that a mere purchase of a product shall bring luck, nor shall it contain allegations that a non-purchase shall bring ill luck (2.1)
- Advertising shall not be targeted at children or adolescents who shall not be portrayed in advertisements. Advertisements shall not be published in the media aimed mainly at children and adolescents (2.1)

Gambling - the marketing channels to which the existing rules apply to

- **Traditional marketing channels**

- ↳ Newspapers, magazines and other printed publications (2.1)
- ↳ Brochures, leaflets, etc. (2.1)
- ↳ Radio (2.1)
- ↳ Television (1.2, 2.1 and 2.2)
- ↳ Cinemas (2.1 and 2.2)
- ↳ Posters and other advertising surfaces and media in public spaces and at publicly visible locations – including moving picturegraphics (2.1)
- ↳ Automatic vending machines (1.1)

- **Digital marketing channels**

- ↳ Electronic and video carriers (2.1)
- ↳ E-mail, mobile phones, etc. (2.1)
- ↳ Other electronic media (the Internet, using dedicated online advertising space, such as advertising banners, textual advertisements, or non-dedicated online space for sending virtual advertising messages via e-mail or other channels, as well as for sharing video and other advertising content on social portals, including other content not posted on the advertiser's website, but which has clearly been published by the advertiser) (2.1)

3. How successful are such rules for (digital) marketing in your working area? What are the main challenges (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...) in (digital) marketing?

Main challenges

- **Definition of target group:**

- children and adolescents
- persons spending much of their time at home with a consequential susceptibility to overuse of digital media (secondary school and university dropouts, unemployed, persons incapable to work)⁹

- **Definition of marketing channels:**

- regulation of the media aiming primarily at children and adolescents

⁹Macur, M. et al. (2016). Prevalence of problematic Internet use in Slovenia = Razširjenost problematične uporabe interneta v Sloveniji. Slovenian journal of public health, 2016, Vol. 55, No. 3.. Accessible at: <https://www.dlib.si/details/URN:NBN:SI:doc-TTQJFLOI>. (Obtained, 20.7.2017).

- the Internet – a successful restriction on its usage
- restrictions on advertising within computer and video games

- **Issues**

- Gambling advertising - "Problematic" gamblers driven by a passion for gambling cannot be brought to their senses with "ethical" advertising. Gambling is associated with different types of motivation, such as risk-taking and thrill. It is because the chances of winning are so slim that gamblers are driven to gambling. Furthermore, "problematic" gamblers do not even pay attention to logical arguments about slim chances of winning. To limit the extent of gambling, psychologists ought to be brought into the picture to find out what "problematic" gamblers might respond to.

4. What are the key obstacles and key facilitators for improvement of the situation (reducing or restricting pressure) in digital marketing in your working area?

Key obstacles (inhibitory factors)

- The profitability of the sector makes the introduction of regulation a difficult task. The gaming industry – similarly to the pharmaceutical industry imposing treatment protocols to the medical profession – dictates the development of computer games, while preventive and curative mechanisms have not yet been established;
- Unawareness of health impacts of computer games – Experts usually fail to react, worried parents of gamers look for help on their own;
- Addicts (gamblers and gamers) do not respond to logical arguments, their addicted brain works differently, they are incapable of thinking about the consequences of their behaviour – working with them is therefore particularly difficult;
- The Internet remains an unregulated territory where advertisements "attack from behind every corner" – on all the websites;
- Non-functioning legal restrictions – Restrictions on online computer gaming do not work (e.g. the Shutdown Law, upgraded with the Cinderella Law in South Korea: blocked access to online computer games between midnight and 6 am for gamers under 16 years of age was bypassed by young gamers using their parents' social insurance numbers. Furthermore, this restriction did not include consoles and mobile phones).
- Difficult implementation of legal restrictions – Difficulties in the implementation of self-exclusion from gambling (Most of the requests come from gamblers' family members with a justified interest to impose a self-exclusion. Still, their requests are not and cannot be taken into consideration. Furthermore, it takes a (long) while before a problematic gambler opts for self-exclusion. In a number of cases, such a decision never comes.). Since 21 July 2017, 10,490 gamblers opted for self-exclusion in the Republic of Slovenia¹⁰.

Key enablers (facilitating factors)

- Computer games are most often excessively played by young unformed boys and men with certain problems. These boys and young men typically boast above-average intelligence and skills, but are more sensitive than their peers. Working with them pays off not only because, in this way, we may prevent certain dependent behaviours, but mainly because the lives of these

¹⁰ FURS. 2017. Personal communication via e-mail.

youngsters are thus saved. In Slovenia, the Logout Centre offers assistance in case of excessive Internet use.

- There is a burning need for psychologists to limit the current extent of gambling. Psychologists may realise what "problematic" gamblers may respond to as these gamblers cannot be brought to their senses with "ethical" advertising.

5. What are the most promising steps forward in (reducing or restricting) pressure in digital marketing in your working area?

Recommendations for further steps

- Estimate of the state of affairs
- Prevention, field work, advisory services
- Recast of outdated and adoption of new eu directives and regulations

8. COMPARATIVE ANALYSIS OF ALL WORKING AREAS

1. Are there any rules (regulation, coregulation, selfregulation) for reducing marketing pressure of the products to children in your working area?

EXISTENCE OF RULES		WORKING AREA						
		ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
YES	REGULATION	✓	✓	✓		✓		
	COREGULATION			✓				
	SELFREGULATION	✓	✓	✓		✓		✓*
NO							✓	
COMMENT								* Code of Advertising Practice of Slovenia (2009)

2. What kind of rules exist in the “real world” in your working area?

KIND OF RULES	WORKING AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
RESTRICTIONS ON PLACING ON THE MARKET / SALES / OFFERS / ORGANISATION / ...							
Permit-based restrictions (sales / offers / organisation / ...)	✓	✓*			✓		
Age-based restrictions (sales / offers / organisation / ...)	✓	✓			✓		
Time restrictions (sales / offers /organisation / ...)	✓						
Marketing channels (prohibition of placing on the market / sales / offers through specific marketing channels)	✓	✓	✓				
Ban on specific products (placing on the market / sales)		✓					
Self-exclusion of player*					✓		
ADVERTISING RESTRICTIONS							
Full advertising bans	✓*	✓					
Promotional bans		✓					
Bans on sponsorship and donorship		✓					
Restrictions on advertising content	✓		✓		✓		
Specified product labelling and packaging	✓	✓	✓				
Restrictions on advertising through specific marketing channels	✓	✓	✓		✓		✓
Age-based advertising restrictions			✓				
Codes of conduct regarding inappropriate audiovisual commercials			✓				
COMMENT	*Valid for alcoholic	*Enters into force in					

	beverages with more than 15 % alcohol by volume	November 2018					
--	---	---------------	--	--	--	--	--

*practice in gambling

3. Are there any rules (regulation, coregulation, selfregulation) for reducing **digital marketing** pressure of the products to children in your working area?

EXISTENCE OF RULES		WORKING AREA						
		ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
YES	REGULATION	✓	✓					
	COREGULATION							
	SELFREGULATION	✓	✓	✓		✓		✓*
NO						✓		
COMMENT								* Code of Advertising Practice of Slovenia (2009)

4. What kind of rules exist in the **digital world** in your working area?

KIND OF RULES	WORKING AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
RESTRICTIONS ON PLACING ON THE MARKET / SALES / OFFERS / ORGANISATION / ...							
Permit-based restrictions (sales / offers / organisation /...)	✓	✓*			✓		
Age-based restrictions (sales / offers / organisation /...)	✓	✓			✓		
Time restrictions (sales / offers / organisation /...)							
Marketing channels (prohibition of placing on the market / sales / offers through specific marketing channels)		✓					
Ban on specific products (placing on the market / sales)		✓					
Self-exclusion of player*					✓		
ADVERTISING RESTRICTIONS							
Full advertising bans	✓*	✓					
Promotional bans		✓					
Bans on sponsorship and donorship		✓					
Restrictions on advertising content	✓		✓		✓		
Specified product labelling and packaging							
Restrictions on advertising through specific marketing channels	✓**		✓		✓		✓
Age-based advertising restrictions							
Codes of conduct regarding inappropriate audiovisual commercials							
COMMENT	*Valid for alcoholic beverages	*Enters into force in November					

	with more than 15 % alcohol by volume **Valid for digital marketing channels developed until 2002	2018					
--	--	------	--	--	--	--	--

*practice in gambling

5. What channels of marketing the existing rules apply to?

MARKETING CHANNELS	WORKING AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
TRADITIONAL MARKETING CHANNELS							
Newspapers, magazines and other printed publications	✓	✓	✓		✓		✓
Brochures, leaflets, etc.	✓	✓	✓		✓		✓
Radio	✓	✓	✓		✓		✓
Television	✓	✓	✓		✓		✓
Cinemas	✓	✓	✓		✓		✓
Posters and other advertising surfaces and media in public spaces and at publicly visible locations – including moving picturegraphics	✓	✓	✓		✓		✓
Roadside billboards, boards, posters and illuminated signs	✓						
Billboards, boards, posters and illuminated signs located within a 300-metre range from schools	✓						
Buildings and land used for education and healthcare purposes	✓						
Automatic vending machines	✓	✓	✓*				
Movable points of sale		✓					
DIGITAL MARKETING CHANNELS							
Electronic and video carriers	✓	✓	✓		✓		✓
E-mail, mobile phones, etc.	✓	✓	✓		✓		✓
Other electronic media (the Internet, using dedicated online advertising space, such as advertising banners, textual advertisements, or non-dedicated online space for sending virtual advertising messages via e-mail or other channels, as well as for sharing video and other	✓	✓	✓		✓		✓

advertising content on social portals, including other content not posted on the advertiser's website, but which has clearly been published by the advertiser)							
Information society service		✓					
COMMENT			*Automatic vending machines in schools (primary and secondary schools) and educational institutions (kindergartens, boarding schools, centers of school and extra-curricular activities ...)				

6. What are the main challenges in implementation of rules for reducing or restricting pressure in digital marketing in your working area (definition of target group, age limitation, criteria, distribution channels, data privacy, tracking, monitoring, ...)?

MAIN CHALLENGES	AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
TARGET GROUP							
Definition of children and adolescents	✓		✓		✓	✓	
Persons spending much of their time at home with a consequential susceptibility to overuse of digital media (secondary school and university dropouts, unemployed, persons incapable to work)					✓	✓	
CHANNELS							
Regulation of the media aiming primarily at children and adolescents			✓		✓	✓	
Regulation of the Internet, the Virtual World and the new digital media not yet covered by the existing legislation	✓				✓	✓	
Restrictions on advertising within computer and video games					✓	✓	
ISSUES							
Violations of advertising provisions	✓	✓					
Violations of introduced restrictions	✓						
Monitoring and evaluation violations of introduced restrictions	✓						
Existence of illegal forms, globalisation and its impact on tools for electronic communication	✓						
Online sales and advertising by companies headquartered in other countries	✓						
Outdated legislation: (digital) marketing channels not covered by the legislation	✓						

introducing marketing restrictions simply because they were developed after the adoption of the relevant legislative acts							
Marketing self-regulation is not successful	✓						
Regulation of online sales (looking, for example, into ways alcohol purchases performed by minors are addressed)	✓						
The industry avails itself of problematic forms of advertising, i.e. surreptitious advertising (e.g. with brand name logos)	✓						
Introduce a full ban on advertising is missing	✓						
Ban all sponsorships and donorships aimed at the promotion is missing	✓						
Special attention to be given to a ban on sales promotion activities	✓						
Establish a system detecting, monitoring and evaluating marketing communication messages in all the media, including the world wide web and mobile applications, to guarantee a better surveillance	✓						
More knowledge and studies of the impact of advertising of product on (mental and physical) health are missing	✓						
'Ethical advertising' does not help (addicts cannot be brought to their senses by 'ethical' advertising)					✓	✓	
COMMENT							

7. What are the key obstacles (inhibitory factors) for improvement of the situation (reducing or restricting pressure) in **digital marketing** in your working area?

KEY OBSTACLES	WORKING AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
Omnipresent advertising			✓				
Non-existent / innappropriate (outdated) national and EU legislation	✓				✓	✓	
Innappropriate / inconsistent implementation of the existing legislation	✓	✓					
Low legal penalties	✓						
Need for political will and consensus	✓						
Need for a large societal consensus	✓						
Lack of awareness (and/or knowledge) of health impacts	✓					✓	
Poor labelling (without health warnings or a list of ingredients and composition)	✓						
Product definitions are missing	✓						
Advertising panels may be adopting decisions that are perceived as problematic from the point of view of public health	✓						
Indicate the need for the advertising practice of industry for appropriate knowledge, as well as human and financial resources	✓						
In general is profitability more important than regulation					✓	✓	
Non-functioning legal restrictions					✓		
Difficulties in implementation of legal restrictions					✓		
The Internet remains an unregulated territory where advertisements "attack from behind"					✓	✓	

every corner“ – on all the websites							
Addicts do not respond to logical arguments, their addicted brain works differently, they are incapable of thinking about the consequences of their behaviour – working with them is therefore particularly difficult					✓	✓	
Addicts cannot be 'brought to their senses' by 'ethical' advertising					✓	✓	
COMMENT							

8. What are the key enablers (facilitating factors) for improvement of the situation (reducing or restricting pressure) in **digital marketing** in your working area?

KEY ENABLERS	WORKING AREA						
	ALCOHOL	TOBACCO	NUTRITION	PHYSICAL ACTIVITY	GAMBLING	GAMING	GENERAL
Mobilisation of Public opinion polls	✓	✓					
Bringing forward consumers' and citizens' rights	✓						
Raising the awareness of consumers and citizens	✓						
Informing the general public about health impacts and their consequences	✓						
Better intersectoral cooperation			✓				
Better international cooperation	✓		✓				
More comprehensive and effective prevention, field work, advisory services					✓	✓	
COMMENT							

9. What are the most promising steps forward for reducing or restricting pressure in **digital marketing** in your working area?

WORKING AREA	RECOMMENDATIONS FOR FURTHER STEPS
GENERAL	<ul style="list-style-type: none"> - uniform definitions of specific areas (using the same denominators) and the upgrading of the existing definitions - defining digital marketing as an integrated health and lifestyle determinant (CNDs); defining possible common starting points and activities - determining the power and scope of marketing channels for all the possible areas - raising the awareness and increasing the knowledge in the expert community - systematic communication about the listed topics with the general population, as well as with different target groups
ALCOHOL	<ul style="list-style-type: none"> - raising the awareness of consumers and citizens - recast of outdated and adoption of new EU directives and regulations - updating poor and inappropriate legislation, as well as adopting new elements of the national legislation when so needed - optimising the implementation of the existing legislation - a review of the applications submitted by advertising chambers and panels - cooperation with other EU member states in the field of marketing restrictions - removing alcohol from the list of food products - estimate of the state of affairs and monitoring of the practice within the industry, with a focus on digital advertising - estimate of the response of the population and its subgroups to advertising, with special attention being paid to digital advertising - estimate of the impact of the social media and media marketing on alcohol consumption and related health consequences - estimate of the respect of the selfregulation and legislation by the alcohol industry (national and foreign), possible differences in advertising between domestic and foreign industries (e.g. emotionally charged messages, apparent social responsibility) - estimate of short- and long-term marketing impact on public health - raising the awareness of the general public through information about the harmful nature of alcohol consumption (no threshold), particularly in children and adolescents because of the impact on their brain development - raising the awareness of the general public about marketing and its characteristics within the parallel virtual world, together with strategies and tactics needed to understand these messages and develop resilience - special emphasis on programmes promoting lifestyle change (acceptable public image, especially for men) and intergenerational transmission of behavioural patterns - regular monitoring and consideration of the public's stance on arguments advocating restrictions on alcohol consumption and the prevention of (harmful) alcohol use
TOBACCO	<ul style="list-style-type: none"> - optimising the implementation of the existing legislation
NUTRITION	<ul style="list-style-type: none"> - raising the awareness of consumers and citizens, different stakeholder groups and policy-decision makers

	<ul style="list-style-type: none"> - intersectoral cooperation with improved multidisciplinary competencies - cooperation with other EU member states and with WHO EURO region and globally with the WHO level in the field of marketing restrictions in all lifestyle areas - developing common understanding of digital marketing injects and particular mechanisms at the individual and societal level - participatory agenda for reducing marketing pressure to children with defined responsibilities of all stakeholder groups - transparent, independent and regular monitoring and evaluation of digital marketing and relevant measures
PHYSICAL ACTIVITY	
GAMBLING	<ul style="list-style-type: none"> - estimate of the state of affairs - prevention, field work, advisory services - recast of outdated and adoption of new EU directives and regulations
GAMING	<ul style="list-style-type: none"> - estimate of the state of affairs - prevention, field work, advisory services - recast of outdated and adoption of new EU directives and regulations