

Legal Extranet



Netherlands

Information supplied by

National Association
Specific Legislation

National Association:

VEA/Dutch Association of Communication Agencies

Web link: <http://www.vea.nl/>

Pharmaceuticals	19 November 2004
Motors	19 November 2004
Alcohol	19 November 2004
Direct Marketing	19 November 2004
Tobacco	19 November 2004
Financial products and services	19 November 2004

Information supplied by:

Van Till Advocaten
Jan Fernhout

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

[<< Click here to go back](#)

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Pharmaceuticals	
Country	Netherlands	
Contact	Keuringsraad (Inspection Council) KOAG/KAG, Postbus 90445, 1006 BK AMSTERDAM Contact: Jolanda Lankhaar www.koagkag.nl	
General legal framework	<p>On this subject, advertising for medicines and advertising for health promoting products are to be distinguished. Medicines are products that have been approved by the Medicines Evaluation Board. These products may claim a therapeutic effect. Besides, there are health promoting products. These products have not been approved by the Medicines Evaluation Board and advertising for these products must not include a medicinal claim. Consumer-targeted advertising for medicines must bear a valid admission stamp issued by the Keuringsraad Openlijke Aanprijzing Geneesmiddelen (KOAG) (Inspection Council Public Advertising for Medicines). Consumer-targeted advertising for health promoting products must bear an admission stamp issued by the Keuringsraad Aanprijzing Gezondheidsproducten (KAG) (Inspection Council Advertising for Health Promoting Products). The role of these authorities is to conduct a preventative assessment of consumer-targeted advertising in connection with public health. The KOAG/KAG is not authorised to assess advertising in professional journals, magazines and other publications intended for doctors, pharmacists, dentists, dental surgeons, midwives, chemists, paramedics, physiotherapists and dieticians. The assessments of the councils include the composition and packaging of the products. Homeopathic medicines are also assessed. The Inspection Council considers the following not permissible: - Consumer-targeted advertising for medicines that are permitted to be sold on prescription only or exclusively through pharmacies. - Advertising for products, services and methods of which it cannot be made plausible that they have the advertised effect. - Advertising in which testimonials or notes of thanks are used. - Advertising for products, services and methods that are recommended to prevent or fight diseases of such seriousness as having to be treated by a doctor. - Advertising in which mentioning a disease only serves the purpose of attracting the attention, but where no direct relationship between the recommended product and this disease exists. - Advertising appealing to feelings of fear. - Advertising in which remote treatment is offered. - The use of words, concepts, indications, canvassing methods, etc. listed in the Praktische Aanwijzing (Practical Guideline) drawn up by the board of the KOAG/KAG.</p>	
Restrictions to the media	<i>Cinema</i>	Not permitted
	<i>Direct Mail</i>	Not permitted
	<i>E-mail</i>	Not permitted
	<i>Web</i>	Not permitted
	<i>Outdoor</i>	Not permitted
	<i>Press</i>	Not permitted
	<i>Radio</i>	Not permitted
	<i>SMS</i>	Not permitted
	<i>TV</i>	Not permitted
	<i>Others</i>	Not permitted
Last updated	19 November 2004	

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Motors	
Country	Netherlands	
Contact	Nederlandse Vereniging De Rijwiel- en Automobieliindustrie (Dutch Association of the Bicycle and Automotive Industries)Wielingenstraat 28, 1070 DM Amsterdam, tel. +31 20-5491212www.rai.nl	
General legal framework	De Nederlandse Vereniging de Rijwiel- en Automobieli Industrie (RAI) (Dutch Association of the Bicycle and Automotive Industries), section passenger cars created the Code voor Personenauto's (CVP) (Advertising Standards for Passenger Cars) to ensure that their members' advertising is geared to government policies in respect of road safety, the environment and energy saving. Having to be complied with by the members of the RAI, the Standards are applicable to passenger cars seating eight persons maximum. Firstly, advertising for passenger cars must be in accordance with the Milieu Reclame Code (MRC) (Advertising Standards for the Environment), laying down that for example advertising for passenger cars must not refer to speed, acceleration and engine power. The advertising must neither appeal to or encourage aggressive behaviour or behaviour that is harmful to the environment or jeopardises road safety. In addition, qualifications related to contributing to or promoting a clean environment must never be used in their absolute meaning.	
Restrictions to the media	<i>Cinema</i>	Not permitted
	<i>Direct Mail</i>	Not permitted
	<i>E-mail</i>	Not permitted
	<i>Web</i>	Not permitted
	<i>Outdoor</i>	Not permitted
	<i>Press</i>	Not permitted
	<i>Radio</i>	Not permitted
	<i>SMS</i>	Not permitted
	<i>TV</i>	Not permitted
	<i>Others</i>	Not permitted
Last updated	19 November 2004	

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":

<< [Please click here to go back](#)

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Alcohol	
Country	Netherlands	
Contact	STIVABenoordenhoudseweg 22-232596 BA Den HaagTel. 070 - 314 24 80 www.stiva.nl	
General legal framework	<p>Advertising for alcoholic beverages is subject to self regulation in the Netherlands. This regulation is contained in the Reclame Code voor Alcoholhoudende Dranken (RvA) (Advertising Standards for Alcoholic Beverages). Summarising, the Standards specify in which fields an advertiser should exercise restraint. For example, advertising for alcoholic beverages should not: - disparage non-alcoholic beverages;- stimulate wrongful consumption;- create a relationship between alcohol and traffic and/or active practice of sports;- be contrary to certain safety regulations;- create a relationship between alcohol and health;- suggest a disinhibitive effect of alcohol;- be targeted at young people under 18. The RvA is to be found at www.reclamecode.nl under the button 'informatie'. At least 40% of the commercials for alcoholic beverages broadcast on television must be accompanied by an educational slogan, each brand having to transmit a slogan once a year minimum. The slogan must be visible and encourage the consumer to use alcohol sensibly or contain a warning against abuse. Furthermore, as far as the time of transmission is concerned, the slogans must be evenly distributed over the blocks of commercials. Each commercial for alcoholic beverages shown in cinemas, theatres, closed-circuit television and discotheques by means of film or video must be accompanied by an educational slogan. Each commercial for alcoholic beverages broadcast on television immediately preceding, during or immediately following a sports programme must be accompanied by an educational slogan. The educational slogan is "ENJOY, BUT CONSUME ALCOHOL IN MODERATION".</p>	
Restrictions to the media	<i>Cinema</i>	Educational slogan
	<i>Direct Mail</i>	No specific restrictions
	<i>E-mail</i>	No specific restrictions
	<i>Web</i>	No specific restrictions
	<i>Outdoor</i>	No specific restrictions
	<i>Press</i>	No specific restrictions
	<i>Radio</i>	Educational slogan
	<i>SMS</i>	No specific restrictions
	<i>TV</i>	Educational slogan
Last updated	19 November 2004	

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":

<< [Please click here to go back](#)

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Activity	Direct Marketing	
Country	Netherlands	
Contact	DDMA Postbus 262, 2260 AG Leidschendam, Tel. +31 (0) 70 30 11 750 www.ddma.nl	
General legal framework	The rules for direct marketing in the Netherlands have been laid down in various self-regulating standards, such as the standards for direct mail and door-to-door advertising, the standards for home sampling and direct response advertising, the standards for distributing unaddressed advertising leaflets and distributing advertising through e-mail. Each of these standards explains what the rules are. Summarised, in the Netherlands the opt-out rule is applicable, which means that addressees must be given the opportunity to indicate that they no longer wish to receive any post from the advertiser. In addition, the privacy legislation should be taken into account. Further information on which is to be found in the appendix on Privacy.	
Restrictions to the media	<i>Cinema</i>	No specific restriction
	<i>Direct Mail</i>	Standards for directly and door-to-door advertising
	<i>E-mail</i>	Standards for distributing advertising through e-mail
	<i>Web</i>	-
	<i>Outdoor</i>	-
	<i>Press</i>	-
	<i>Radio</i>	-
	<i>SMS</i>	-
	<i>TV</i>	-
	<i>Others</i>	-
Last updated	19 November 2004	

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":

<< [Please click here to go back](#)

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Tobacco	
Country	Netherlands	
Contact	Stichting Sigaretten Industrie Postbus 2575 3500 GN UTRECHT	
General legal framework	Advertising for tobacco products - except in specialist tobacco shops or in a clearly separated tobacco sales outlet with a lockable entrance in a grocery or supermarket - is prohibited (see for specific definitions and exceptions Section 5 of the Tobacco Act, Education Office Tobacco Products) (www.overheid.nl). In case of advertising for tobacco products at the above locations, the regulations of the Reclame Code voor Tabaksproducten (RVT) (Advertising Standards for Tobacco Products) are to be complied with. These Standards lay down provisions such as that advertising for tobacco products must not be specifically targeted at young people under 18. The RVT is to be found on www.reclamecode.nl where via the link 'informatie' you can click through to the RVT.	
Restrictions to the media	<i>Cinema</i>	Not permitted
	<i>Direct Mail</i>	Not permitted
	<i>E-mail</i>	Not permitted
	<i>Web</i>	Not permitted
	<i>Outdoor</i>	Not permitted
	<i>Press</i>	Not permitted
	<i>Radio</i>	Not permitted
	<i>SMS</i>	Not permitted
	<i>TV</i>	Not permitted
	<i>Others</i>	Not permitted
Last updated	19 November 2004	

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":

<< [Please click here to go back](#)

Legislation Article

Information supplied by



If you wish to email this article to a colleague please type in their email address at the bottom of the page and click on "Send Article"

Subject	Financial products and services
Country	Netherlands
Contact	Reclame Code Commissie Postbus 12352, 1100 AJ Amsterdam, tel: 020-6960019 www.reclamecode.nl
General legal framework	Loans and investments Advertising for types of savings, loans and/or investments must not contain claims that may mislead the public about the conditions of the loan or the securities offered, the values or the estimated proceeds or the conditions regarding payment of interest and redemption. Real estate Advertising for transactions concerning real estate must not be misleading or constitute gross violation concerning matters such as the ownership or transfer of the ownership of the land and the existing buildings or buildings to be erected thereon and matters related thereto such as materials, facilities, location, (statutory) formalities required, rights, price and financing options. Special care must be exercised in advertising for real estate abroad. (See Dutch Advertising Standards www.reclamecode.nl)
Last updated	19 November 2004

Information supplied by: [Van Till Advocaten](#)
[Jan Fernhout](#)

Disclaimer

The information set out above is only intended to provide a general overview of the subject matter covered. It is not a substitute for legal advice, which should be obtained for each individual situation, from a suitably qualified and experienced local lawyer.

If you wish to email this article to a colleague please type in their email address below and click on "Send Article":

<< [Please click here to go back](#)