

BRAZIL



Valdir Rocha
Manuela Sumares
Veirano & Advogados Associados
rocha@veirano.com.br
manuela.sumares@veirano.com.br
www.veirano.com

1. Self - Regulation	
Rules	
Topic:	TV: New Rules for Alcoholic Beverage Advertisements
When:	September 2003
Where:	Brazil
What happened:	<p>The Brazilian Self- Regulation Advertising Council, has decided to review the ethic rules that regulate advertisement of Alcoholic Beverages.</p> <p>Exhibits A and P of the Brazilian Self-Regulating Code, which deal with publicity of alcoholic beverages have been modified, in order to restrict the use of sexual and teenager appeals in the advertisements.</p> <p>The new wording of Exhibit A determines that these advertisements shall not encourage consumption of alcoholic beverages, but should rather be focused on the trademark diffusion.</p> <p>The new rules are the following:</p> <ul style="list-style-type: none">- Any person who appears in the advertisement shall look and be over 25 years old.- The advertisements shall not have erotic appeals.- The advertisements shall not use graphic and audiovisual resources connected with the children's world, such as animated animals, dolls or animations that may raise the curiosity of the children.- The advertisement shall not contain pictures or sounds that imitate the consumption of the product.- The advertisement shall be broadcasted only in TV programs destined to adults.- The advertisement shall not induce to the consumption of alcoholic beverages, being restricted to the exhibition of the product and the diffusion of the trademark.- The advertisement shall not induce to abusive and irresponsible consumption.- The advertisement shall not make use of Olympic sports clothing for promotion/marketing of its trademarks.- The advertisement shall not associate the image of the products with sexuality.
Comment:	These new rules on advertisement for alcoholic beverages have been very criticized by the public opinion. Beer consumption in Brazil is very

	<p>high, and there are several brands in the market. Consequently, beer publicity is a market that involves millions of dollars, and the advertisements are always very creative. Beer publicity is always intensified in the summer, when the image of beautiful women wearing bathing suits is very common and also the use of computer animated animals, to have a funny connotation.</p> <p>Therefore, these new rules on alcoholic beverages advertisement have restricted the imaginative creation of the advertisement agencies, that will have to adapt this kind of publicity to these new rules.</p>
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2. Self - Regulation	
Case Report:	
Topic:	Beer advertisement
When:	May, 2003
Where:	Brazilian Self-Regulating Advertising Council
What happened:	<p>A famous beer advertisement in a magazine showed the moderation advice, "Avoid Excessive Consumption of Alcohol" , recommending responsible consumption in very small letters, almost not visible to the naked eye.</p> <p>The Council recommended the alteration of the advertisement in order to make this recommendation advice visible in the magazine advertisement.</p>
Comment:	This decision confirms the position mentioned in the first box, that the courts and the Self-Regulating Advertising Council are taking in order to restrict the publicity of alcoholic beverages.

3. Case Report:	Comparative Advertisement
Who:	Procter& Gamble
When:	May 2003
Where:	Brazilian Self-Regulating Council
What happened:	<p>Procter & Gamble, which makes the product "Hipoglos" filed a complaint against Bristol-Myers Squibb, on the grounds that its product has been subject of comparative advertisement to Bristol's product "Dermodex Prevent".</p> <p>Procter & Gamble argued that Bristol-Myers is using the expressions "the mothers are unsatisfied with the leading brand" , and "better results then the main competitor".</p> <p>The flyers where this advertisement appears say that the data is based on research done by specialized agencies. Procter & Gamble counter argued by saying that "Hipoglos" has been in the market for 55 years, and that it is the leading brand in the market, with more than 80% of the market share.</p> <p>The company also argued that the research presented in the</p>

	<p>advertisement does not represent the public opinion and therefore is not valid.</p> <p>The Council understood that, in fact, the information given in the flyer is not conclusive. The research does not make proof that the "mothers are unsatisfied with the leading brand", and that Bristol's product present "better results than the main competitor".</p> <p>The Council decided that Bristol-Myers needed to immediately stop the distribution of the flyers.</p>
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4. Case Report:	Respectfulness
Who:	Flora & Lew
When:	May 2003
Where:	Brazilian Self-Regulating Advertising Council
What happened:	<p>The TV commercial of bathing soaps showed two soaps, one supposed to be male and the other one female, in positions that resembled sexual relationship. A consumer filed a complaint arguing that this advertisement did not respect the public due to its sexual and erotic connotation.</p> <p>The Council decided that this advertisement is not disrespectful, and that it is creative and healthy, and dismissed the complaint.</p>

5. Case Report:	
Who:	Unibanco AIG
When:	March 2003
Where:	Brazilian Self-Regulating Advertising Council
What happened:	<p>A consumer filed a complaint against a TV commercial broadcasted by an insurance company, Unibanco AIG, arguing that it referred to feelings such as fear and panic to sell insurance policies.</p> <p>The consumer believes that this advertisement diffuses the fear of doing simple things, such as going out at night, driving your car, and even eating, by showing scenes in which people get hurt and even die by doing these simple things.</p> <p>The Council reached the decision that this TV advertisement was not disrespectful to consumers and that no one's personal life will be badly influenced by it.</p>