

Proposal for a Regulation on Energy Efficiency Labelling

Press publishers' concerns regarding advertisement restrictions

EMMA, the European Magazine Media Association, and ENPA, the European Newspaper Publishers' Association are greatly concerned about the proposal for a Regulation setting a framework for energy efficiency labelling and repealing Directive 2010/30/EU (COM(2015) 341 final), as well as amendment 60 suggested by the rapporteur MEP Tamburrano in his draft report, which is currently being discussed in ITRE.

Article 3 (3) (a) of the proposal requires sellers and dealers to make reference to the energy efficiency class of the product in any advertisement for a specific model. The requirements of the form of this label shall be further elaborated by means of delegated acts by the Commission, as stated in article 12. The rapporteur even goes beyond the Commissioner proposal and suggests in amendment 60 to either display the full energy label or make reference to the class and to other environmental and performance information indicated on the energy label.

Such mandatory information requirements in media advertising constitutes an unreasonable intervention in the freedom of advertising which is a necessary component of the freedom of the press and has a negative effect on the pluralistic media landscape. Mandatory information requirements simply encourage advertisers not to place advertising in media in cases where products might not have the most energy-efficient output, and to find other ways to market their products. A free and independent press, with editorial content funded largely by advertising revenues, is the best placed medium to inform Europe's citizens about climate change and its relation to the energy output of products.

The free press in Europe heavily depends on advertising: up to 50% of the revenues of the printed press and more than 90% of the revenues of the digital press come from advertising. Any legislation directly or indirectly impacting advertising immediately undermines the sustainability of press titles across Europe.

Advertising is aspirational, it aims to project a positive message, thereby bringing to the mind of a potential buyer the brand or product advertised. It does not and cannot provide all information necessary for the later purchase decision. This decision is based on many other sources, such a manufacturers brochures and websites and retailers showrooms.

Moreover, an informed purchase decision of the consumer, which is the aim of the Energy Efficiency Labelling Regulation, is possible without any collateral damage to the media. The harmonised energy efficiency label and information has already to be displayed in the showroom, in case of distance selling before the conclusion of the contract as well in technical promotional material, prior to the purchase decision.

Because of these obligations the consumer is already provided with accurate, relevant and comparable information on the specific consumption of energy and other essential resources of a certain product and is able to make an informed purchase decision. In addition, large number of consumers search for products from the websites of the manufacturers and/or retailers and find information from there easily. The additional mandatory information requirements in media advertising do not lead to better information of consumers, but endangers the free and independent press in Europe by putting important advertising revenues at risk.

As proven in several studies, advertisements raise consumers' awareness about a product but do not trigger the purchase. When consumers decide to buy a product, they get informed about what is available on the market, compare products, go to online shops or sales room, and only at this stage make their purchase decision. Therefore maintaining detailed information about the energy consumption features of a product in technical promotional material and at the point of sales enables European consumers to make an informed decision and does not endanger media revenues.

A perfect example of a system ensuring an informed purchase decision of the consumer without endangering advertising revenues of the media is the Regulation (EC) No 1222/2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters. This **approach could work as well for energy related products.**

It would allow the press sector to continue its role of informing and educating citizens through its editorial content about e.g. climate change, thus triggering a change of behaviour. We believe that it would be counterproductive to the objective of creating societal awareness about energy consumption to introduce mandatory information in advertising. As explained above, the result would be less financial resources from the press, and this is what enables to pay journalists to investigate and inform citizens about energy issues.

We believe that **several amendments to the draft report¹ would ensure that consumers can make an informed purchase decision about the products they want to purchase without cutting down crucial press revenues.**

Our recommendation

Mandatory information requirements in advertising are not the right way forward in order to maintain a free and independent press in Europe. In this regard, we call on MEPs of the ITRE committee to:

- **support amendments 44, 230, 434, 437, 655, 656, 657**
- **and reject amendments 60, 228, 436, 440, 442 443.**

We thank you very much for your time and consideration.

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¹ Amendments number: **44, 230, 434, 437, 655, 656, 657**