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Amendment 3
Cornelis de Jong
on behalf of the GUE/NGL Group

Report
Robert Rochefort
COM(2013)0139 – 2013/2116(INI)

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution Amendment

28a. Calls on the Commission to address immediately those calls and requests that have been left out of the Commission’s report on the follow-up to the 2010 resolution on the impact of advertising on consumer behaviour, in particular the following paragraphs of the resolution:

- Paragraph 5, in which Parliament recalls that the scope of the Unfair Commercial Practices Directive (UCPD) is limited to business-to-consumer relations while the Misleading and Comparative Advertising Directive deals with business-to-business relations, and underlines that certain entities do not fall within the scope either of the Unfair Commercial Practices Directive or of the Misleading and Comparative Advertising Directive, such as NGOs and interest groups, and in which Parliament therefore calls on the Commission to conduct a separate analysis of the impact of misleading advertising practices targeting those categories apparently not covered by either directive;

- Paragraph 8, in which Parliament asks the Commission to prepare an analysis of the obligations and control functions of the national consumer authorities and to share best practices so as to improve the effectiveness of their work;
- Paragraph 12, in which Parliament calls on the Commission to evaluate the implementation of national codes of conduct relating to the media and new information and communication technologies;

- Paragraph 17 on the problems concerning ‘hidden’ internet advertising not covered by the UCPD, in which Parliament calls on the Commission and the Member States to ensure proper application of the UCPD to messages or comments appearing to emanate from consumers themselves when in reality they are messages of an advertising or commercial nature;

- Paragraph 25, in which Parliament calls on the Commission to explore the various means (whether legislative or not), and to ascertain the technical options at European Union level, with which to effectively implement the following measures: carrying out an in-depth study of new advertising practices involving online communication or portable devices; reporting the results of the study to Parliament; requiring as soon as possible advertisements sent by e-mail to contain an automatic link enabling the recipient to refuse all further advertising; ensuring as soon as possible the application of techniques making it possible to distinguish advertising tracking cookies, for which free and explicit prior consent is required, from other cookies; ensuring that the use of default settings for computer systems sold to the public and for social networking services is systematically established in accordance with the strictest data protection standards (‘privacy by design’); and developing an EU website labelling system, modelled on the European Privacy Seal, certifying a site’s compliance with data protection laws, which Parliament considers should include a thorough impact assessment.
and avoid duplication of existing labelling systems;

- Paragraph 26, in which Parliament calls on the Commission to conduct a detailed analysis of the impact of misleading and aggressive advertising on vulnerable consumers, in particular children and adolescents, by 2012;

- Paragraph 27, in which Parliament calls on the Commission to carry out as a matter of priority an in-depth study on the precise socio-psychological effects of advertising, in view of the refined new techniques being deployed;

- Paragraph 34, in which Parliament calls on the Commission to promote comprehensive research and documentation among the Member States concerning the image of women being projected by advertising and marketing content and to identify good practices for gender-friendly advertising;

- Paragraph 40, in which Parliament calls on the Commission to draft common guidelines for SMEs with regard to their legal obligations in respect of advertising;

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