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ACTS

ACT no. 2004-806 of 9 August 2004 on public health policy (1)

NOR: SANX0300055L

The National Assembly and the Senate have passed the following Act,
and the President of the Republic enacts it, worded as follows:

“Chapter III

”Food, advertising and promotion

”Art. L. 2133-1. – Television or radio adverts for drinks with added sugar, salt or synthetic colorants and foods that are manufactured, released and distributed and received in France, must contain health information. The same obligation to provide information shall apply to measures to promote said drinks and products.

”Advertisers may depart from said obligation provided that they pay a contribution to the French national institute for prevention and education in health matters (*l'Institut National de Prévention et d'Education pour la Santé*). Said contribution is designed to finance nutritional information and education campaigns and promote them, particularly in the appropriate media and through local initiatives.

”The contribution specified in the previous paragraph shall be based on the annual amount allocated to finance the broadcast and disseminate the messages referred to in the first paragraph, excluding any discount, reductions or rebates and value added tax that the advertisers pay to the advertising service providers. The amount of said contribution shall be equal to 1.5 % of said sums.

”The terms and conditions for implementing this article, and, in particular, the terms and conditions for consulting advertisers about the actions of the *Institut National de Prévention et d'Education pour la Santé*, shall be laid down by order of the Conseil d'Etat, drawn up on the basis of the opinion of the French food safety agency (*Agence Française de Sécurité Sanitaire des Aliments*) and the *Institut National de Prévention et d'Education pour la Santé* and after consulting the French advertising standards watchdog (*Bureau de Vérification de la Publicité*).”