

China Responsible Marketing Code

In order to maintain China's advertising industry's economic order, further enhance the industry's self-discipline of responsible marketing; promote truthful, honest, positive and healthy behavior of marketing communications in the whole society, establish the credibility and reputation of responsible marketers, safeguard interests of consumers and develop consumers' trust and confidence in the advertisers and advertising, China Association of National Advertisers, China Advertising Association and China Advertising Association of Commerce initiated and co-drafted the "China Responsible Marketing Code" (Hereinafter referred to as "Code"). The Code has referred to the content of the "Consolidated ICC Code of Advertising and Marketing Communications Practice" as well as relevant documents of other countries where the marketing communications self-regulation systems are more developed, and absorbed the significant contents of both "Advertising Law" of China and other self-regulation related documents. It is developed on the basis of the current situation of both the Chinese society and marketing communication development in China.

The Code was drafted with strong support and guidance of the World Federation of Advertisers and the active participation of a number of world famous brands. Working with CANA, CAA and CAAC, representatives of AB InBev, Unilever, L'Oreal, Nestlé, SABMiller, Diageo, Sinopharm, Mars, PepsiCo, Coca-Cola, Pernod Ricard, etc. and those from Ad agencies and major media participated in several seminars, contributed many valuable comments, and finally reached consensus as follows:

1: Advertising and marketing communications in other forms are important ways for marketers to communicate with consumers and to improve brand awareness. Responsible marketing communication helps to create efficient and active domestic and international markets and is an important manifestation of the development of the advertising industry's credibility and marketers' social responsibility.

2: "Marketing communication" is produced by an enterprise or in the name of an enterprise which aims at promoting products and/or services and includes any existing or future form of communication that could influence consumers' behavior. Therefore, print, TV, radio, audio, video, Internet, outdoor advertising and other forms of communication by marketers, agencies and/or media should follow this Code.

3: The Code is based on the law; however, it goes beyond the law and serves as professional ethical standards and self-regulation rules. It is not only an economic Code but also the requirement and reflection of the **harmonious development of society**. The Code and other laws complement and support each other to promote the healthy development of marketing communication.

4: Marketing communication should be distinguishable as such, legal, honest, truthful and decent. It should comply with good traditions of Chinese society, cultural norms and morality and show respect for different ethnicities, religions, genders, sexual orientation and vulnerable groups. The content of marketing communication should not encourage vulgarity, play on superstition, or promote unlawful or anti-social behavior, and should not be harmful to state and public interests.

5: Descriptions, claims or illustrations relating to verifiable facts in a marketing communication should be capable of substantiation. Marketing communication should not abuse consumers' trust and lack of experience and knowledge, such as by the malicious use of technical information, statistics, and fraudulent use of technical terms to imply a scientific basis for the efficacy of such products where this does not exist.

6: Language in marketing communications should be clear and easy to understand for the average consumer. It should be ensured that important information, such as the characteristics of the product,

price, terms of guarantee, or compliance with applicable national and industrial standards, is true and not misleading. The use of audio or visual treatments likely to mislead consumers is prohibited.

7: Marketing communication should comply with generally accepted business principles of fair competition. It should not take undue advantage of the IPR of other brands, like trademark, copyright and the company's name. Marketing communication should not unfairly attack or discredit competitors, assault and imitate other brands' names, or imitate the marketing communications of other marketers to mislead consumers.

8: Marketers should provide consumers with their valid contact information to ensure that consumers can get in touch with them when necessary. Marketers should clearly inform consumers about the purpose of collecting their personal information; properly protect consumers' privacy and in a timely manner destroy the information after use.

9: Marketing communication activities should adhere to the responsibility of protecting children and young people. They should not exploit their lack of experience or promote products, services and lifestyles that are unsuitable for children and young people in media specialized for them.

10: Marketing communications related to Medicines, health products, food, cosmetics and other issues involving the health and safety of consumers should be responsible to the public. They should not contain unsubstantiated claims or promises, or use the name or image of medical research institutions, professionals, doctors, or patients without their explicit permission.

11: Marketing communications for Alcoholic Beverages should enforce the promotion of "responsible drinking" and should not imply that it is acceptable to be drunk or that consumption of alcohol enhances performance in any manner or form. No alcohol communication should be aimed at or portray minors or pregnant women.

12: Marketing communications should reflect the spirit of "green" marketing, and should not portray or encourage environmental pollution, ecological damage, and global climate deterioration. They should not directly or indirectly undermine efforts to promote energy conservation, emission reduction and innovation.

At a time of economic globalization and scientific and technological revolution, post-manufacturing marketing communication and the creation of recognized brands have achieved the same important status as R&D and IPR creation, and have thus become two high priorities in the current global value chain. Building global brands is the objective of both national and international marketers. Brands are at the heart of a creative, competitive consumer economy. Only by abiding by self-regulation and continuously improving the ethical integrity of the advertising market in China and the rest of the world can world-class brands be established and sustained.

Hoping that the declaration will become the consensus of the 2011 Global Advertisers Week.

Looking forward to using this Code as the basis for formulating uniform rules and sub-branch rules for China's three major advertising's associations, and thereby promoting the ethical integrity of domestic marketing communication, effective brand building and economic development in the future.

April 2011