



**Submission of comments by the Motion Picture Association (MPA) on  
Ofcom's Consultation on Broadcasting Code Review: Commercial References in  
Television Programming  
(17 September 2010)**

The Motion Picture Association (MPA) is a trade association representing six major international producers and distributors of films, home entertainment and television programmes<sup>1</sup>. Our Member Companies distribute their own productions as well as those of independent film-makers. They are also devoting substantial effort and resources to the development of a wide range of entertainment content and services in a variety of formats and on a variety of media. We appreciate the opportunity to share our thoughts on Ofcom's current task of implementing a regulatory regime to oversee product placement on channels regulated by an Ofcom license.

The MPA has welcomed the Government's decision to allow product placement in the genres identified in the AVMS Directive. Product placement will benefit our members, as well as the content sector more generally, allowing new business opportunities and revenue streams to support the sector as a whole.

In implementing this policy decision, however, we urge Ofcom to avoid adding any additional restrictions to those provided for by the Directive, and to mirror the approach taken in most other EU states. Whilst Ofcom may be inclined to have greater restrictions in areas such as thematic placement, sponsorship credits and within genres such as children's programming or news, we feel this undermines the Directive and the intentions of UK policy.

A more restrictive product placement regime in the UK compared to the rest of Europe will translate into a loss of competitive advantage for UK programme producers, and further diminish the UK's status as an international broadcasting centre. Further, if a patchwork of regulation exists across Europe it may increase costs to content creators, thus undermining the intended benefits product placement is expected to deliver.

We hope that you will take into account our views alongside those submitted by our Member Companies individually. Thank you.

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<sup>1</sup> The MOTION PICTURE ASSOCIATION INC. ("MPA"), is a wholly-owned subsidiary of the MPAA, a trade association representing six major international producers and distributors of films, home entertainment and television programmes: Paramount Pictures Corporation, Sony Pictures Entertainment Inc, Twentieth Century Fox Film Corporation, Universal City Studios LLLP, The Walt Disney Studios and Warner Bros. Entertainment Inc.