20 December 2006: Magazine press

Published on December 20, 2006

Conseil de la concurrence accepts Audipresse commitments to change clauses of integration of free magazines into audience survey

>Version française

As part of the litigation procedure opened against AudiPresse (formerly called « Audiences Études sur la Presse Magazine » AEPM), the Conseil accepted the commitments proposed by the company. Their aim is to stop obstacles to the integration of free magazines into its audience survey.

Story of the case

In March 2006, the Conseil was submitted a referral relative to practices implemented by the AEPM (Association conducting surveys on magazine press). In the referral, the Minister of Economy denounced the conditions set by the AEPM in its policies and procedures for the admission of new magazines in its audience survey. This procedure excluded as a rule free magazines.

The magazine Sport was refused access to the registration to the audience survey several times in 2005, on the grounds that its distribution was free.

AudiPresse reviewed the conditions of integration into its audience survey : free magazines can now be integrated and in January 2006 Sport integrated the survey. However, the company Sports Médias & Stratégies, which publishes the magazine Sport put forward the fact that the condition relative to the absence of interruption between two issues, when twice the periodicity of the issue, excluded de facto free magazines, most of which are not published in the Summer period and at the end of the year.

Competition concerns

A preliminary assessment of the file enabled the competition concerns to be updated.

The AudiPresse survey is a reference in the sector. The results are systematically used by media agencies in order to determine media plannings and advertisement campaigns, no other audience rating may be substitutable to this survey. Consequently the media which are excluded from the survey cannot be chosen by media agencies and thus cannot have access to the related advertisement resources, which constitute the sole financing resources for free magazines. Consequently, non objective, non transparent or discriminatory integration conditions would be likely to generate competition problems.

The commitments taken by Audipresse

In the light of the preliminary assessment, Audipresse offered commitments, which were published on the Conseil's Internet website in order to collect the observations of interested third parties.
The Conseil has accepted the commitments, considering that free magazine press would henceforth have access to Audipresse rating survey and thus to the advertisement market in satisfactory competition conditions.
As a result, Audipresse reviewed its policies and procedures, and notably the condition relative to the absence of interruption between two issues. The company also presented a reform project of its structures, integrating a free press representative in its “survey committee” so as to associate more closely free press in the determination and the management of audience ratings.

After making these commitments binding as from the notification of the decision, the Conseil closed the procedure.