INFORMATION CONCERNING THE NEW FSK [German Voluntary Self Regulation of the Movie Industry] LABELS

The new FSK [German Voluntary Self Regulation of the Movie Industry] labels are available with immediate effect and must be used for all new releases of image carriers with motion picture programmes. Master copies are available at the FSK.

The design and position of the labels have been modified.
The new signs have to be fixed on the front of the cover on the bottom left side on an area comprising at least 1200 mm² (3.46 cm x 3.46 cm) as well as on the image carrier on an area comprising at least 250 mm² (1.58 cm x 1.58 cm) (§ 12 para. 2 clause 2 JuSchG [Jugendschutzgesetz, i.e. German law for the protection of children and youth]).

250 mm² labels

1200 mm² labels

Concrete design of the labels

For the sign indicating the labelling that has to be fixed, the following regulation concerning content, size, form, colour and positioning on the image carrier with motion picture programmes has been stipulated:

The sign is a quadrate with an interior circle.
Size and position of the signs are determined in § 12 para. 2 clause 2 JuschG [German law for the protection of children and youth].

The signs indicating the labelling in accordance with § 14 para. 2 JuSchG [i.e. German law for the protection of children and youth] are designed as follows:

-Nr. 1 JuSchG [i.e. German law for the protection of children and youth] is transparent white (opacity: 70 %) with an entirely covering interior circle and reads:

“**FSK approved for age 0 and older”.** The figure “0” has to be represented in a size of 40 points.

-Nr. 2 JuSchG [i.e. German law for the protection of children and youth] is transparent yellow (ref. to HKS 2, opacity: 70 %) with a yellow entirely covering interior circle and reads: “**FSK approved for age 6 and older”.** The figure “6”. has to be represented in a size of 40 points.

-Nr. 3 JuSchG [i.e. German law for the protection of children and youth] is transparent green (ref. to HKS 57, opacity: 70 %) with a green entirely covering interior circle and reads: “**FSK approved for age 12 and older”**.
The figure “12” has to be represented in a size of 40 points.

-Nr. 4 JuSchG [i.e. German law for the protection of children and youth] is transparent blue (ref. to HKS 46, opacity: 70 %) with a blue entirely covering interior circle and reads: “**FSK approved for age 16 and older”**.
The figure “16” has to be represented in a size of 40 points.

-Nr. 5 JuSchG [i.e. German law for the protection of children and youth] is transparent red (ref. to HKS 13, opacity: 70 %) with a red entirely covering interior circle and reads **“FSK for age 18 and older”**. The figure “18” has to be represented in a size of 40 points.

The label has to be integrated in the master copy. Labelling of new releases with the help of manually fixed stickers is not permissible.

The label on the data carrier has to be integrated into the printed area.

Exceptions

For image carriers with a size of less than 2000 mm² the labels can be reduced to a size of approximately 144 mm². In case the provider proves that this labelling is not feasible because of technical reasons an exception hereof can be approved. For image carriers with a size of less than1500 mm² as well as for the colour design the responsible Superior Agency for Juvenile Affairs [Oberste Landesjugendbehörde] may allow further exceptions.

Transition term

Concerning the subject of transition terms please refer to our information published under:
http://www.spio.de/index.asp?SeitID=408 dated July 11, 2008.

Under:
http://bvv-medien.de/index.php?content_id=43
the Bundesverband Audiovisuelle Medien (BVV, Federal Association Audiovisual Media) provides the following complementary information:

Stockware has to be supplied to the trade as of April 1, 2010 with the new, labels integrated into the cover.
As of April 1, 2010, remaining stocks can be equipped with manually fixed labels.
CAUTION: Since we have agreed a successive transition of the labels with the countries, the stockware may of course be supplied with the new labels already prior to March 31, 2010.

Labels “FSK for age 18 and older“, “Not approved for adolescents” and “JK” SPIO Juristenkommission, i.e. legal committee of the SPIO [Head Organisation of the Movie Industry]

Motion pictures which so far had been classified by the FSK with the label “not approved for adolescents”, will from now on be labeled uniformly with the label “FSK for age 18 and older”.
These motion pictures cannot be put on the index (§ 18 para. 8 JuSchG [i.e. German law for the protection of children and youth]).

Motion pictures which had been assessed by the FSK until year 2003 bearing the label “not approved for adolescents aged 18 years or younger" are not eligible for labelling with the new labels. These motion pictures continue to be put on the index or be submitted to the FSK for their reassessment.

Motion pictures which had been assessed by the legal committee [Juristenkommission] of the SPIO [Head Organisation of the Movie Industry) with respect to their penal harmlessness or their severe liability to have an undesirable influence on the moral development of young people may also in the future be equipped with the labels corresponding to the expert opinion.

Labelling for motion pictures, movie and game programmes for information, instruction and teaching/training purposes

The above explanations are applicable accordingly for the labelling of motion pictures, movie and game programmes for information, instruction and teaching purposes, that are eligible to be labelled by the provider if they obviously do not impair the development of children and adolescents (§ 14 para. 7 JuSchG [i.e. German law for the protection of children and youth]).
This implies that size and positioning of the sticker have to be modified accordingly also in those cases.

Advice prior to the feature film

For the new design of the FSK labels the circles involved have agreed a reduced text version. In return it was agreed that in all new releases of image carriers with motion picture programmes, the legal bases and the significance of the labels will be represented in a non-skippable insert prior to the feature film and will be concluded with a link to the FSK-website.

The translation of the german text reads as follows, it has to be presented in german

"The FSK-labelling is effected on the basis of §§ 12, 14 Jugendschutzgesetz. They are legally binding labels, which are effected by the FSK on behalf of the Superior Agencies for Juvenile Affairs [Obersten Landesjugendbehörden]. The FSK labels are no pedagogic recommendations, but instead they intend to guarantee that the physical, mental or psychological well-being of children and adolescents of a determined age group will not be affected. For further information please refer to www.fsk.de."

For further details please refer to our information with respect to the First Law for the Amendment of the Jugendschutzgesetz (JuSchG [Jugendschutzgesetz, i.e. German law for the protection of children and youth]) published under http://www.spio.de/index.asp?SeitID=408.
FSK, Wiesbaden, 11-28-2008