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資訊型節目商業置入性行銷 型態、認定與規範原則

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摘要

自 1990 年代以後,置入性行銷成爲廣告界中最常用,也是最有效的廣告策略(Galician, 2004)。「置入性行銷」強調利用故事性演繹手法,讓產品、品牌、商標等產品相關訊息融入於戲劇或電影情節中,企圖使閱聽人在觀賞電影或電視節目時,不知不覺地接觸產品訊息,藉以提高閱聽人對產品的認知,甚或進一步認同產品及產生購買意願,以達廠商行銷的目的。

目前,置入性行銷常見之規範議題大致可概括爲四類:一是「政策置入新聞」,二是「政策置入節目」,三是「商品置入新聞」,四是「商品置入節目」(陳炳宏,2007)。然而,在臺灣,置入性行銷還有另一種形式,即是「廣告節目化」,「資訊型節目」便是「廣告節目化」最常見之情形,其意指於節目中偷渡產品置入或廣告,甚至是將廣告包裝爲節目。

正因爲資訊型節目經常涉及廣告訊息之播送,名爲節目而實爲「廣告」,有混淆閱聽大眾之嫌疑。有鑑於此,本研究特別針對目前資訊型節目運用置入性行銷的常見形態與呈現手法進行歸納,並檢視資訊型節目涉及廣告化的程度,再依據研究結果提出評估報告與後續建議,除可當做國家通訊傳播委員會及媒體參考外,亦做爲日後相關政策制定之依據。

爲達成上述研究目的,本研究利用質化內容分析法與焦點團體座談法來收集相關資料。首先,本研究以九十八年六月份及七月份之節目表清單做爲分析對象,先依平日與周末的節目差異性進行樣本日期的選取,再依據所挑選出的日期,列出無線電視及衛星電視台在上午九點至十二點,及下午十四點至十七點播出的節目,並挑選出播出內容以介紹特定商品資訊爲主的節目,剔除重複播出或內容相同的節目,最後再依循資訊型節目常見的商品類別,挑選本研究深入分析之樣本節目,共計四十六個樣本節目。

四十六個樣本數中,在播出頻道方面,由有線頻道播出者占三十八個,由無線頻道播出者占四個,其他則占四個;而在播出商品方面,「美容化妝類」爲五

個,「健康養生類」爲十五個,「美體隆胸類」爲兩個,「壯陽回春類」爲一個,「成 長補給類」爲兩個,「美體瘦身類」爲六個,「心靈宗教類」爲五個,「學習開發 類」爲八個,「其他類」則爲兩個。

除透過案例分析外,為深入瞭解置入性行銷在資訊型節目所呈現的方式及操作型態,本研究第二部分依資訊型節目組織架構的不同,各舉辦一場電視台業務部主管與產官學的對談,共計兩場焦點團體座談,座談內容主要針對質化內容研究所分析的節目影片與歸納之呈現手法進行討論,並於會後將焦點團體訪談的紀錄及錄音的檔案,轉錄成逐字稿,將逐字稿內容輸入電腦建檔,進行質化研究的分析與整理,做為國家通訊傳播委員會規劃與評價模式之依據。

透過上述研究途徑,本研究發現如下,首先,就「資訊型節目」的認定而言,多數的與談人仍傾向於依「資訊型節目」的商業本質,將其認定回歸到「廣告」,以廣告規範做爲「資訊型節目」的規範準則,唯若循「廣告規範」,則「資訊型節目」長時間播出的型態將受限於廣告規範中對時間的限制,因此,其建議宜針對現行法令進行修改,然而,在修法的過渡時期,爲保障消費者的權益,仍宜暫將「資訊型節目」以「節目」認定,惟須對其廣告化的現象進行規範。

其次,就「資訊型節目」的呈現手法而言,在產品資訊的露出方面,產品的介紹主要由專家透過字卡或圖卡的形式來說明產品成分與相關的認證,再經由來 賓或個案的見證來呈現產品的具體成效;而在產品促銷的模式方面,則以贈品或 試用的方式讓觀眾有機會進行產品的體驗,並於節目播出近尾聲之際,透過諮詢 電話的呈現,讓觀眾有詢問產品的窗口,換言之,這正是廠商接近消費者與潛在 消費者的最佳管道之一。

在節目資訊的揭露方面,根據與談人的意見,於修法將廣告與節目分離前, 此特殊型態的節目皆需達到基本的「資訊揭露」原則,以告知消費者所收看的節 目爲「資訊型節目」,並於資訊型節目的前、中、後段皆宜打上「消費特輯」的 字樣,以明確告知消費者目前所接收的訊息類型,亦將贊助商之字卡提示性的打 上,讓消費者能自行判斷其正確性。 再者,就「資訊型節目」的產品訊息呈現而言,應以產業介紹爲主,使用產業新知的角度,避免對單一特定品牌過度強調,必須考慮到多元的觀點,在節目中不可僅呈現廠商的觀點,也需加入不同角度的觀點,像是消費者的觀點。在報導中,可對產業中各種品牌加以介紹,並非只呈現單一個品牌。除此之外,還要注意平衡的原則,不要太著重於強調特定品牌的產品優點,多做一些比較平衡的論述,並且,對於促銷的訊息也要盡量避免。

最後,就「資訊型節目」的整體規範而言,透過自律的方式先進行事前的節目規範,此爲可行之方式,但是,在此前提之下,審查制度及節目內容之標準仍需盡速擬定,審查制度應達到自律與法律之間的共通性,而在節目內容上,應可適時的放寬其規範,讓兩者之間可以達到平衡。若法律能輔助自律單位進行審查,在其執行面上應能達到最高功效。

基於上述研究發現,資訊型節目乃是一種特殊的節目型態,雖以節目爲名, 但是多數內容卻隱含銷售訊息之實,易造成消費者的混淆與誤導。因此本研究建 議最後仍應以廣告認定。

然而,若以「廣告」來認定「資訊型節目」,則其產品的相關檢驗程序與認證須回歸各主管機關,以相關法令進行規範,讓消費者透過產品的合格標章來辨識產品的合法性,保障其權益。除此之外,因有線廣播電視法與衛星廣播電視法皆對於節目廣告時間有所限制,其不得超過每一節目播送總時間六分之一,「資訊型節目」若認定爲「廣告」,則必將受到限制,有廣告超時的違法疑慮。

因此,須針對「資訊型節目」此特殊的節目型態另擬廣告專章來進行規範,並放寬現行法令中對廣告時間的限制,透過「總量管制」的概念,免其對「資訊型節目」形成製播難題。換言之,主管機關宜盡速修正廣電三法中的相關法規,並額外增設「資訊型廣告專章規範」,使「資訊型廣告」能以廣告本質認定,且亦能保留其以長時間進行廣告播出的特殊型態。

但因修正現行法規須經過複雜的處理程序,因此,在修法前的過渡時期,爲 避免主管機關、電視台與業者無法可循,仍宜暫將「資訊型節目」認定爲「節目」,

以節目原則進行規範,以保障閱聽眾收視與消費的權益。而在節目的認定之下,應符合「資訊揭露原則」,因此,應於節目中註明其爲廣告類型的資訊,利用「消費特輯」的概念來告知閱聽眾,另外,亦宜於節目的前、中、後明示該節目由特定廠商贊助,並以畫面適時地揭露廠商名單,避免誤導消費者。

在播出頻道與時段,以及訊息內容都應進行合理的規範,產品類型不宜涉及性方面之效能,節目內容也不宜涉及療效及過度片面化,在專家認定上應較謹慎,以防有欺騙消費大眾之虞,在產品本身方面,需具備相關合格認證,始能出現於節目中,而促銷訊息也應遵循當前法規的規範,以保障消費者的權益。

除此之外,爲避免「資訊型節目」在呈現上過於廣告化,可鼓勵業者或電視台經由自律的方式,來對「資訊型節目」的內容進行把關與過濾。建議電視台成立商品檢驗部門,對合作廠商所提供之推銷商品進行初步檢查,確認產品的合法性,始於節目中進行播映。亦可透過相關組織(如:衛星廣播電視同業公會、國家通訊傳播委員會)的合作來進行實踐。

而自律組織方面,除聽取主管機關與學者的意見外,亦可考量閱聽眾或公民團體的看法,藉由自律組織在主管機關的輔導下進行實踐,以行政指導代替實際罰則。自律組織與主管機關間,更需經由定期的溝通來交流彼此的意見,溝通的形式可輔以實際案例進行說明,增加溝通的明確性,減少誤解的狀況產生。在未來,主管機關亦可鼓勵研究單位多從事相關性的研究,以利日後相關規範的擬訂與修正,增加規範之完整性。

關鍵詞:資訊型節目、廣告、置入性行銷、產品置入、節目廣告化

Abstract

Product placement has been widely utilized in advertising practice since 1990. While utilizing product placement, product or brand messages were embedded in the contents of media such as TV programs or movies. The purpose of utilizing product placement is to unconsciously enhance audiences' cognition or attitude toward the product or brand embedded in media content while the audience is consuming media contents. Furthermore, the audience might have desires to purchase the embedded products because they have positive attitude toward the actors in media contents.

The television infomercial is one type of television programs that its primary purpose is to promote one specific product by embedding product messages in the program content. However, there are very few researches focusing on the related issues of TV infomercials. Therefore, the purpose of this study is to explore the related issues of how to define TV infomercials, the classification of different types of TV infomercial contents, and the regulation of TV infomercials by conducting the qualitative content analysis and focus group interviewing.

The total number of studied sample TV infomercials in this study is 46 programs including the infomercials released in cable TV and wireless TV. Analyzing the types of products placed in the 46 infomercials, it is found that five of them are beauty-related, fifteen of them are health-related, two of them are breast augmentation -related, one of them is sexual function, two of them are related to child's growth, six of them are body shaping-related, five of the them are religion-related, eight of them learning-related, and the two of them are the else. Therefore, the health-related products are the most frequently one placed in the TV infomercials.

In addition to the qualitative content analysis, this study conducted two sessions of focus group interviewing to collect research data. The participants of one focus group interviewing included the chief managers of TV channels and infomercial advertisers. The participants of another focus group interviewing consisted of the chief managers of advertisers, representatives of TV infomercials industry, government officer in charge of mass media regulation, and communication scholars.

The results of this study indicated that the identification of infomercials is currently an issue in debate. Based on its commercial purpose and program contents, TV infomercials should be regarded as one type of television commercial films with long length of broadcasting time. Therefore, TV infomercials should be regulated as

same as other TV commercial films. According to current regulation of television advertising, the advertising time in every TV program shall not be longer than one sixth of its broadcasting time. It means that the advertising time of one hour TV program is less than 10minutes. That's why the broadcasting time of TV commercial films is usually within one minute. However, differing from other TV commercial films, the TV infomercials usually broadcasted from 30 minutes to one hour. Therefore, because of the constraints of advertising time, the current regulation of TV commercial films shall be modified before being applied into regulating the TV infomercials. This study thus suggests that the current regulations of television advertising shall add one chapter in order to regulate TV infomercials.

Because the amendment of regulations takes a long time, this study also suggested that the officers of National Communication Committee shall come out a standardized rule of regulating TV infomercials in order to protect the consumer rights before the advertising regulations are amended.

Based on the research results, this study also recommends some suggestions about the regulation of TV infomercials. First, the basic principle of "information disclosure" shall be applied into the TV infomercials. This principle requires that every TV infomercial program shall clearly put a specific name such as "sponsored consumption program" on the TV screen. Besides, the TV infomercials have to announce their sponsors by showing the sponsors' names on the screen before, between, and after the broadcasting time. The reason of applying this "information disclosure" principle is to protect the audience from being cheated by the concealed sponsorship of the TV infomercials. Therefore, the audience can understand that they are watching a TV program which contains commercial essence to promote specific product.

Second, In addition to the "information disclosure" principle, this study also suggests that the National Communication Committee shall put some restricts on the broadcasting time period, channels and products of TV infomercials. The products broadcasted in the TV infomercials should not to have anything related to sex. The broadcasted product should not be addressed that it can cure specific disease or it can be served as a kind of medicine. Moreover, the TV infomercials should not be broadcasted in news channels, children channels, and public service channels. The TV infomercials should not be broadcasted in primary time that are from 11:00am to 14pm and from 18:00pm to 24:00pm.

Third, this study also recommends that the National Communication Committee shall put some restricts on the contents of TV infomercials. The content of TV infomercial shall not emphasis on the products rather than the information that the audience might be interested. The promotion messages should not be addressed in the content of TV infomercials, neither.

The TV infomercials often utilize celebrities or experts to endorse the products introduced in the programs. However, the TV infomercials seldom inform the audience why the celebrities or experts are well qualified to endorse the products. This study thus suggests that the TV infomercials shall introduce the background information of the celebrities or experts in the programs in order to justify their expertise to endorse the broadcasted products. Moreover, this study recommends that all products introduced in the TV infomercials shall have valid licenses to be promoted to the public. These licenses might be certified by other governmental bureaus such as the Department of Health.

Finally, this study recommends that the National Communication Committee (NCC) can help the TV infomercial practitioners to establish self-discipline procedure. The TV stations might enforce self-discipline to check the program contents before they are broadcasted. In addition to the TV stations, it is more important for NCC to encourage the Satellite Television Broadcasting Association (STBA) to promote its self-discipline rules into the practice of TV infomercials. If the TV stations would like to send TV infomercial contents to be pre-viewed by STBA before being broadcasted, NCC might utilize administrant guidance to substitute for practical punishment if the contents of TV infomercial pre-viewed by STBA might be possible to violate some regulations unintentionally.

Keywords: TV infomercials, Advertising, Product Placement, Program Advertisement, Advertising Regulation

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