

USK.online Leitfaden / Guidelines

USK-labels on Data Carriers and their Packaging Forms, Online and in Ad- vertising

1. FOREWORD.....	3
2. GENERAL INFORMATION.....	4
3. LABELING OF PHYSICAL PRODUCTS	5
3.1. Labeling of Data Carriers: Packaging Front.....	5
3.1.1. Design and Technical Specifications	5
3.2. Labeling of Data Carriers: Packaging Back.....	6
3.2.1. Design and Technical Specifications	7
3.2.2. Exception: USK 0.....	8
3.3. Provider Identification as Information or Educational Program	8
3.4. Re-labeling	8
3.4.1. Used Goods	8
3.4.2. Imported Games.....	9
3.4.3. „Retro“-Games (Before 1994/Before USK)	9
3.5. Exceptions for USK Labeling	10
3.6. Example Graphic	11

3.6.1. Packeging.....	11
4. ONLINE-AREA LABELING.....	12
4.1. Game Platforms & Storefronts	12
4.2. Mail-order Retail.....	13
4.3. IARC-Storefronts	14
5. LABELING IN ADVERTISING.....	15
5.1. Print- and Online Advertising	15
5.2. Trailer	15
5.3. Special Case: Rating Pending	16
6. SPECIAL CASES	17
6.1. Gift Cards	17
6.2. Hardware and Game or several Games (Bundle-Box).....	17
6.3. Film and Game in one box	18
7. HELP.....	19

1. Foreword

This guide aims to provide comprehensive information on the legally compliant labeling of data carriers containing game programs and their packaging, following the guidelines of the Youth Protection Act (JuSchG). It also addresses the proper use of labels online. Additionally, the guide incorporates recommendations from the Entertainment Software Self-Regulation Body (USK) concerning labeling issues, including advertising, pending ratings and gift cards.

We trust that this guide will prove to be a valuable resource and appreciate your dedication to youth protection.

Please be aware that this guide does not pertain to age labels for online games and apps using the IARC procedure. Further information on this matter can be found [here](#).

Berlin, April 2024

Lorenzo von Petersdorff
Deputy Managing Director & Legal Counsel

2. General Information

The age ratings issued by the Entertainment Software Self-Regulation Body (USK) in collaboration with the highest state authorities are not only legal requirements but also protected by copyright and trademark laws. Legal action against misuse is expressly reserved.

In accordance with § 14 (2) of the Youth Protection Act (JuSchG), the following labels exist:

- Approved without age restriction
- Approved for ages 6 and up
- Approved for ages 12 and up
- Approved for ages 16 and up
- Not suitable for minors

In addition to the legally required age rating labels (§ 12 JuSchG), digital games may include additional information (hereinafter referred to as "descriptors"), as defined in § 14 (2a) JuSchG, which provide the essential reasons for the age rating and provide information on potential risks to personal integrity through usage functionalities.

3. Labeling of Physical Products

3.1. Labeling of Data Carriers: Packaging Front

The regulations for the size and positioning of labels on data carriers and their covers are governed by the first amendment to the Youth Protection Act (JuSchG), in effect since July 1, 2008, in § 12 (2) JuSchG:

„Reference to the labels according to paragraph 1 must be made on the image carrier and the cover with a clearly visible symbol. The symbol must be affixed on the front side of the cover, bottom left, on an area of at least 1,200 square millimeters, and on the image carrier on an area of at least 250 square millimeters.

The highest state authority can:

- 1. Prescribe details about the content, size, shape, color, and placement of the symbols, and*
- 2. Approve exceptions for the placement on the image carrier or the cover.“*

3.1.1. Design and Technical Specifications

The utilization of USK labels must adhere to legal requirements for all releases of data carriers containing digital games intended for children and adolescents in public. Consider the following points when depicting labels on packaging and data carriers in accordance with § 12 (2) sentence 2 JuSchG:

Data Carrier:

- Size of the label: minimum 250 mm² (1.58 cm x 1.58 cm)

- Position: Integration into the printed area

Packaging Front:

- Size of the label: minimum 1,200 mm² (3.46 cm x 3.46 cm)
- Position: Front side, bottom left

The label can be integrated into the print template (no need for incorporation into the artwork) or alternatively (for any packaging form) applied to the cover or case at the appropriate position with a permanent sticker, ensuring visibility from the outside. If the square is no longer recognizable due to the coloration of the background, it should be visually separated from the background, for example, by a border.

For data carriers below a size of 2,000 mm², the label can be reduced to approximately 144 mm², provided that the provider demonstrates that another labeling is not possible for technical reasons and applies for an exemption from the leading state youth authority. For data carriers below 1,500 mm² and for color design, the leading state youth authority may allow further exceptions (see Section 3.5 Exceptions for USK Labeling). The corresponding label graphics will be provided to the applicant after the completion of the review process.

The corresponding label graphics will be provided to the applicant after the completion of the review process.

3.2. Labeling of Data Carriers: Packaging Back

In addition to the front labeling, the graphic generated by the USK with the age rating and associated descriptors must be integrated on the back of the packaging.

No descriptors are required in the following cases:

- Age rating "USK ab 0 Jahren" (USK from 0 years) without usage functionalities,
- Exhibition demos,
- Prototypes,
- Cover discs,
- Trailers.

The corresponding label graphics will be provided to the applicant after the completion of the review process.

3.2.1. Design and Technical Specifications

The label for the back should be depicted on the back of the packaging, preferably in the lower two-thirds. Depending on the number of additional information (descriptors), the sizes can vary. In any case, the following range of variations should be considered:

- Smallest variant: 39.96 mm (width) x 8.83 mm (height)
- Largest variant: 42.25 mm (width) x 15.61 mm (height)

The individual dimensions for printing the graphic will be communicated to the applicant after the completion of the review process during the generation of the graphic.

The graphic can be integrated into the print template (no need for incorporation into the artwork) or alternatively (for any packaging form) applied to the cover or case at the appropriate position with a permanent sticker, ensuring visibility from the outside. If the rectangle is no longer recognizable due to the coloration of the background, it should be visually separated from the background, for example, by a border.

3.2.2. Exception: USK 0

If a title receives the age rating "USK ab 0 Jahren" and does not include usage functionalities, the labeling on the back of the packaging can be omitted.

3.3. Provider Identification as Information or Educational Program

Games or game programs intended for informational, instructional, and educational purposes may be labeled by the provider as "Info Program" or "Educational Program" if they evidently do not adversely affect the development or education of children and adolescents (§ 14 (7) JuSchG). The same specifications regarding size and positioning as for USK labels apply to labels assigned by the provider. Labeling on the back of the packaging is not required in this case.

Further information are available [here](#).

3.4. Re-labeling

3.4.1. Used Goods

In general, used goods displaying the old USK labels (before 2008) do not need to be restickered with the larger labels valid since 2008. If no USK label is integrated, a USK label must not be applied on your own authority.

However, used goods must still be age-appropriate, based on the USK label on the packaging or the data carries. Unlabeled used goods can only be provided to adults, regardless of the type of game.

3.4.2. Imported Games

According to § 12 Youth Protection Act, computer and digital games on data carriers can only be made accessible to children and adolescents if they have a USK age rating. If these conditions are not met, the game can generally only be sold or made accessible to adults. A special shipment with age verification is required for the shipping of such games.

It constitutes an offense under § 28 (1) JuSchG if business operators intentionally or negligently provide minors in Germany with unlabeled or incorrectly labeled data carriers. The responsibility for this lies with the retailer.

If a USK label is present on the data carrier itself but not on the packaging, the outer packaging (not the wrapping) can only be restickered with a permanent sticker if it is ensured that this version of the game has been exactly reviewed by the USK in this form (including outer packaging, language version, manual, cover). If it is not ensured that the game has been reviewed by the USK in this form, the USK label must not be restickered on the packaging.

3.4.3. „Retro“-Games (Before 1994/Before USK)

According to § 12 Youth Protection Act, computer and video games on data carriers can only be made accessible to children and adolescents if they have a USK age rating. This rating must be permanently integrated on both the data carrier and the packaging, even for so-called retro games. If these conditions are not met, the game can generally only be sold or made accessible to adults. A special shipment with age verification is necessary for the shipping of such games.

It constitutes an offense under § 28 (1) JuSchG if business operators intentionally or negligently provide minors in Germany with unlabeled or incorrectly labeled image carriers. The responsibility for this lies with the retailer.

If a USK label is present on the data carrier itself but not on the packaging, the outer packaging (not the wrapping) can only be restickered with a permanent sticker if it is ensured that this version of the game has been exactly reviewed by the USK in this form (including outer

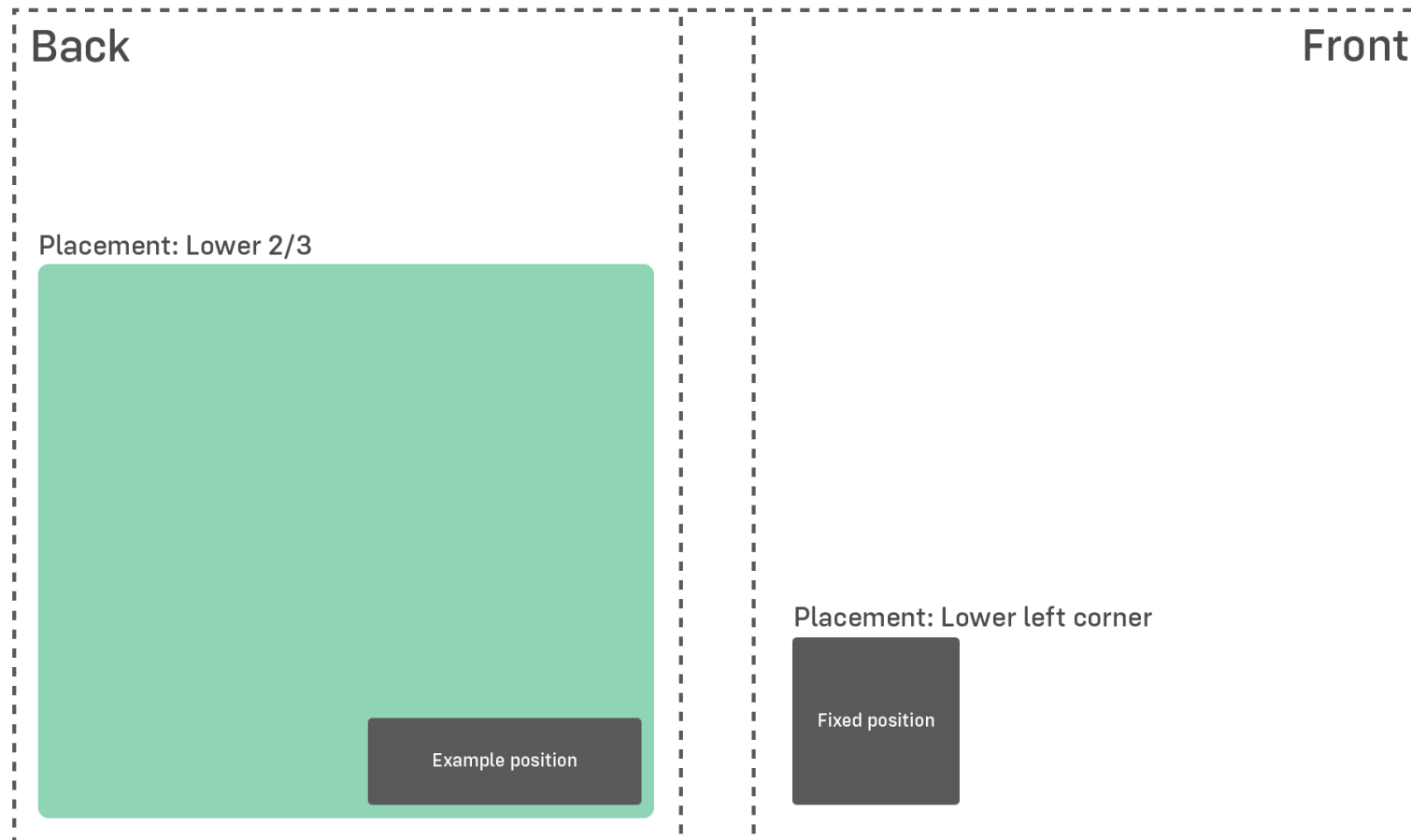
packaging, language version, manual, cover, codes). If it is not ensured that the game has been reviewed by the USK in this form, the USK label must not be restickered on the packaging.

3.5. Exceptions for USK Labeling

In general, obtaining an exception permit is necessary for alternative labeling, as per § 12 (2) No. 2 JuSchG. The application process allows for informality and should include a sample of the proposed labeling. Alternatively, digital submissions are accepted if the end product is clearly visible. For the submission of exception applications, please contact the [responsible supreme state authority at the NRW Department for Youth](#).

3.6.Example Graphic

3.6.1. Packaging



4. Online-Area Labeling

If games are distributed through websites, it is essential to clearly indicate the existing USK age rating in the offer (cf. § 12 (2) S. 4 JuSchG and § 12 JMStV). The descriptors by the USK should also be displayed.

While it is recommended to use the graphic file in the form provided, it is not mandatory. Alternatively, the descriptors can be prominently displayed in perceptible spatial proximity to the age rating at the "Point of Sale" (e.g., product page) in connection with the specific content. The essential reasons for the age should be listed first, followed by the usage information. A visual and/or textual separation between the essential reasons for the age rating and usage information is recommended, such as through a paragraph or a horizontal line. Alternatively, a textual distinction is recommended, such as using a heading like "Contains:" or "Usage Information".

It is also recommended to link to the specially designated webpage for explaining the USK labels (<https://usk.de/die-usk-al-terskennzeichen/>). Alternatively, a general link to the USK website (<https://usk.de/>) is possible. Please refrain from linking to other subpages of the USK, as the availability of other pages cannot be guaranteed.

4.1. Game Platforms & Storefronts

Storefronts that qualify as gaming platforms according to § 14a (1) S. 2 JuSchG are obligated, in accordance with § 14a (1) S. 2 and 3 JuSchG, to ensure that age ratings as well as associated descriptors are clearly and prominently displayed. The USK age ratings, descriptors assigned by the USK in this context are considered legally compliant age labels within the meaning of § 14a (1) S. 2 Nr. 1 JuSchG.

While it is recommended to use the graphic file in the form provided, it is not mandatory. Alternatively, the descriptors can be prominently displayed in perceptible spatial proximity to the age rating in connection with the specific content at the "Point of Sale" (e.g.,

product page). The essential reasons for the age should be listed first, followed by the usage information. A visual and/or textual separation between the essential reasons for the age rating and usage information is recommended, such as through a paragraph or a horizontal line. Alternatively, a textual distinction is recommended, such as using a heading like "Contains:" or "Usage Information".

It is also recommended to link to the specially designated webpage for explaining the USK labels (<https://usk.de/die-usk-al-terskennzeichen/>). Alternatively, a general link to the USK website (<https://usk.de/>) is possible. Please refrain from linking to other subpages of the USK, as the availability of other pages cannot be guaranteed.

4.2. Mail-order Retail

If games are offered and distributed in physical form on the internet as image carriers, the shop is not subject to labeling requirements under § 14a JuSchG. However, it is obligated to comply with § 12 (2) S. 1 JuSchG. The descriptors assigned by the USK should also be displayed.

While it is recommended to use the graphic file in the form provided, it is not mandatory. Alternatively, the descriptors can be prominently displayed in perceptible spatial proximity to the age rating in connection with the specific content at the "Point of Sale" (e.g., product page). The essential reasons for the age should be listed first, followed by the usage information. A visual and/or textual separation between the essential reasons for the age rating and usage information is recommended, such as through a paragraph or a horizontal line. Alternatively, a textual distinction is recommended, such as using a heading like "Contains:" or "Usage Information".

It is also recommended to link to the specially designated webpage for explaining the USK labels (<https://usk.de/die-usk-al-terskennzeichen/>). Alternatively, a general link to the USK website (<https://usk.de/>) is possible. Please refrain from linking to other subpages of the USK, as the availability of other pages cannot be guaranteed.

4.3.IARC-Storefronts

Within storefronts that are part of the IARC system, the labels and descriptors are delivered automatically through the IARC system.

5. Labeling in Advertising

In general, there is no legal obligation to display USK labels or descriptors within advertising materials. However, the USK recommends prominently featuring the USK label and its associated information in print, online, and other advertising materials.

5.1. Print- and Online Advertising

The USK recommends prominently featuring the USK label and its associated information in print and online advertising materials.

While it is recommended to use the graphic file provided by the USK, it is not mandatory. Alternatively, the descriptors can be prominently displayed in connection with the advertised content. The essential reasons for the age should be listed first, followed by the usage information. A visual and/or textual separation between the essential reasons for the age rating and usage information is recommended, such as through a paragraph or a horizontal line. Alternatively, a textual distinction is recommended, such as using a heading like "Contains:" or "Usage Information".

Both the USK label and the additional information must be well-readable and clearly perceptible.

In principle, the graphic file provided by the USK must not be altered or manipulated. Exceptions may be possible in individual cases after prior consultation and approval by the USK (e.g., reducing the width of the graphic).

5.2. Trailer

There are no legal requirements for the inclusion of the USK rating in trailer material, neither in image nor in sound.

For trailers in cinema, television, or online advertising, it is recommended to prominently display the USK label and its descriptors. We recommend, for example, that the packaging with the corresponding label is displayed at the end of the trailer.

5.3. Special Case: Rating Pending

If you are promoting content that has not yet been rated by the USK because the review process is ongoing or pending - e.g. as part of pre-orders with a packshot - we offer a standardized graphical notification. The notification "USK Einstufung ausstehend" (USK rating pending) can be downloaded and used for free. Once a USK rating has been assigned to a content, the corresponding USK label must be used in accordance with legal regulations (see § 12 JuSchG).

Please note that the "USK Einstufung ausstehend" (USK rating pending) notification is not a legal label and must not be used on image carriers and their physical packaging!¹

¹ The graphic template for „USK Einstufung ausstehend“ (USK Rating Pending) can be found here: <https://usk.de/en/home/age-classification-for-games-and-apps/graphic-templates/>

6. Special Cases

6.1. Gift Cards

Gift cards offered for purchase to obtain games through an online service should display the corresponding USK label and associated descriptors only if the use of the gift card allows for the acquisition of one or more games for which the depicted age rating was assigned by the USK. If games with different or no labels are available for the gift card, no USK label should be depicted on the gift card.

Please note that the label on a gift card serves as a mere indication and does not restrict the sale to children and adolescents according to the Youth Protection Act when sold in retail. The provider of the game remains obligated to ensure, in accordance with the provisions of the Youth Media Protection State Treaty (JMStV), that the content is distributed online in compliance with the law (e.g., through technical means) so that children or adolescents of the affected age groups do not usually perceive corresponding content.

6.2. Hardware and Game or several Games (Bundle-Box)

The USK label and the associated descriptors are printed together with the cover artwork on the bundle box (hardware and game in the same packaging) and are visible from the outside. The descriptors must be printed on the back, just like on game packaging.

Alternatively, the USK label and the descriptors are each affixed to the bundle box as a permanent sticker.

Special rules apply if several games are included in a bundle box. Even if all the games included already bear their own USK labels, the entire bundle must still be resubmitted to the USK to be reviewed as a new product. New age labels and, if applicable, descriptors are issued for the new test object. These must then be attached to the bundle box, the packaging and the data carriers in accordance with

the aforementioned labeling forms. Each data carrier must be labeled with the respective USK label and the bundle box itself must be labeled with the highest USK label of all data carriers.

6.3. Film and Game in one box

The labels assigned by the self-regulation bodies (USK or FSK) must be affixed to the data carriers themselves in the size prescribed by § 12 Abs. 2 JuSchG.

On the common cover, if there are different age ratings, the higher assigned label must be affixed according to § 12 Abs. 2 JuSchG.

If the labels from both USK and FSK apply to the same age group, the label that takes precedence for the manufacturing company in marketing the overall product should be affixed.

7. Help

If you encounter issues with the graphics or have any other questions, please contact us at kontakt@usk.de.