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INTRODUCTION

Fox Broadcasting Company (FBC) sells commercial announcement time for the advertising of goods and services and for institutional advertising.

Advertising is an important element of the information presented to broadcast audiences. FBC recognizes that advertising must be truthful, appropriate and meet all Federal Communications Commission (FCC), Federal Trade Commission (FTC) and legal requirements. Further, advertisers warrant that all commercials submitted to FBC for review and approval are in adherence with any and all applicable regulatory requirements. To that end, these guidelines relating to the acceptability of advertising on FBC have been compiled.

It should be emphasized that the guidelines which follow are intended to provide guidance. They are neither all-inclusive nor exhaustive, and in some instances may be more restrictive than the federal guidelines. Moreover, it is recognized that these guidelines will change over time as the broadcast media, and the society which they serve, continue to evolve. Given that these guidelines are general in nature and may change without notice, they are not intended as a substitute for continuing dialogue with FBC Broadcast Standards personnel. Accordingly, FBC cannot be responsible for production decisions made or other actions taken in reliance solely on the content of particular guidelines herein. As in the past, the acceptability of a commercial announcement depends on an individual examination of the particular commercial. The rights and obligations of FBC and the advertiser are reflected in their agreement governing the purchase of time for the broadcast of commercial announcements.
COMMERCIAL CLEARANCE SUBMISSION POLICY

Fox Broadcasting Company (FBC) policy mandates that every commercial airing on FBC must be evaluated and approved in advance by the FBC Broadcast Standards Department.

All advertisers and/or their agencies are required to submit commercials to the FBC Broadcast Standards Department for evaluation and approval in accordance with the following:

(a) All commercials must be submitted for review. Submissions may be forwarded via DVD, MediaVu, as electronic files, or through links. Although broadcast approval is contingent upon review of a final slated version of the commercial, FBC Broadcast Standards strongly recommends the advance submission of all relevant materials including scripts, storyboards and rough cuts. Solely when requested, all material claims must be substantiated with supporting documentation and forwarded to FBC Broadcast Standards for review.

(b) Submission of final versions must be received by FBC Broadcast Standards for review no later than three (3) business days prior to the scheduled broadcast of the commercial. FBC cannot guarantee the approval of any spot submitted less than 24 hours prior to the scheduled air date.

(c) All submissions must be accompanied by a cover letter containing all pertinent information about the spots (i.e. AD-ID codes, titles, and lengths of all spots) as well as contact information for the agency or client (i.e. contact name, fax number, etc.).

Approval for broadcast will not be given until the final slated version of each commercial has been submitted for review in accordance with this provision and approved in writing by FBC Broadcast Standards.

INFOMERCIALS must be submitted to the FBC Broadcast Standards Department for evaluation and approval in accordance with the following:

(a) All INFOMERCIALS must be submitted for review. Submissions may be forwarded via DVD. FINAL SUBMISSIONS MUST BE SLATED WITH AN AD-ID CODE WHICH EXACTLY CORRESPONDS WITH THE ON-AIR MASTER.

(b) Submission of final versions must be received by FBC Broadcast Standards for review no later than ten (10) business days prior to the scheduled broadcast of the Infomercial.

(c) Solely when requested, all material claims must be substantiated with supporting documentation and forwarded to FBC Broadcast Standards for review.

FBC Broadcast Standards reserves the right, at any time, to withdraw approval of a commercial spot.
CONTACT INFORMATION

Any questions or comments regarding the content of this manual may be addressed to the Vice President of Broadcast Standards. Questions regarding the clearance status of commercials, script and/or storyboards should be addressed to the Assistant in the New York office:

Fox Broadcasting Company
Commercial Clearance
1211 Avenue of the Americas, 16th Floor
New York, NY 10036
Fax: 212-556-2574

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Please refer to www.fox.com/FBCAdvertiserGuidelines for a list of category assignments and complete list of contacts.

Please direct all electronic submissions (scripts, storyboards, rough cut, and final commercials) to BSPCommercialClearanceNY@fox.com.
ADVOCACY ADVERTISING

As a general rule and subject to the exceptions stated below, time will not be sold on FBC network facilities for viewpoint or advocacy of controversial issues. Advertisers may not use their commercial time for addressing viewpoints or issues.

This policy does not apply during campaign periods to announcements on behalf of candidates for public office, and to issues to be voted on by the electorate, provided however that the candidate and/or issue is already on the ballot in a particular state(s) and sponsorship is clearly identified at both the beginning and end of the spot as per FCC Rules. These ads will also be subject to all federal and regulatory requirements regarding equal time.

In non-campaign periods, FBC will, on a case by case basis, consider requests for time on behalf of significant political parties or their spokespersons. NOTE: FBC Owned and Operated stations may accept advocacy advertising subject to the discretion and approval of the individual station’s General Manager.

ALCOHOLIC BEVERAGES

Beer, wine, and malt beverage advertising is acceptable; however, in no case will such advertising be placed in programs designated as “Family Programs.” Advertising may also be subject to additional scheduling restrictions at the discretion of Broadcast Standards.

Advertising for mixer products is acceptable provided there are no direct or indirect references to hard liquor or distilled spirits.

Advertising for beer, wine, and malt beverages, while generally acceptable, may not encourage excessive consumption nor the use of the products by young people (i.e., all actors must appear to be over the age of 21).

Advertising for malt beverages must contain all of the following:

- a verbal and visual Legal Disclaimer that the product is a “malt beverage,”
- on a case-by-case basis, a visual Legal Disclaimer that indicates the specific alcohol by volume.

In no case is it acceptable to depict the actual consumption of alcoholic beverages within the advertisement itself.

The advertising for hard liquor or distilled spirits will be considered on a case-by-case basis for appropriate programming.
ANIMALS

The use of animals in commercials shall be in conformity with accepted standards of humane treatment. A recognized humane organization should be present during the production of the advertisement and a letter from that organization may be required to verify appropriate animal treatment.

BARS AND TONES

Bars and tones may not be utilized in any portion of an advertisement that will be visible/audible to the audience.

The use or simulation of distress signals or Emergency Alert System (EAS) tones is not acceptable.

BILLBOARDS

A billboard is an identification of sponsorship, not an advertisement. As such, a billboard may only identify the sponsoring advertiser. A line of factual information regarding the product, organization or service, web address (video only), or a simple slogan or catchphrase, may be approved on a case by case basis. FBC does not accept billboards which include “sell” copy, imperatives, or any other advertising device soliciting the viewer. FBC will accept a visual or verbal mention of a web address if the advertiser’s primary business is a website.

CAST AND TALENT COMMERCIALS

Traditional “cast” commercials within FBC programs featuring the show’s talent in character and/or costume, and/or on the set, are not permitted in the first or last commercial position of the pod. There must be a clear delineation between the commercial and programming.

CHALLENGES

FBC does not entertain competitor challenges. Advertisers should seek resolution from an acceptable third party such as a relevant court, the Federal Trade Commission (FTC) or the National Advertising Division (NAD). Accordingly, FBC will abide by decisions rendered by such third parties.
CHARITABLE APPEALS

FBC will consider commercial spots for charitable organizations on a case-by-case basis. The solicitation of funds, whether direct or indirect, will also be considered on a case-by-case basis. Clear sponsorship identification is required. FBC will not accept charitable appeals from any group promoting any political, religious, or other social advocacy positions. (See ADVOCACY ADVERTISING)

COMPARATIVE ADVERTISING

Comparative advertising must be in accordance with FTC guidelines and may not distort or exaggerate differences between competitive products or services or otherwise create a false, deceptive or misleading impression. False or misleading disparagement of competitive products or services is not acceptable. Solely when requested, all material claims must be substantiated with supporting documentation and forwarded to FBC Broadcast Standards for review.

CONDOMS

Condom advertising will be considered on a case-by-case basis.

CONTENT EDITING TECHNIQUES

Generally, content editing techniques such as “bleeps”, soundtrack drop-outs, blurring, digitizing, black bars and the like are not acceptable.

CONTESTS

All advertiser-supported contests furnished to FBC for proposed broadcast must meet all applicable FCC and FTC requirements, as well as federal, state, and local laws.

Complete details and continuity must be submitted to FBC Broadcast Standards and FBC Legal for review at least ten business days prior to the first public announcement of the contest.

All broadcast copy regarding contests must contain clear and complete information regarding:

- Complete contest rules, or when and how they may be obtained by the public (i.e. a web address with copy: “For complete contest rules visit www.____.com”)
- The availability of entry forms and how to enter, including alternate means of entry where appropriate.
- The termination date of the contest (and start date, if not already commenced.)
• Any eligibility requirements or restrictions
• The prize suppliers, when applicable
• For chance contests, the required language:
  No Purchase Necessary (Additional language may be required depending on the contest)
  Void Where Prohibited
  Odds of winning (if varied or unusual)
• For skill contests, judging criteria must be stated
• Please refer to the VISUAL SUPERS/HORIZONTAL CRAWLS section of this document for information regarding size and duration of all required on-screen copy. Please note that all supers must be readable as judged by Broadcast Standards even if they are within the technical requirements outlined in this document.

A complete copy of the rules, the entry blank, promotional material and/or any published information, e.g. newspaper advertisements, about the contest should be included with the broadcast copy submitted to the Department.

All contest rules must be complete and contain:
• Eligibility requirements
• Odds of winning (for chance contests)
• Restrictions as to the number of entries made by an individual
• The nature, extent and value of the prizes
• Where, when and how entries are submitted
• The basis on which prizes will be awarded
• The termination date of the contest
• When and how winners will be selected, including tie-breaking procedures when necessary, and procedures to be followed in the event a winner is ineligible or disqualified
• How winners will be notified
• Time limits to claim or use prizes, if any
• Restrictions as to the number of times an individual can win
• Reference to “participating dealers” if not all outlets are involved
• Corporate name and physical address of contest sponsor
• Other information as deemed necessary by FBC Broadcast Standards and/or FBC Legal

**CONTRACEPTIVES**

FBC will consider advertisements for contraceptive methods and devices on a case-by-case basis. In all approved cases, specific scheduling of these spots must also be approved by FBC Broadcast Standards. Scheduling is contingent upon the content of the commercial, as well as the specific program or program episode in which the advertisement is to be scheduled.
CROSS REFERENCE AND PROMOTION OF OTHER MEDIA/TALENT

Generally, FBC does not accept advertising which mentions or promotes competitive networks or programming.

FBC will accept talent from a competitive program/network to appear in a commercial on a case-by-case basis provided he/she appears as him/herself solely as a spokesperson for a product or service. They cannot, in any way, be associated or identified with the program/network in which they appear.

DATING SERVICES

Dating services will be considered on a case-by-case basis.

DEMOnSTRATIONS

Commercials which include demonstrations, tests, surveys, experiments or other technical, mechanical, electronic or chemical exhibitions, must be performed with samples of the product available to consumers or prototypes that perform no differently than the actual product. In appropriate circumstances, alterations or modifications of products or demonstrations may be utilized provided that such alteration or modification is disclosed to the viewer and that viewers are not in any manner misled with respect to the performance of a material product feature or characteristic.

DIRECT RESPONSE/INFOMERCIALS

Direct Response
All commercials must conform to applicable FTC Guidelines (16 C.F.R. 435).

Direct Response Commercials must also comply with the following:

- Each commercial should include the name, street address, city, state and zip code of the sponsor, and/or the order address. In the event an advertiser uses a web address, an alternate mailing address or toll free number should also be provided.
- Any charges beyond the advertised purchase price (e.g., postage, handling, etc.) must also be disclosed.
- If time for delivery will exceed 30 days, commercials must indicate the actual anticipated time for such delivery.
- The sponsor must provide customers with a cash refund for returned items.
Infomercials
Infomercials must conform to all applicable laws and regulations as well as the FBC Advertiser Guidelines.

Infomercials must also comply with the following;

- Every Infomercial must be preceded by and concluded with clear and prominent audio and video disclosures that indicate the program is a paid advertisement for the product or service being presented. Similar visual disclosures should be made adjacent to each point-of-purchase/ordering opportunity. In addition, sponsorship identification of the Infomercial is required.
- All pricing and other cost related statements must be accurately reflected and disclosed at each point-of-purchase opportunity. All costs related to an offer, including pricing, postage and handling, taxes, etc. must also be disclosed. If quoted price involves enrollment in a continuity program, the enrollment requirement must be disclosed in the Infomercial.
- Merchandise should be available for shipping within a reasonable amount of time, generally within 30 days after receipt of the order. If there is an expectation it will take longer than 30 days to ship the item(s), a visual disclosure should be included in the Infomercial indicating such. Any terms and conditions to an offer, i.e., “money back guarantee” is actually “less shipping and handling” must be disclosed.
- A complete street address/website and telephone number for the marketer should be provided at each point-of-sale opportunity.
- FOR DELIVERY REQUIREMENTS: Please see Page 2 as pertains to INFOMERCIALS.

Dramatizations and Reenactments
Dramatizations or reenactments of actual events must be clearly disclosed as such. Fictional dramatizations that are readily apparent to the viewer (“slice of life”) may not necessitate such disclosures.

Endorsements and Testimonials
All endorsements and testimonials must comply with the Federal Trade Commission final “Guides Concerning Endorsements and Testimonials in Advertising” (revised December 1, 2009) which are enumerated at 16 C.F.R. 255. The following is a brief summary of FTC policy relating to endorsements and testimonials included in advertising of products, services or organizations:

- Endorsements and testimonials used, in whole or in part, must honestly reflect in spirit and content the sentiments of the individuals represented.
- All claims and statements in endorsements and testimonials, including subjective evaluations of testifiers, must be supportable by facts and free of misleading implication. They shall contain no statement that cannot be supported if presented in the advertiser’s own words.
• Advertisers are required to disclose any connection between the advertiser and the endorser(s) that might materially affect the weight or credibility of the endorsement.

• In the event a consumer endorsement does not fairly reflect what a substantial proportion of other consumers are likely to experience, the advertising must clearly disclose the results a consumer can reasonably expect. A disclaimer such as “Results May Vary” will be insufficient.

• Expert endorsements are permitted only as long as the endorser continues to hold those views.

FINANCIAL ADVERTISING

Advertising for banks, funds, stocks, bonds, commodities, insurance, real estate, and other investments which conform to applicable law is acceptable provided that all relevant material restrictions, risk factors and qualifications are disclosed, and on-screen instructions on how to obtain further information are provided. “Tips” on specific stocks, bonds, commodities and other ventures are not acceptable. Other mentions of specific securities will be considered on a case by case basis.

FOOD, NUTRITIONAL AND DIETARY SUPPLEMENTS

Food Nutrient Content and Health Claims

• All nutrient content and health claims, whether express or implied, must be substantiated. Appropriate documentation must be submitted with all advertisements containing such claims. The advertisement must put the product and all its claims in the context of the total diet.

• Standardized food labeling regulations as established by the FDA and USDA must be observed when applicable, particularly when making absolute nutrient content claims (e.g. “low”, “high”, “lean”) and comparative nutrient content claims (e.g. “less”, “reduced”, “more”). Substantiation for monadic and/or comparative claims may be required.

• Claims relating a product or ingredient within a product, to a disease or health condition must comply with FDA regulations. Only those categories for which there is significant scientific agreement that the relevant diet-disease relationship is supported by scientific evidence will be acceptable (e.g. sodium and high blood pressure, fiber and cancer, fat and heart disease, etc.).
Vitamins/Nutritional Supplements

- Advertisements for vitamins and nutritional supplements must comply with FDA (and any other applicable) regulations and guidelines and should only promote the products as dietary supplements to prevent nutritional deficiencies and not as a replacement for food or a proper diet.

- Health claims, whether express or implied, must be substantiated by competent and reliable scientific evidence. Substantiation and/or product sample and labeling must be presented to Broadcast Standards for all claims.

- An advertisement must bear the DSHEA (Dietary Supplements Health and Educations Act) disclaimer “This statement has not been evaluated by the FDA. This product is not intended to diagnose, treat, cure or prevent any disease” if a structure/function claim is made within the commercial. Structure/function claims describe a role of a product or ingredient within the product intended to affect the function or structure of the body. While the manufacturer is responsible for ensuring the accuracy and truthfulness of the claims prior to advertising, the disclaimer is intended to alert consumers that the FDA has not evaluated the claims.

- Nutritional supplement advertising must be directed only to adults. Children may not be used as spokespersons and may not be depicted dispensing nutritional substances to themselves or other children. Children should be shown to be under adult supervision.

Energy Drinks, Boosters or Enhancers

- Advertising for energy drinks, boosters or enhancers is carefully scrutinized for health and safety considerations. Product labeling and/or a list of ingredients should be submitted for all products purported to be energy boosters or enhancers.

- Representations that a product will provide energy or vigor should state that the energy is derived from calories and should specify the source of those calories (e.g. carbohydrates).

- Claims that a product will enhance mental acuity or alertness are closely scrutinized and must be accompanied by a disclosure of ingredients and adequate substantiation supporting the assertion that the product will produce the promised effect.
FOREIGN LANGUAGE

FBC will consider advertisements containing foreign language dialogue on a case-by-case basis. Commercials that are solely in a foreign language must be subtitled in English. Advertisements that are in English but contain some foreign language dialogue may require subtitles. All English translations must be verified by an external, third-party source and the translation and verification must be provided in writing to Broadcast Standards prior to broadcast.

GAMBLING

FBC does not accept advertising that directly or indirectly promotes gambling or gambling devices, including but not limited to casino gambling web sites and home games which simulate or teach gambling. The word “casino” and the depiction of gaming devices are specifically unacceptable in connection with advertisements for hotels, resorts, or local area promotions. Advertising for casino resorts should only emphasize the resort and leisure aspects of the property. The use of “casino” will only be permitted if such is contained in the legal name of the institution.

GUARANTEE AND WARRANTY OFFERS

Whenever the terms “guarantee”, “warranty”, or similar words that constitute a promise or representation in the nature of a guarantee or warranty appear in a television advertisement, FBC may require certain additional information concerning the material terms and conditions of such guarantee or warranty offer to be disclosed to the viewer pursuant to 16 C.F.R. 239. Advertisers should generally disclose whether an advertised warranty is “full” or “limited”, its duration, and any major limitations of the warranty, such as parts excluded or costs or responsibilities the customer must undertake. Disclosure should also be made that the rest of the warranty can be seen at the store, or “See dealer for details”, or the like.

“Satisfaction or your money back”, “30 day free trial”, or similar representations will be construed as a guarantee that the full purchase price will be refunded at the option of the purchaser. Any material conditions, such as return of the product within a specific period after the purchase date, must be disclosed.
HEALTH RELATED PRODUCT ADVERTISING
All advertisements for health related products shall comply with the following guidelines:

Prescription Drug Advertising
- Prescription drug advertising should adequately reflect FDA guidelines for prescription drug commercials;
- Must be accurate and not misleading;
- Must not omit material facts;
- Must communicate clearly to the viewer (visually, audibly, or both) that the product is available by prescription only;
- Must communicate clearly to the viewer (visually, audibly, or both) that one should consult their physician regarding the product;
- Must not show the product being consumed on camera.

Product Claim Advertising for Prescription Drugs:
- Must present a “fair balance” between benefit and risk information;
- Must disclose the most significant risks that appear in the labeling;
- Must contain a brief summary of all necessary information related to side effects and contraindications;
- Must include adequate provision requirements as mandated by FDA regulations for the dissemination of the product’s FDA-approved labeling (and the risk information it contains);
- A copy of the DDMAC (Division of Drug Marketing, Advertising, and Communications) letter submitted to the advertiser may be required. In the absence of such letter, a document from the advertiser’s counsel attesting that the advertisement in question is in compliance with FDA (and any other applicable regulatory) requirements and guidelines may be accepted in its place at the discretion of Broadcast Standards.

Corporate Image and/or “Reminder” ads will be reviewed on a case-by-case basis.

Non-Prescription/Over-the-Counter Drug Advertising
The advertising of non-prescription medications presents important considerations to the health of consumers. The following principles govern the acceptability of such advertising on FBC;

- The advertisement must comply with all governmental (and any other applicable) laws, rules and regulations. Assurance of such compliance may be required;
- Relevant data, including adequate substantiation regarding product efficacy, safety and any particular claims asserted must be submitted to Broadcast Standards for evaluation;
- No claims may be made, whether explicitly or implicitly, that the product is a panacea or alone will effect a cure;
• Words such as “safe”, “without risk”, “harmless”, or terms of similar meaning may not be used without adequate qualification and support;

• Advertising appeals may not be directed to children;

• Over-the-counter products may not be ingested on-camera;

• The phrase “Use only as directed” must appear visually within the commercial.

**Statements from the Medical Profession**

Physicians, dentists or nurses, or actors representing them, may not be employed directly or by implication in any commercial for products involving health considerations. Advertisements of an institutional nature which are not intended to sell specific products or services to the consumer, public service announcements by non-profit organizations, as well as presentations for professional services, will be reviewed on a case-by-case basis by Broadcast Standards.

**HOME VIDEO (see Motion Picture Advertising/Home Video)**

**MOTION PICTURE/HOME VIDEO ADVERTISING**

All advertising for theatrical films must include an MPAA rating both in audio and video. FBC may accept advertising for films pending a rating on a case by case basis provided that the advertisement discloses such in audio, video, or both, “This film is not yet rated.”

While the content of the film advertisement and its accurate reflection of the underlying film are the primary Broadcast Standards concerns, the department also considers the substance of the advertised feature.

Scheduling of advertising for films will be determined on the basis of a variety of factors including audience composition and program compatibility.

• Advertising for films that have been rated “R” by the MPAA generally may not run in programs in which 35% or more of the audience is anticipated to be under the age of 17.

• Advertising for films containing more intense depictions of violence, horror, sexual dialogue/situations, etc. may warrant scheduling restrictions (i.e., Post-9:00pm, Late Night only, etc.).

• Films that have not yet been rated will be scheduled as “R” rated films.

• “X” rated and similar “adult” fare are unacceptable.
• Programs classified as “Family Programming” retain their restrictions, even when airing in out-of-pattern time slots.

All proposed commercials for films carrying the MPAA “NC-17” rating (“No Children Under 17 Admitted”) will be reviewed on a case by case basis. Consideration will be given to both the content of the commercial and the content of the underlying theatrical film. If judged acceptable for a network television audience, such commercials must contain an audio disclosure that the film is “Rated NC-17, No Children Under 17 Admitted”, and an appropriate MPAA video disclosure.

“NEW” USED IN ADVERTISING

Advertisers may only use the term “new” for a period of six months from the time a product has achieved national distribution. Terms such as “introducing” and “now” and the like are generally limited to no more than one year from when substantial distribution is achieved in the relevant market.

NEWS AND NEWSROOM SIMULATIONS

Commercial announcements which simulate news reports or news broadcasts through the use of newsroom or newsgathering techniques, or through the use of any person purporting to be a news announcer or news reporter, or through the use of lead-in material which may mislead the audience to assume that it is about to hear a news report or is hearing a news report are unacceptable. Unacceptable techniques include “We interrupt this program/commercial to bring you...”, “bulletin”, “flash”, “This just in...”, newsroom settings, lower third horizontal crawls, and teletype sound effects.

PERSONAL PRODUCTS

Advertisements for personal products are reviewed on a case-by-case basis and may be subject to scheduling restrictions by FBC Broadcast Standards. “Personal products” include, but are not limited to, feminine hygiene products, home HIV tests, incontinence products, home pregnancy tests, etc.
PLACEMENT AND SCHEDULING

FBC reserves the right to determine the scheduling and placement of commercials within commercial breaks during and adjacent to programs carried over its facilities.

POLITICAL CANDIDATES, APPEARANCES IN ADVERTISING

The appearance of a political candidate in a commercial that triggers the equal time rule is prohibited. Any such commercial will be barred from broadcast until such time as the candidate is no longer vying for political office.

PREMIUMS AND OFFERS

Solely when requested, full details and continuity including “build-up” copy must be submitted to FBC Broadcast Standards for review.

The termination date of any offer should be announced as far in advance as possible. Such announcement will include the statement that responses postmarked not later than midnight of the business day following the withdrawal of the offer shall be honored.

All audience responses to premiums, offers or contests made by advertisers must be sent to a stated Post Office Box or to an outside address arranged for by the advertiser.

As to the premium merchandise offered:

- The advertiser must warrant that the premium or offer will not be harmful to persons or property
- Descriptions or visual representations of premiums or offers may not enlarge their value or otherwise be misleading
- The advertiser must provide FBC with written assurance that it will honor any request for return of money based on dissatisfaction with premiums or offers, and that a sufficient supply of the premium or offer is readily available so as to avoid audience ill will caused by delivery delay or impossibility of delivery

The premium or offer may not appeal to superstition on the basis of “luck-bearing”, “psychic” powers, etc.

Mail order offers should indicate any additional postage/handling charges, as well as expected delivery time.
PUBLIC SERVICE ANNOUNCEMENTS (PSAs)

FBC Broadcast Standards reviews Public Service Announcements (PSAs) for appropriateness and legal requirements, and applies scheduling restrictions when necessary. PSAs that are approved by Broadcast Standards must also be submitted to On Air Planning to ensure that they meet the network’s PSA requirements.

For information pertaining to approval and scheduling of PSA’s please contact:

Louise Carter
Vice President, On Air Planning
(310) 369-1329
Louise.Carter@fox.com

RELIGIOUS TIME

FBC does not sell time to religious organizations for the purpose of advancing particular beliefs or practices of a religious sect. On a case by case basis, FBC will consider selling time to religious organizations for other purposes – but at no time may such spots present religious doctrine, utilize religious music, sell religious publications, or solicit funds. Advertising is considered “religious” in nature if the spot advances particular beliefs or practices of a religious sect and is sponsored by that sect, even if no mention is made of religion.

SAFETY

It is the advertiser’s responsibility to assure compliance with normal safety precautions such as the use of seatbelts in vehicles, depicting those participating in sporting or leisure activities (i.e. bike riding) wearing full and appropriate safety gear, and adult supervision of children who are in proximity to potentially hazardous products or who are engaging in potentially dangerous activities. In no case will FBC accept advertising which directly or indirectly condones or glamorizes unsafe or antisocial behavior, or which minimizes or ignores the consequences of any unsafe or antisocial behavior being portrayed. Feats of skill or athletic prowess may be allowed if the depiction meets safety guidelines and if the action is reasonably related to the product or service being promoted. Audio or visual disclaimers or warnings may be required.
SECONDARY PRODUCT EXPOSURES AND MENTIONS

The incidental exposure of products other than the one being advertised may necessitate scheduling restrictions. The advertiser may need to provide a back-up commercial in the event the secondary product conflicts with another advertiser’s products or exclusivities (e.g. pod exclusivities, program sponsorships).

SOLICITATION OF FUNDS

As a general matter, FBC does not sell time for the solicitation of funds.

SPONSOR IDENTIFICATION

Identification of sponsorship shall be made in all commercials in accordance with the requirements of the Communications Act and the rules and policies of the Federal Communications Commission. The sponsorship identification must be presented in a way that sponsorship is apparent to the viewer.

STEREOTYPING/COMMUNITY SENSIBILITIES

Special sensitivity is necessary in presenting commercial material relating to sex, sexual orientation, age, race, color, creed, religion, or national or ethnic derivation to avoid contributing to damaging or demeaning stereotypes. Similarly, special precautions must be taken to avoid demeaning or ridiculing members of the audience who suffer from physical or mental afflictions or deformities.

SUBSTANTIATION

All material claims, express or implied, including references to the results of research and surveys or tests, must adhere to FTC guidelines and regulations. An advertiser must have a “reasonable basis” for claims and present objective evidence as support. Claims must be presented in a truthful manner and not be confusing, deceptive or misleading. Solely when requested, substantiation materials must be submitted to FBC Broadcast Standards for review. Updated and/or additional support may be required when there are changes/revisions to the advertisement or at the discretion of FBC Broadcast Standards.
UNACCEPTABLE COMMERCIAL APPROACHES, PRESENTATIONS AND TECHNIQUES

- Claims or representations, direct or implied, which are false or have the tendency to deceive, mislead or misrepresent;

- Unqualified references to the safety of a product, if package, label or insert contains a caution, or the normal use of the product presents a possible hazard;

- “Bait and Switch” tactics which feature goods or services not intended for sale but designed to lure the public into purchasing higher priced substitutes;

- The use of “subliminal perception” or other techniques attempting to convey information to viewers by transmitting messages below the threshold of normal awareness;

- Unacceptable products or services promoted through advertising devoted to an acceptable product;

- The use or simulation of distress signals or Emergency Alert System (EAS) tones;

- Disrespectful use of the flag, national emblems, anthems or monuments;

- Direct or implied use of the office of the President of the United States or any governmental body without official approval;

- Scare approaches and presentations with the capacity to induce fear;

- Unsupported or exaggerated promises of employment or earnings;

- Presentations for professional services which do not comply with applicable law or ethical codes.

UNACCEPTABLE COMMERCIAL CLASSIFICATIONS

- Electronic cigarettes, cigarettes, chewing tobacco, snuff tobacco, cigars, and all other tobacco or tobacco-related products.

- Firearms, fireworks, ammunition, and other weapons.

- Presentations promoting a belief in the efficacy of fortune telling, astrology, phrenology, palm reading, numerology, mind reading, character reading, or other occult pursuits.

- “Adult” or Sex magazines, books, websites, software, devices, toys, male enhancement products, etc.
• “X” rated movies.

• Anti-law enforcement devices.

• Products, services or publications relating to illegal drugs or other controlled substances.

• Massage parlors.

• Matrimonial or escort services

• Gambling and gambling devices, including but not limited to casino gambling and home games which simulate gambling. The word “casino” and the depiction of gaming devices are specifically unacceptable in connection with advertisements for hotels, resorts, or local area promotions.

VIDEO GAMES

Approval is primarily dependent upon content of spots, but the overall theme/objective of the game may also be taken into consideration. Since content dictates the various restrictions, these games are judged on a case by case basis. Additional stipulations are as follows:

• All video game commercials must contain the ESRB game rating in audio and video.

• Games with a “T,” “E10+” or “E” rating are generally acceptable for all Primetime programming provided that individual spot content is appropriate. Games or spots which contain excessive violence, unacceptable language, or suggestive content may be restricted from “Family” or other programming, as determined by FBC Broadcast Standards.

• Games with an “M” rating or higher (if approved) are restricted from G-rated and other programming on a case-by-case basis as well as programs with an under-17 composition of 35% or more of the total audience. Games which contain excessive violence or suggestive content could possibly be restricted to “Late Night Programming” only.

• Advertisers are strongly encouraged to submit game footage prior to completion of the final cut.

• Notwithstanding the above, FBC reserves the right to reject advertising for any video game based on thematic content.
VIOLENCE/ANTI-SOCIAL BEHAVIOR

The depiction or glamorization of violence or other anti-social behavior, including but not limited to any criminal activity, obscene behavior, cruelty to animals, abuse, etc. is generally not acceptable in commercials. Exceptions in the area of violence are made on a case-by-case basis in certain categories such as motion picture and video game advertising.

VISUAL SUPERS/HORIZONTAL CRAWLS

When superimposed copy is essential to qualify advertising claims, it must be presented so it can be read easily against a plain, contrasting background and must be located within the safe title area of the television screen. Please note that all supers must be readable as judged by Broadcast Standards even if they fall within the technical requirements outlined in this document.

For purposes of reference an ideal display of copy would have letter high of 4.5% of the vertical dimensions of the scanned area (approximately 22 video scan lines for Standard Definition and 32 video scan lines for High Definition). The first line of copy would be viewed for a minimum of 3 seconds, with each subsequent line at 1 additional second. Supers not meeting this reference standard will be reviewed on a case by case basis.

WEBSITES

The inclusion of a website address in an advertisement is permissible provided that the content of the website itself is appropriate.
WEIGHT LOSS/CONTROL PRODUCTS

Claims for weight loss products or programs must be substantiated and all advertising is subject to the following:

- Weight loss products or programs must be advertised in the context of an overall healthy program that includes an exercise regimen, a reduction in caloric intake and proper nutrition.

- Advertising should not overemphasize one factor alone in the achievement of weight loss. Advertisements for exercise-based programs must also reference the need for caloric reduction to achieve results.

- Express or implied overstatements of a product or program’s results (i.e. rates of weight loss) will not be permitted. A rate of weight loss of 1 – 2 pounds per week for women and 2 – 3 pounds per week for men will be permitted on a case-by-case basis; however, any representation of weight loss should be accompanied by the disclaimer “Results not typical” and/or “Results will vary” disclaimers.

- Claims regarding the time required to lose weight and claims concerning weight loss maintenance, will be permitted on a case-by-case basis. All claims must be fully substantiated and disclosed. Certain claims may also necessitate disclosures that loss and maintenance varies from individual to individual.

- Advertising may not claim that any resulting weight loss is permanent or that weight loss will be quick or easy.

- Advertising directed to obese individuals will be permitted on a case-by-case basis and will be closely scrutinized. If permitted, the advertisement must include a disclaimer advising “Consult your physician if you need to lose 30 pounds or more.”

- Endorsements and testimonials must comply with guidelines presented in Endorsements & Testimonials, and “Before and after” representations will be reviewed on a case-by-case basis.

- Meal replacement products or programs must meet nutritional requirements consistent with USDA recommendations. Supporting documentation may be required when applicable, depending upon content and/or claims.