

**CABLETELEVISION ADVERTISING BUREAU**  
**VOLUNTARY GUIDELINES**  
**FOR**  
**COMMERCIAL STANDARDS AND PRACTICES**

## OVERVIEW

The Advertising Standards and guidelines outlined in this document are suggested for voluntary implementation by all networks in dealing with commercial announcements submitted by their advertisers.

While it is up to each network to establish whatever policies and standards it deems appropriate, it is the intention of the Cabletelevision Advertising Bureau to assist all networks by creating a framework of high standards and a means for challenging those advertising claims that may be questioned.

## GENERAL ADVERTISING GUIDELINES

It is recommended that the product and service guidelines published herein be used for the purpose of assisting advertisers and their agencies in the development and production of advertising in the most favorable light while avoiding techniques, presentations, approaches, and claims that are likely to mislead or offend viewers or competing advertisers.

While it is our intention to apply the guidelines fairly and consistently, none are immutable and reasonable variances will be considered where appropriate.

## BASIC CLEARANCE PROCEDURE

The ultimate responsibility for advertising rests with the advertiser supplying the creative message. For each commercial, advertising agencies are asked to submit a finished version for screening and clearance two weeks prior to the first air date.

# NETWORK CABLE TELEVISION

## ADVERTISING STANDARDS, PROCEDURES, POLICIES AND GUIDELINES

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## **ADVERTISING STANDARDS, PROCEDURES AND POLICIES**

The following alphabetically listed policies and guidelines are neither all-inclusive nor exhaustive and are subject to modification. It is understood that in addition to the policies and procedures outlined within this document, all commercials and their content are subject to and consistent with all applicable federal and state laws.

### **ALCOHOL PRODUCTS**

See special section on Alcohol Products for details.

### **ACUPUNCTURE**

Advertising for reputable clinical acupuncture services will be considered on a case-by-case basis.

### **ADVISORIES**

The use of advisories, e.g., "The following...contains adult subject matter, parental discretion advised, as well as content editing techniques, e.g., "bleeps," and the like are reserved for use by the network and may not be utilized in advertising.

### **AMERICAN FLAG**

The American Flag may be depicted in advertising provided its use is dignified and incidental to the primary selling objectives of the announcement.

### **ANIMALS**

The use of animals in commercials shall be in conformity with accepted standards of humane treatment.

### **BILLBOARDS**

Billboards may be used as stipulated by Sales, provided they include no more than the sponsor's name, product or service, and a brief factual description of the general nature thereof. Any claims allowed must be supported. Billboards may not mention contests, offers, promotional teasers, or cross-reference to other programs.

## CHILDREN

1. Commercial messages placed within children's programs or in breaks between consecutive programs designed specifically for children, advertising of products designed primarily for children, and advertising or other messages designed primarily for children are subject to all applicable provision of Children's Advertising Guidelines. Those guidelines specifically cover child-directed commercials for toys, premiums and offers, food, feature film "trailers", sweepstakes, contests, and adult-oriented children's product commercials.
2. Within programs designed primarily for children 12 years of age or under, appropriate separator devices shall be used to clearly delineate the program material from commercial material.
3. Advertising concerning health and related matters which are more appropriately the responsibility of physicians and other adults shall not be primarily directed to children.
4. Commercial messages shall not be presented by a children's program personality, host or character, whether live or animated, within or adjacent to the programs in which such personality, host or character regularly appears.
5. Taking into account the age of the actors appearing within a commercial as well as the composition of the audience it is likely to reach, advertising approaches and techniques shall not disregard accepted safety precautions.

(See special section on children's advertising for additional details).

## COMPARATIVE ADVERTISING GUIDELINES

Comparative advertising which identifies, directly or by implication, a competing product or service is acceptable. As with all other advertising, each substantive claim, direct or implied, must have available proper substantiation. The following are guidelines and standards for comparative advertising:

1. Competitors shall be fairly and properly identified.
2. Advertisers shall refrain from unfairly attacking competitors, competing products, services or other industries through the use of representations or claims, direct or implied, that are false, deceptive, misleading or have the tendency to mislead.
3. The identification must be for comparison purposes and not simply to upgrade by association.

4. The advertising should compare related or similar properties or ingredients of the product, dimension to dimension, feature to feature, or wherever possible, by a side-by-side demonstration.
5. The property being compared must be significant in terms of value or usefulness of the product or service to the consumer.
6. The difference in the properties being compared must be measurable and significant.
7. Pricing comparisons may raise special problems that could mislead, rather than enlighten, viewers. For certain classifications of products, retail prices may be extremely volatile, may be fixed by the retailer rather than the product advertiser, and may not only differ from outlet to outlet but from week to week within the same outlet. Where these circumstances may apply, we will accept commercials containing price comparisons only upon certification from the advertiser that the comparative claims accurately, fairly and substantially reflect the actual price differentials at retail outlets throughout the telecast area, and that these price differentials are not likely to change during the telecast period.
8. When a commercial claim involves market relationships, other than price, which are also subject to fluctuation (such as, but not limited to, sales position or exclusivity), the substantiation for the claim will be considered valid only as long as the advertiser continues to be able to certify that the market conditions on which the claim is based continue to prevail.
9. As with all other advertising, whenever necessary, substantiation may be required from time to time, and be re-examined, and updated, where the need to do so is indicated as the result of a challenge or other developments.

## CONTESTS

Any advertiser-supplied contest to be telecast must not be a lottery, the material terms must be clearly stated, and that it is being conducted fairly, honestly and according to its rules.

1. Contest information is further reviewed to make certain that:
  - a. The security arrangements are adequate to prevent "rigging";
  - b. The terms, conditions, and requirements under which contestants compete for prizes are clearly stated in the "Rules" so that there is no reasonable opportunity for any misunderstanding;
  - c. The value, nature and extent of the prizes is clear;

- d. The public interest will not be adversely affected;
  - e. The contest meets with federal, state and local laws.
2. All copy regarding contests must contain clear and complete information regarding:
- a. Complete contest rules or when and how they may be obtained by the public;
  - b. The availability of entry forms and how to enter including alternate means of entry where appropriate;
  - c. The termination date of the contest;
  - d. Any restrictions or eligibility requirements;
  - e. The prize suppliers, when applicable;
  - f. For chance contests, the necessary language:

***No Purchase Necessary  
Void Where Prohibited***

- g. For skill contests, judging criteria must be stated.
3. 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 available when the commercial is submitted to the network.
4. All contest rules must be complete and contain:
- a. Eligibility requirements;
  - b. Restrictions as to the number of entries which may be made by an individual;
  - c. The nature, extent and value of the prizes;
  - d. Where, when and how entries are submitted;
  - e. The basis on which prizes will be awarded;
  - f. The termination date of the contest;
  - g. When and how winners will be selected, including tie breaking procedures when necessary, and procedures to be followed in the event winner is ineligible or disqualified;

- h. How winners will be notified;
- i. Time limits to claim or use prizes, if any;
- j. Restrictions as to the number of times an individual can win;
- k. Reference to "participating dealers" if not all outlets are involved.

## **CONTROVERSIAL ISSUE ADVERTISING -- ADVOCACY**

As a general rule and subject to exceptions, time will not be sold for the presentation of views on controversial issues and advertisers may not use their commercial positions for addressing such 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.

In non-campaign periods, the individual network will, on a case-by-case basis, consider requests for time on behalf of political parties or their spokespersons.

## **COMPETITIVE**

References within their commercial time to another competitive program or network are permitted provided that the references do not identify the day, date, or hour of the program.

Advertisers may not refer to other programs scheduled at a later hour on the same day on a competing facility. Mention of a program to be aired "tomorrow" or "today" is not acceptable.

## **DEMONSTRATIONS**

Commercials which include demonstrations, tests, experiments of other technical, mechanical, electronic or chemical exhibitions, must have available an affidavit signed by the producer of the commercial or another responsible supervisory individual who personally observed the production.

The affidavit must truthfully attest to the accuracy of the demonstration, etc. and must honestly represent that the demonstration was performed with samples of the product available to consumers or prototypes that perform no differently than actual product and that no mock-up, modification or alteration was employed.



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, provided further, that viewers are not in any manner misled with respect to the performance of a material product feature or characteristic.

## **DRAMATIZATION AND REENACTMENTS**

Dramatizations or reenactments of actual events must be clearly disclosed as such. Fictional dramatizations which are readily apparent to the viewer ("slice of life") require no such disclosure.

## **ENDORSEMENTS AND TESTIMONIALS**

All endorsements and testimonials must comply with the Federal Trade Commission Final Guides concerning Endorsements and Testimonials in Advertising which are enumerated in 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 and organizations:

1. Endorsements and testimonials used, in whole or in part, must honestly reflect in spirit and content the sentiments of the individuals represented;
2. 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;
3. Advertisers are required to disclose any connection between the advertiser and the endorsers that might materially affect the weight or credibility of the endorsement;
4. 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 this fact;
5. Expert endorsements are permitted only as long as the endorsers continue to hold those views.

## **FOOD, NUTRITION AND WEIGHT CONTROL**

See special section on on Food, Nutrition and Weight Control for details.

## **FINANCIAL ADVERTISING**

Advertising for banks, funds, stocks, bonds, commodities, insurance, real estate, and other investments which conform to applicable law is acceptable provided that the advertiser supplies assurances that the investment is not highly speculative and that material restrictions and risks are disclosed. "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.

## **FRANCHISED BUSINESS ADVERTISING**

The network advertising of franchise businesses to prospective entrepreneurs is acceptable subject to the following:

1. A franchiser must demonstrate its financial integrity and satisfactory past performance. No advertising will be accepted from any franchiser who has operated for less than one year;
2. All claims must be documented and each franchiser/advertiser should have a copy of its standard Franchise Agreement for review; and,
3. Testimonials, endorsements, or other specific claims relating to potential or actual profits must fairly reflect what a substantial proportion of other franchisees have experienced.

## **GAMBLING, BETTING, LOTTERIES AND GAMES OF CHANCE**

See special section on Gambling, Betting, Lotteroes and Games of chance for details.

## **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, certain additional information may be required 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.

## **HEALTH RELATED PRODUCT ADVERTISING**

All advertisements for health related products shall comply with the Advertising Guidelines for Pharmaceutical Products.

## 1. Prescription Drugs

Subject to the aforementioned guidelines advertising will be considered from prescription drug manufacturers limited to corporate, institutional and "reminder" advertising. Prescription drug advertising which requires a "brief summary" or which carries a "boxed warning", is not acceptable.

## 2. Nonprescription Drugs

The advertising of nonprescription medications presents important considerations to the health of consumers. The following principles govern the acceptability:

- a. The advertiser must give assurance that the advertising for the product complies with all applicable governmental rules and regulations;
- b. No claims may be made or implied that the product is a panacea or alone will effect a cure;
- c. Words such as "safe", "without risk", "harmless" or terms of similar meaning may not be used without adequate qualification or documentation;
- d. Advertising appeals may not be made to children for such products.

### **Statements from the medical profession**

3. 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, may be presented by physicians, dentists, nurses, or other professionals subject to prior approval. See special section on advertising guidelines for pharmaceutical products for additional details.

### **HYPNOTISM**

Advertising for reputable clinical hypnosis services will be considered for broadcast on a case-by-case basis. Notwithstanding the foregoing, imitable demonstration of hypnosis is unacceptable.

## **MAIL ORDER (DIRECT RESPONSE)**

1. All commercials must conform to applicable FTC Guidelines (16 C.F.R. 435).
2. Advertisers are required to submit a sample of the offered product and any other material to be sent to the customer.
3. Each commercial must include the name, street address, city, state and zip code of the sponsor, and/or the order address.
4. When applicable, any charges beyond the advertised purchase price must also be disclosed e.g., postage, handling, etc.
5. If time for delivery will exceed 30 days, commercials must indicate actual anticipated time for such delivery.
6. The sponsor must provide consumers with a cash refund for returned items.

## **MOTION PICTURE ADVERTISING**

1. All advertising for domestic theatrical films must include an MPAA rating aurally and visually. Advertising for films pending a rating are acceptable subject to review of both the film and its proposed advertisement is acceptable provided that the advertisement discloses that the film "has not yet been rated".
2. While the content of the film advertisement and its accurate reflection of the underlying film is the primary concern, substance of the advertised feature will also be considered.
3. Placement of advertising will be determined on the basis of audience composition and program compatibility.
4. "X" rated and similar "adult" film fare is unacceptable.
5. 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, taking into account both the content of the commercial as well as 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.

In no event may such commercials be scheduled to air earlier than 9:55 P.M. Central and Mountain time zones and 10:55 P.M. Eastern and Pacific.

## **NEWS AND NEWSROOM SIMULATIONS**

Advertising may not contain aural or visual approaches or formats which could confuse viewers as to the origin of the material being telecast. Unacceptable techniques include the phrase "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 ADVERTISING GUIDELINES**

See section on Personal Products Advertising for details.

## **PREMIUMS AND OFFERS**

1. Full details and continuity including "build-up copy", and a sample of the premium offer, must be available well in advance of the first air date.
2. 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 withdrawal of the offer shall be honored.
3. 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.
4. As to the premium merchandise offered:
  - a. The advertiser must warrant that the premium or offer will not be harmful to person or property;
  - b. Premiums and offers scheduled within children's programs will be subject to all applicable Premium and Toy advertising requirements.
  - c. Descriptions of visual representations of premiums or offers may not enlarge their value or otherwise be misleading;
  - d. The advertiser must provide 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.
5. The premium offer may not appeal to superstition on the basis of "luck-bearing" powers or otherwise.

6. Mail order offers should indicate any additional postage/handling charges, as well as expected delivery time.

## **RELIGIOUS ADVERTISING**

1. Commercial announcements for the sale of products which have a religious theme e.g., books, recordings, artifacts, etc. will be accepted subject to discretion.
2. Within its discretion, commercial announcements of a general moral or ethical nature on behalf of religious organizations, and for the announcement of meetings, religious services, or for the promotion of approved public service and charitable activities will be accepted.
3. All advertising copy will be subject to commercial clearances policies and must not depict, proselytize, promote, or discuss sectarian doctrine or dogma.
4. Advertising copy which denigrates, attacks or negatively stereotypes any group or individual is unacceptable.
5. The discussion of controversial issues of public importance is not acceptable.
6. The network, may within its discretion, review any books, periodicals or other products advertised to insure that they do not attack any group or individual.
7. Each announcement must disclose that it has been "paid for" or "sponsored by" the appropriate advertiser unless such fact is otherwise obvious to the audience.

## **SAFETY**

It is the advertiser's responsibility to assure compliance in commercials with normal safety precautions such as the use of seatbelts in vehicles and adult supervision of children who demonstrate or who are in proximity to potentially hazardous products.

## **SOUND LEVEL**

The sound level of commercials should not appear to exceed that of the surrounding program.

## **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.

## **STEREOTYPING**

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.

## **UNACCEPTABLE COMMERCIAL PRESENTATIONS, APPROACHES AND TECHNIQUES**

1. Claims or representations, direct or implied, which are false or have the tendency to deceive, mislead or misrepresent;
2. 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.
3. "Bait and Switch" tactics which feature goods or services not intended for sale but designed to lure the public into purchasing higher priced substitutes;
4. The use of "subliminal perception" or other techniques attempting to convey information to viewers by transmitting messages below the threshold of normal awareness;
5. Unacceptable products or services promoted through advertising devoted to an acceptable product;
6. The misuse of distress signals;
7. Disrespectful use of the flag, national emblems, anthems and monuments;
8. Direct or implied use of the office of the President of the United States or any governmental body without official approval;
9. Sensational headline announcements in advertising of publications prior to the identification of sponsor;

10. Scare approaches and presentations with the capacity to induce fear;
11. Unsupported or exaggerated promises of employment or earnings; and,
12. Presentations for professional services which do not comply with applicable law or ethical codes.

### **UNACCEPTABLE COMMERCIAL CLASSIFICATIONS**

1. Cigarettes, chewing tobacco and snuff tobacco. Cigars will be considered on a case-by-case basis.
2. Firearms, fireworks, ammunition and other weapons.
3. Presentations promoting a belief in the efficacy of fortune telling, astrology, phrenology, palm reading, numerology, mind reading, character reading or other occult pursuits. (Such presentations for the purpose of entertainment will be considered on a case-by-case basis).
4. Tip sheets and race track publications seeking to advertise for the purpose of promoting illegal betting.
5. "Adult" or Sex Magazines.
6. X-rated Movies.
7. Abortion Services.
8. Anti-Law Enforcement Devices.
9. Products, services or publications relating to illegal drugs.
10. Massage parlors.
11. Matrimonial, escort or dating services.

### **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.



For the purposes of reference, an ideal display of copy would have letter height of 4.5% of the vertical dimensions of the scanned area (approximately 22 video scan lines) and each line of copy would be viewed for 3 seconds. Supers not meeting this reference standard will be reviewed on a case-by-case basis.

The use of horizontal crawls in commercials is unacceptable.

### **"900" TELEPHONE SERVICES**

See special section on "900" Telephone Services for details.

## CHILDREN'S ADVERTISING GUIDELINES

### INTRODUCTION AND APPLICATION

Inasmuch as children are this nation's greatest natural resource and in view of their still developing cognitive and perceptive abilities, advertisers have a special responsibility to protect them from unfair exploitation. Accordingly, the following special guidelines have been promulgated to assist advertisers and their agencies in the preparation of commercials:

- a) for products primarily used by children; or,
- b) which are broadcast in or adjacent to children's programs; or
- c) which are designed for or have the effect of primarily appealing to children.

### GUIDELINES - GENERAL

Although not specifically reiterated herein, all policies governing truthfulness and accuracy of claims and representations and documentation therefor, apply to children's advertising. Our general children's advertising guidelines include the following obligations for advertisers:

1. Commercials may not overglamorize, distort or exaggerate the characteristics or functions of a product or service.
2. Children shall not be directed to purchase or ask a parent or other person to purchase a product or service.
3. Approaches which have the tendency to irritate or confuse young viewers are unacceptable.
4. Commercials which portray attitude and behavior inconsistent with generally accepted social values and customs are unacceptable.
5. Advertising approaches which promote a product or service on the basis of peer pressure are unacceptable.
6. Commercials which are frightening or provoke anxiety, or which contain realistic war settings or depiction's of violent, dangerous or anti-social behavior, are unacceptable.

7. Commercials generally, as well as specific depictions therein, shall conform to recognized safety standards.
8. Commercial messages shall not be presented by a children's program personality, host or character, whether live or animated, within or adjacent to the programs in which such personality, host or character regularly appears.  
  
Other celebrities and real-life authority figures perceived by children as such may be used as presenters, endorsers and testifiers provided the overall presentation is neither confusing nor likely to unduly influence young viewers.
9. Nonprescription medications, supplemental vitamin products, alcohol beverages, personal products, "900" telephone services and any product containing a warning legend against use by youngsters, may not be advertised in or immediately adjacent to children's programs.
10. Potentially misleading simplifications such as the use of "only" or "just" with regard to price, are unacceptable.
11. When additional items such as batteries, computer programs and the like must be purchased for proper operation of the advertised product, this fact must be clearly disclosed in the audio portion of the commercial.
12. Comparisons which are meaningful, documented, and easily comprehended by children, will be considered on a case-by-case basis.
13. Where applicable, a product's method of operation and source of power must be clearly disclosed.
14. Where applicable, advertising must disclose in the audio portion of the announcement when a product requires partial or full assembly.
15. Where disclosures are required under these guidelines, simplified language, understandable by the youthful audience to which the advertising is primarily addressed, is strongly encouraged (e.g., "You have to put it together").

## TOYS

The following additional guidelines apply specifically to advertising for toys or advertising designed for children which emphasizes a product's play value:

1. Any view, demonstration, or play environment depicted may not distort or overglamorize the advertised product.

2. The use of stock film footage, real-life counterparts of toys, fantasy and animation, whether inter-cut or in a continuous segment, are limited to one-third of the commercial.
3. The primary advertised product must be clearly disclosed in the body of the commercial. There shall not be any implication that optional extras, additional units or items that are not available with the toy, accompany the toy's original purchase.

In the closing four seconds of the commercial the original purchase item(s) must be disclosed by still video. Where necessary, audio disclosure will be required for clarification.

4. Advertising shall not employ costumes and props which are not available with the toy as sold or are not reasonably accessible to the child without additional cost.
5. As a general matter, the number of items shown in a play situation should be reasonable, taking into consideration the nature of the items, their cost, and the overall execution of the commercial.

#### **CHILDREN'S PREMIUMS AND OFFERS**

The following additional guidelines shall apply to children's premiums and offers:

1. The premium/offer must be clearly and unambiguously depicted. Any use of stock footage, real-life counterparts, fantasy or animation may not exceed one third of the premium portion of the commercial.
2. The commercial must contain a two second (minimum) still visual depiction of the premium/offer.
3. Comparisons which are meaningful, documented, and easily comprehended by children, will be considered on a case-by-case basis.
4. Disclosure of essential information such as price, separate purchase nature, offer dates, etc., should be made in the audio portion of the announcement. If deemed appropriate, simultaneous disclosure in the video will also be required.
5. Conditions attached to "Free" premiums or offers must be clearly disclosed (simultaneously) in the audio and video. In the video, the word "Free" must not be larger than any other conditions disclosed.
6. A reasonable number of items may be shown per child.

7. Prior to production of the commercial, a sample of the premium or offer, with instructions, should be submitted for review. The sample should be accompanied by details of the promotion, including air dates, promotion dates, number of participating outlets, and any conditions attached to obtaining the premium or offer.

## **FOOD/NUTRITION**

The following additional guidelines shall apply to food advertising directed to children:

1. Advertisements for foods shall be in accord with the commonly accepted principles of good eating.
2. Each commercial for breakfast-type products shall include at least one audio and one video depiction of a balanced meal.
3. Special, enriched foods designed to serve as a substitute for a meal may be advertised as such, provided their purpose and nutritional value are featured in the advertising, the claims are supported by adequate documentation, and the language utilized is easily comprehended by children.
4. When ingredients are referenced they shall be accurately represented.
5. Commercials for foods shall not, directly or by implication, suggest or recommend indiscriminate or immoderate use or consumption.

## **FEATURE FILM "TRAILERS"**

1. As a general matter only "G"-rated feature films or films otherwise suited for a general family audience may be advertised in or adjacent to children's programs.
2. "PG"-rated feature films will be considered on a case-by-case basis, taking into account the appropriateness of the "trailer" as well as the underlying film. Commercials for any approved "PG"-rated film must include an audio advisory that "Parental Guidance is Suggested."
3. "PG-13"-rated, "R"-rated, and "NC-17"-rated feature films are not acceptable for scheduling within children's programs.

## **SWEEPSTAKES**

1. All prizes must be appropriate for the audience to which the advertising is primarily addressed.

2. The "odds" for winning a prize must be disclosed in the audio portion of the commercial, e.g., "many will enter, a few will win".
3. Alternate means of entry must be similarly disclosed.

### **INTERACTIVE TOYS**

1. The primary promotion for the product must emphasize the interactive play value among the toys and/or between the toy and the optional cassette/disk (separate purchase to be disclosed).
2. Any reference to interactivity between the toy and a television program must be generic and incidental to the primary promotion.
3. Any use of a dramatized means of operation such as a light beam must be disclosed in the audio portion of the commercial in language easily comprehended by children.

### **ADULT ORIENTED COMMERCIALS**

1. Advertising of products or services covered by the Children's Advertising Guidelines will be exempted on a case-by-case basis from the application of the Guidelines provided:
  - a) The commercial is designed to appeal to adults; and,
  - b) The commercial is not scheduled in or adjacent to children's programs.
2. As a general matter, products designed primarily for use by adults may be advertised in children's programs, subject to case-by-case review taking into account safety and similar considerations.

**ADVERTISING GUIDELINES**  
**FOR**  
**FOOD, NUTRITION AND WEIGHT CONTROL**

In view of the fact that truthful information on the relationship between nutrition and health can be highly beneficial to the consumer the following guidelines should be utilized for all advertising of foods, nutritional supplements, and weight loss products or programs:

**GENERAL STANDARD**

All health claims must be adequately documented. Where a product has both healthful and unhealthful characteristics, no claim may be asserted for the healthful property without an adequate disclosure of the unhealthful one as well.

Regulation of food labeling by the Food and Drug Administration and the Department of Agriculture will be observed. Claims for "fresh", "low-fat", "low calorie", "low in cholesterol", etc., must be in line with the definitions adopted by the FDA/USA.

Generally, health claims related to food will be limited to those topics defined by the FDA: fat and heart disease, fat and cancer, sodium and high blood pressure, calcium and osteoporosis, or any other the FDA should add at a later date.

**CALORIES, ENERGY AND WEIGHT CONTROL**

1. Insofar as energy is derived from calories consumed, representations that a specific food or nutrient will provide energy or vigor should be related to caloric content and the source of those calories.
2. Weight Control results from the proper balance of caloric intake and energy expenditure, as well as variables such as age, health, physical activity, rate of metabolism, total diet and environment. The following shall be applied by advertisers to claims related to weight control:
  - a. Representations of weight loss can be made only in relation to a healthful program encompassing a calorie reduced diet providing adequate nutrition. Other elements of a program/service may also be discussed (i.e., exercise, counseling, pre-packaged foods);
  - b. Any representation of weight loss must be realistically attainable by the average individual;

- c. Rates of weight loss and pounds lost may not be overstated and should represent healthful weight loss (usually not to exceed approximately 2 lbs per week). Any reference to a specific number of pounds lost must be accompanied by an aural or visual disclosure that "weight loss and maintenance will vary among individuals";
- d. Endorsements and testimonials are acceptable provided they comply with the Testimonial Guidelines. Endorsements from scientific/medical authorities will be reviewed on a case-by-case basis;
- e. Advertising for weight control may not be directed to children;
- f. Guidelines for Pharmaceutical Products will be applicable to OTC diet aids. Diet aids may not be equated with prescription drugs and/or their effects. Diet aids must advertise within the context of a healthful, calorie reduced diet;
- g. Diet aids and meal replacement products can be effective as aids to weight loss. The advertising for such products must indicate that these products are safe and effective only when used as directed, and in conjunction with a reduced calorie program;
- h. Meal replacement programs must have documentation that the program supplies nutritional requirements consistent with USDA/DHSS recommendations;
- i. Although exercise is useful to a healthful weight loss program, other factors, such as reduced caloric intake, should be referenced in advertising for exercise based weight loss programs;
- j. Documented "Before and After" representations and testimonials will be reviewed on a case-by-case basis.
- k. Express or implied claims that weight loss is easy, fast or permanent, should be avoided.
- l. Claims concerning maintenance of weight loss must be adequately documented.

## **FATS AND CHOLESTEROL**

High intake of dietary fat, particularly saturated fat, is associated with a high blood cholesterol level which is responsible in part for increased risk of coronary heart disease. There is sufficient evidence to show that among other controllable risk factors, reducing blood cholesterol levels helps to reduce the risk of death from coronary heart disease. Hence, advertising for foods that can contribute to a dietary program aimed at reducing blood cholesterol may be acceptable provided:



- a) Direct or implied claims of clinical significance related to any food or nutrient must be documented;
- b) The role of the food nutrient should be adequately represented as part of a fat reduced diet;
- c) The other major controllable risk factors should be referenced when making any claim of reduced heart disease/heart attack risks;
- d) Secondary risk factors (obesity, diabetes, exercise) may be referenced as they relate to the major controllable risk factors. A disclosure "Consult your doctor" will be required when a diet and exercise are suggested to reduce coronary risk;
- e) References to the relationship between dietary fat and obesity, cancer, gallbladder disease and other maladies will be reviewed on a case-by-case basis and only within the context of a total dietary regimen which references other potential risk factors.

## **FIBER AND COMPLEX CARBOHYDRATES**

In view of the fact that health/nutrition authorities have urged increased consumption of fruits, vegetables and other foods rich in fiber (both soluble and insoluble), advertising the possible benefits to be derived from the consumption of such products is encouraged provided:

1. The advertising is documented and consistent with related federal regulations and generally accepted professional opinion in the subject area; and,
2. Any risk/benefit assigned to these dietary components shall be placed within the context of a complete dietary pattern.

## **VITAMINS, MINERALS, AND OTHER NUTRITIONAL SUPPLEMENTS**

Nutritional supplements can play a role as adjuncts to healthful dietary practices, and may, in fact, be used to help insure against certain insufficiencies, e.g., osteoporosis (calcium); anemia (iron).

1. Advertisers must assure that claims for the risk/benefit of certain nutrients are documented by clinical data and placed within the context of dietary patterns -- not as a replacement for a food or for a proper diet.
2. Nutrient comparisons between brands/kinds of vitamin supplements may be acceptable provided no comparative health benefits are claimed.

## ADVERTISING GUIDELINES FOR PHARMACEUTICAL PRODUCTS

### NON PRESCRIPTION MEDICATIONS

The following guidelines are promulgated to assist advertisers in the preparation of responsible health care product advertising which is factually accurate and useful to the consumer:

#### GENERAL GUIDELINES

It is the responsibility of the advertiser to assure that:

1. All claims of product effectiveness are supported by clinical testing, appropriate consumer testing, responsible medical opinion, or other appropriate scientific evidence.
2. All claims and demonstrations are consistent with a product's normal capabilities including the limitations and directions for product use indicated on labeling.
3. All commercials clearly advise consumers to follow label directions.
4. All safety claims are adequately documented or otherwise qualified by an appropriate disclaimer.
5. Commercials for over-the-counter medications only promote their occasional use and treatment of minor to moderate conditions.
6. Comparative claims of effectiveness based on laboratory generated data are disclosed as such.

Additionally, in the preparation of commercials, advertisers should note the following:

1. Laboratory settings and claims based on surveys reflecting documented physician recommendations may be acceptable.
2. In advertisements for adult medications children may appear incidentally. Children may be used in advertisements for children's medications and/or vitamins only under strict adult supervision.
3. Depictions of product ingestion/use will be considered on a case-by-case basis.
4. Direct or indirect references to or comparisons with prescription medications which have the effect of equating strength or effectiveness of the advertised product with a prescription medication are unacceptable.

5. Advertising the availability of drug products directly by mail or by phone, or promotions by the use of coupons for free samples, will be considered on a case-by-case basis.

#### **UNACCEPTABLE TECHNIQUES/APPROACHES**

1. Advertising for medications and/or supplemental vitamin products in or adjacent to children's programs;
2. Techniques and/or language associated with drug dependence, mood alteration, illegal drugs, or the abuse of legal medications; and,
3. Product endorsements or presentations by health authority figures.

#### **NONPRESCRIPTION (OTC) DRUG ADVERTISING FOR SERIOUS OR CHRONIC CONDITIONS**

On a case-by-case basis we may accept OTC advertising for which:

1. The advertising is directed toward the medication of serious or chronic conditions or diseases; or,
2. The overall treatment requires a doctor intervention; and,
3. No approved consumer directed labeling presently exists (with respect to those conditions or diseases).

Advertising for such conditions will be considered subject to the following:

1. The advertiser must emphasize general educational/informational material;
2. Substantial emphasis on the need for physician intervention is necessary;
3. Stringent standards of documentation will be required;

Representations of studies, statistics, dosage requirements and similar information and data more appropriately interpreted by physicians than consumers is prohibited;

The affected population group identified in the research or claims must be clearly and unambiguously disclosed;

4. Other significant elements in an overall health care program designed to treat the serious and/or chronic conditions or diseases, must be included in the advertising; and,
5. Direct or implied claims that the product is a panacea, or that it will accomplish a specific result inconsistent with the foregoing principles, are prohibited.

## **PRESCRIPTION DRUG ADVERTISING**

Advertising hereunder from prescription drug manufacturers is limited to corporate, institutional and "reminder" advertising.

### **1. Corporate/Institutional**

Advertising is accepted by a prescription drug manufacturer or other advertiser which is intended to promote public awareness of the advertiser, discuss areas of research and development, mention diseases the advertiser has been instrumental in curing or ameliorating, or publicizing the signs and symptoms of diseases for which effective treatment is available, provided such advertising does not directly or indirectly name a prescription product.

### **2. Reminder Advertising**

Advertising that calls attention to the name of a product, either directly or by implication, but does not include indications, instructions, or suggestions for use or dosage recommendations or representations such as quality, bioequivalence or other such representations related to the products advertised, may be acceptable. Such advertising shall contain only (a) the proprietary name of the drug, if any, (b) the established name of the drug product, if any; and (c) the established name of each active ingredient. Such advertising may also include information relating to price (See 3 below), quantitative ingredient statements, dosage form or quantity of package contents.

### **3. Reminder Advertising With Consumer Price Information**

Advertising by retail outlets whose sole purpose is to provide consumers with price information for a particular prescription drug product may be acceptable. Such advertising may not contain any statement about the product's safety, effectiveness or indications for its use. It must contain the proprietary name of the product, if any; the established (generic) name of the drug product, if any; the drug product's strength if the product contains a single active ingredient, or, if the product contains more than one active ingredient, and a relevant strength can be associated with the product without indicating each active ingredient (the established name and quantity of each active ingredient is not required); the dosage form; and the price charged for a prescription for a specific quantity of the drug product.

If it otherwise conforms to the requirements outlined above, such advertising may provide comparative retail price information (but no other comparative claims) for identical products. Corporate, institutional, reminder and price comparison advertising may include a telephone number or address from which a viewer can request additional information. The name and address of the manufacturer, packer, or distributor may also be included.

All prescription drug reminder advertising must advise viewers to "See Your Doctor".

Notwithstanding the foregoing, any pharmaceutical ads which trigger the "brief summary" and/or which contain a "boxed warning" continue to be unacceptable.

## PERSONAL PRODUCTS ADVERTISING GUIDELINES

### GENERAL

Application: These guidelines apply to products and services of a personal nature such as but not limited to: catamenial devices, panty shields, douche products, genital deodorant, moisturizer and irritation products, deodorants, mouthwashes, bathroom tissues and related products, personal nonprescription medications, enema products, menses-related medications, incontinence products, laxatives, hemorrhoid products, pregnancy test kits and undergarments.

Standard of Review and Scheduling: Personal Product advertising will be reviewed in accordance with stringent standards of taste taking into account the intended program, daypart and the composition of the audience. Use of children in personal product advertising will be considered on a case-by-case basis.

### PRODUCT CATEGORIES

#### Catamenial Devices and Panty Shields

1. Straight-forward statements of grooming, freshness and femininity, absorbency, duration of efficacy, cleanliness, etc., are acceptable.
2. Use of mixed social situations is limited to incidental appearances.

#### Personal Care and Grooming Products

1. Genital Moisturizers, Deodorants and Cosmetic Douches
  - a. Limited representations of product fragrance will be reviewed on a case-by-case basis.
  - b. Generalized statements of product efficacy, e.g., ("lasts", "helps you feel fresh for hours", "relieves vaginal dryness"), as well as descriptions of product features such as packaging, disposability, pre-mixing, etc., are acceptable.
  - c. Use of mixed social situations is limited to incidental appearances.
  - d. Claims equating the product with maintaining health or hygiene are not acceptable.

## 2. Bathroom Tissues and Related Products

Direct references to product use and function or mention of specific areas of the anatomy are not acceptable.

## **Personal Nonprescription Medications And Menses-Related Medications**

### **General**

Guidelines for Pharmaceutical Products are applicable.

#### 1. Laxatives/Binders/Hemorrhoid Products

- a. Graphic representations of symptoms, relief or product mechanics are not acceptable.
- b. Advertising may only represent products for "occasional use" and must include advice to "use only as directed."

#### 2. Male Groin Irritation Products

Use of graphic language such as the term "jock itch" will be minimized.

#### 3. Medicated Douches/Female Itch Products

- a. Advertising may promote health-related claims.
- b. Advertisements will include the caution "if symptoms persist, see your doctor."
- c. Any product designed for external female itch must so state by audio or video.
- d. The terms "itch and irritation" will be minimized.

## **Male and Female Undergarments-Adults and Children (Baby Products Excluded)**

1. The use of live models wearing only undergarments is acceptable when presented in a tasteful, straight-forward manner.
2. In advertisements for children's undergarments, live models wearing only undergarments may be utilized provided the child model appears to be pre-pubescent.

### **Incontinence Products**

1. The tasteful presentation of incontinence products is acceptable. Live models may not be utilized.
2. Advertisements will include the caution "if symptoms persist, see your doctor."

### **Pregnancy Test Kits**

Advertisements shall include an audio or video disclaimer reminding viewers (a) to use the products exactly as directed and (b) to follow recommendations for seeing their doctors.



## ALCOHOL PRODUCTS ADVERTISING GUIDELINES

1. The advertising of beer, malt and wine products (up to 24% alcohol content) may be acceptable only when portrayed in good taste, consistent with applicable federal and local laws and in conformance with the Alcohol Products Advertising Guidelines.
2. Advertising hereunder is acceptable only when portrayed in a manner which does not encourage or sanction product abuse or misuse.
3. The use of alcohol beverages or products shall not be portrayed as being necessary to maintain social status, obtain personal achievements, relieve stress, or as a solution to personal problems.
4. Advertising shall not be addressed to, portray, or encourage use of alcohol products by persons who are, or appear to be, below the legal drinking age.
5. The advertising of distilled spirits and products made with or derived from distilled spirits will be reviewed on a case by case basis.
6. Alcohol products shall not be advertised as similar to or equated with non-alcohol products, e.g., soda, fruit drinks, etc., which have particular appeal to adolescents or persons below the legal drinking age.
7. The use of alcohol beverages or products shall not be promoted as a mark of "adulthood" or "rite of passage".
8. Active professional athletes or prominent amateur athletes may not be depicted in advertisements covered by these guidelines. Appearance of such athletes in alcohol moderation messages will be considered on a case-by-case basis.
9. Advertising will conform to recognized safety standards. Use of alcohol beverages or products will not be represented before or during any activity requiring alertness, dexterity and/or sober judgement. Advertising which states, suggests or implies that autos, motorcycles or other vehicles can be safely operated in conjunction with alcohol beverages is unacceptable.
10. On-camera consumption may not be represented or implied. Depiction or implication of excessive consumption is not acceptable.
11. Statements, references or representations of alcohol products as "extra strength", are unacceptable.
12. Products shall not be promoted for the intoxicating effect which may be achieved by their alcohol content.

13. Advertising hereunder shall not portray excessive drinking or pronounced loss of inhibitions.
14. Advertising shall not suggest or imply that intoxication, excessive drinking, or loss of control or inhibitions, is a proper subject of humor.
15. Advertising shall not depict the use of alcohol as the sole purpose of any activity.
16. Advertisers are required to comply with all applicable federal, state and municipal laws and regulations concerning the advertising of alcohol beverages. Disclosure of the name and address of the beverage producer will be mandatory in accordance with the above regulations. The corporate name of a distiller/distributor may only be used when required by law for purpose and identification or when it is part of the brand name of an acceptable product. It shall be the responsibility of the advertiser to ensure compliance with all legal requirements.
17. Advertising by retail liquor outlets for beer and/or wine products is acceptable provided there is no aural or visual reference to products otherwise unacceptable under these guidelines.
18. Advertising of drinks mixed with distilled spirits or references to them are not acceptable.
19. Advertisements that present messages which alert the public to dangers of alcohol abuse will be reviewed on a case-by-case basis.

## GUIDELINES FOR "900" TELEPHONE NUMBER ADVERTISING

Audience paid telephone advertising will be considered for telecast on a case-by-case basis and subject to the advertiser's assurance of compliance with the following obligations:

1. All charges per call as well as the cost of any products or special services offered, must be clearly disclosed including the initial cost and additional increments. If the charges to the consumer appear to be excessive, the commercial will not be accepted. Where phone charges are a function of time, we may require, in addition to the foregoing, that the minimum call completion time be disclosed in the advertising. The cost disclosures required hereunder shall be:
  - a. For flat-fee or time sensitive calls which, regardless of call transaction time, do not exceed a total of five (\$5.00) dollars per call, at least once aurally any place in the advertisement, or in the alternative, visually each time the pay-per-call number is presented (unless the pay-per-call number is solely presented aurally in which case the cost disclosure must be given aurally);
  - b. For flat-fee or time sensitive calls which exceed or are likely to exceed a total of five (\$5.00) dollars, at least once aurally and, for each time the pay-per-call number is presented, a visual disclosure must accompany its presentation.

Visual disclosures required under a. and b. above must be clear and conspicuous and in no event smaller than either one-half the size of the characters used to present the pay-per-call number or 22 scan lines, whichever is the larger.

2. Sponsor identification must be clear and conspicuous. The sponsor's business address or business phone number must also be disclosed.
3. The underlying information or telephone programming which is advertised shall not contain false, misleading, or untimely information. All claims must be substantiated. We may reject any advertisement for an audience paid telephone program which does not contain a "preamble" call including whether it is a flat rate or, if a per minute charge, including both the charge per minute and the expected duration of the call), and offering callers the opportunity to disconnect without being charged. We may also reject any advertisement for an underlying telephone program or service which is interactive and which artificially or unnecessarily prolongs or extends the duration of the call. Notwithstanding the foregoing, we may waive the preamble requirement for calls costing \$2.00 or less.

4. The advertiser must provide assurances that it has and will comply with applicable federal and state laws and/or regulations concerning billing, collections, credit reporting and refunds.
5. "900" telephone number advertising may not be scheduled in or adjacent to children's programs, nor may such advertising be directed to children. Each acceptable advertisement must contain an aural statement that persons under 18 must have parental permission to participate and the preamble to the telephone programming so advertised must also contain such aural statement.
6. Advertising for any telephone contest, game, or sweepstakes must comply with all applicable federal and state laws and/or regulations including disclosure of a free alternate means of entry, the odds of winning (or if not calculable, the factors to be used to determine the odds) the termination date of the game, prohibitions in particular jurisdictions, and such advertising must be submitted with an opinion of counsel letter stating that the proposed contest can be legally broadcast in each state of the Union or identifying specific conditions, limitations or restrictions applicable in any jurisdiction, in addition to complying with any and all applicable legal or policy requirements. The preamble for any such contest, game or sweepstakes must also contain free alternate means of entry information. Advertising disclosures hereunder must be clear and conspicuous in accordance with policy.
7. We may review the underlying telephone message before accepting any audience paid telephone advertisements and may suspend broadcast of any advertising in the event of unresolved caller complaints or upon evidence that there has been any violation of these policy guidelines.
8. Since the foregoing guidelines were published during the pendency of the FTC's "900 Number" Rule-Making proceeding (16 C.F.R. 308), any applicable final regulation in that proceeding more restrictive or inconsistent with the foregoing shall govern advertising reviewed hereunder.

## GUIDELINES FOR GAMBLING, BETTING,

### LOTTERIES AND GAMES OF CHANCE

The following guidelines apply to lawfully licensed betting, gambling, lottery and other games of chance advertised:

1. The advertising of private or governmental organizations that conduct legalized betting on sporting contests may be acceptable provided it is not instructional in nature and is limited to announcements that do not unduly exhort the audience to bet.
2. Advertisers shall be responsible for assurances that any advertising permitted under these guidelines:
  - a) Shall not mislead or exaggerate one's likelihood of winning money or other prizes;
  - b) Shall not present fictitious winners or winnings nor misrepresent actual winners or winnings;
  - c) Shall not state nor imply praise for those who participate in the advertised activity or denigrate those who abstain.
3. Advertising for hotels and resorts which have casino facilities may be acceptable provided that the advertising complies with applicable laws. Notwithstanding the foregoing, no such advertising may depict or promote gambling activities nor may the word "casino" be included in the advertising except as part of the legal name of the hotel or resort, e.g., "Acme Resort Hotel and Casino" unless otherwise specifically permitted by federal law.
4. Products, games of chance, contests and advertising approaches not specifically referred to in the foregoing shall be reviewed on a case-by-case basis pursuant to the policies established by this network.

**NETWORK PUBLIC SERVICE ANNOUNCEMENTS**  
**POLICY GUIDELINES**

Public service announcements should accurately reflect the organization identified with the spot. All claims should be substantiated. Discussions of controversial or political issues or religious doctrine are not permitted in public service announcements.

**ORGANIZATIONAL CLEARANCE**

Organizations requesting PSA time must be non-profit or governmental. Requesting organizations are reviewed to determine their non-profit status, objectives, activities and financial policies.

Non-profit organizations should be in compliance with the guidelines of the Council of Better Business Bureaus' Philanthropic Advisory Service of those of the National Charities Information Bureau. Additionally, the organization must provide a for 501(C) (3)/IRS tax-exempt status statement.

**CONTENT CLEARANCE**

1) The sponsoring organization must assure that:

PSA's fully comply with public service standards;

PSA's are fully substantiated;

PSA's are consistent with the objective of the sponsoring organization; and

PSA's include the organizations identification, either by logo or chyron.

2) Unacceptable PSA's:

PSA's which contain controversial or political issues.

PSA's which contain religious doctrine.

PSA's which directly solicit funds, including the use of 900#'s for fundraising purposes.

PSA's which show or reference commercial products, services or corporate names.

PSA's which are time-sensitive, i.e., those which target a specific date or week of an event.

PSA's from trade or professional associations.

## CHALLENGE PROCEDURES

Where appropriate, a cable network, in its sole discretion, will implement the following procedures in the event a commercial is challenged by another advertiser:

1. (a) If an advertiser or agency seeks to challenge the advertising of another advertiser, it must agree that by submitting to the challenge procedures, it will release and discharge any claims it has, or may have in the future against the particular network, or its agents and employees in connection with the challenged ad and/or challenge procedures, and will not commence any legal action against any of the aforementioned parties in connection with the challenge procedures.
- (b) If upon receipt of a challenge, the incumbent advertiser does not want the challenged advertisement to be withdrawn from the schedule, it must agree to participate in the challenge procedures and agree further that by submitting to the challenge procedures, it will release and discharge any claims it has, had, or may have in the future against any cable network, its agents and employees in connection with the challenged ad and/or the challenge procedures.
2. If an advertiser elects to challenge the advertising of another advertiser and is willing to accept the agreements and undertakings specified in Paragraph 1 (a) above, it shall present its challenge and supporting data to the network in a form available for transmittal to the challenged advertiser.
3. The network will make all reasonable efforts to maintain the confidentiality of the advertiser's original supporting data which was submitted for substantiation of the claims made in the commercial. Either party to a challenge may request that specific material, data, surveys, etc., provided to the network during the course of a challenge to be considered confidential and not be shared with the other party on the basis that it is a trade secret or is otherwise privileged or confidential. If, in the network's sole judgment, such a request for confidentiality is unreasonable and the material for which confidentiality is claimed is not subsequently made available for rebuttal by the opposing party, such material will be deemed to have no probative value in the challenge.
4. Where network personnel do not have the expertise to make a judgment on technical issues raised by a challenge, the network will take appropriate measures in its discretion to assist the advertiser and challenger to resolve their differences, including encouraging them to obtain a determination from an acceptable third party.
5. The network will not withdraw a challenged advertisement from the schedule unless one of the following conditions pertains:
  - (a.) The incumbent advertiser fails to agree to the requirements of the challenge procedure as provided in paragraph 1(b) above;

- (b.) It is directed to do so by the incumbent advertiser;
  - (c.) The incumbent advertiser refuses to submit the controversy for review by some appropriate agency when deemed necessary by the network;
  - (d.) A decision is rendered by the network against the incumbent advertiser;
  - (e.) The challenged advertiser, when requested, refuses to cooperate in some other substantive area; or
  - (f.) The network, prior to final disposition of the challenge, determines that the substantiation for the advertising has been so seriously brought into question that the advertising can no longer be considered substantiated.
6. The network may take additional measures within its discretion to resolve questions raised by advertising claims.