

NBCUniversal Cable Advertising Guidelines

NBCUniversal's Advertising Standards Department ("Advertising Standards") only reviews advertisements intended for broadcast on NBCUniversal's cable entertainment, cable news and cable sports networks (collectively "NBCUniversal Cable") IF such advertisements are no more than :120 in length AND in one of the following sensitive categories:

- 1) **Controversial Issues & Political**
- 2) **Dietary Supplements & Homeopathic Remedies**
- 3) **Weight Loss Supplements & Programs**
- 4) **Non-Casino Gambling & Fantasy Sports**

For all other NBCUniversal Cable advertising clearance issues please contact your NBCUniversal Cable sales representative.

PLEASE NOTE: The use of false or deceptive Emergency Alert System (EAS) Signals or Tones is not acceptable in any advertisement. The FCC prohibits the transmission of the EAS codes or Attention Signal (853 Hz and 960 Hz transmitted simultaneously) or a recording or simulation thereof except in the case of an actual emergency or authorized EAS test. This rule applies to all forms of content, including programs, advertisements and other paid programming, public service announcements (PSAs), promos and other interstitial material. Content containing EAS tones, simulations or other related sound effects will not be accepted for broadcast.

Clearance Procedures:

SUBMISSION OF MATERIALS: There are only two ways to submit materials to Advertising Standards for clearance:

1. Upload your materials to www.nbcuadstandards.com, or
2. Submit your materials through MediaVu.

All clearance materials must be submitted using one of the above methods or they will not be reviewed. **Clearance materials should not be sent to Traffic, Sales or the Media Operations Center (MOC) in Englewood Cliffs.**

PRE-PRODUCTION REVIEW: Prior to production, advertising agencies should submit a script or storyboard of the proposed advertisement to Advertising Standards. Advertising Standards will request substantiation for all claims and authentication of all demonstrations and testimonial statements, as applicable. After reviewing the submitted materials for compliance with governmental laws and regulations, including the rules of the Federal Trade Commission (FTC) and the Federal Drug Administration (FDA), and NBCUniversal's internal guidelines, standards and policies, Advertising Standards may approve the script or storyboard, request additional information, require modifications to the advertisement, or deem the advertisement unacceptable for air on the NBCUniversal Cable properties.

SUPPORTING DOCUMENTS: When possible, supporting documentation including but not limited to product testing, claim support, and producer's affidavits should be submitted along with the script, storyboard, rough cut or final as "related documents" via www.nbcuadstandards.com or attached to the "post-it note" in MediaVu. If you are responding to an editor's request, any materials you send must be submitted through the "click HERE" link at the bottom of the editor's clearance report or attached to a message sent to the editor via www.nbcuadstandards.com or MediaVu.

ROUGH CUTS: Please do not send rough cuts unless the editor specifically requests one. Editors will only review rough cuts when they determine that it is necessary to do so.

FINAL APPROVAL: All finished advertisements must be slated with a unique ISCI code, a title, and the length of the advertisement and submitted via one of the above submission methods. Advertising Standards must review every creative in the above categories, even if only minor changes are made to previously approved advertisements. This includes changes to 1-800 numbers or website addresses. Advertising Standards cannot give final approval to unslated advertisements.

TIME FOR REVIEW: Advertisers should allow a **MINIMUM of 3-5 business days** for review of clearance materials.

QUESTIONS: Please contact Jennifer A. Logan, Director, NBCUniversal Advertising Standards, with any questions about these Guidelines by telephone at 212-664-3969 or via email at jennifer.logan@nbcuni.com.

Advertising Guidelines for Controversial Issue & Political Advertising

NBCUniversal will accept advertisements that comment on controversial issues, subject to the below conditions. Controversial issue advertisements will not be reviewed until an order to buy is placed with an NBCUniversal sales department. Except for the required disclaimers/disclosures, these conditions do not apply to political advertisements by legally qualified candidates that NBCUniversal is required by law to accept.

I. **General Standard for Acceptance:**

We do not make judgments on an advertiser's opinions, and we accept issue advertisements that express divergent points of view. We do, however, reserve the right to require substantiation of factual claims made by an advertiser. Advertisements generally will be accepted if there is a basis for the claims and such claims fall within the bounds of reasonable debate.

II. **Use of NBCUniversal Content Not Authorized:**

The inclusion of NBCUniversal content can potentially mislead viewers as to NBCUniversal's endorsement of the position taken in an issue advertisement or otherwise be misconstrued. Accordingly, NBCUniversal does not grant permission for the use of NBCUniversal footage in issue advertisements, and advertisers should not include NBCUniversal footage in these advertisements.

III. **Unacceptable Content:**

An advertisement may be rejected if its content, or other content referenced in the advertisement or otherwise disseminated by the advertiser, is grossly offensive (e.g., on racial, religious or ethnic grounds). An advertisement may also be rejected if: (1) it is merely an attack of a personal nature, a direct attack on a specific organization (either a non-profit or a business) or a comment on a private dispute; (2) it contains violent or otherwise graphic or potentially offensive content that is deemed incompatible with a network's viewing environment or general standards; (3) its content or style of production is otherwise deemed inconsistent with a network's viewing environment or general standards, as determined by the applicable network in its sole discretion; or (4) it includes NBCUniversal content in violation of the above policy. An acceptance may be subject to limitations regarding time period and type of programming.

IV. **Disclaimers/Disclosures:**

Issue advertisements must disclose the party who paid for the advertisement for at least four seconds in a readable and contrasting font. Disclaimers should be a preferred vertical size of 54 lines and in an anti-aliased font. Any issue advertising that refers to any federal candidate or solicits contributions must disclose whether the advertisement was authorized by a candidate. If the advertisement was not so authorized, the disclaimer should state: "Paid for by [Advertiser Name] and not authorized by any candidate." If the advertisement was paid for by a federal candidate, the candidate must sign a certification at the time the advertisement is purchased that pledges that the relevant advertisement either: (1) does not refer to any opposing candidate; or (2) includes a statement in the paying candidate's voice disclosing that he or she has paid for the advertisement, along with the candidate's likeness.

Advertising Guidelines for Dietary Supplements & Homeopathic Remedies

- I. Dietary supplement advertisements may not include disease claims, explicit or implied, unless the claims have been approved by the FDA (e.g., osteoporosis and calcium, anemia and iron). For more information about FDA-approved health claims and qualified health claims, see <http://www.fda.gov/food/ingredientspackaginglabeling/labelingnutrition/ucm111447.htm>.
- II. The FDA has determined that dietary supplement manufacturers are allowed to make "structure/function" claims, defined as statements that describe the role of a specific substance in maintaining normal healthy structures or functions of the body (e.g., "helps maintain digestive health"). Structure/function claims must be accompanied by the DSHEA disclaimer, which should stand alone on-screen for the duration of the claim: "*This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease*".
- III. All claims must be supported by valid, large-scale human studies. NBCUniversal will not accept dietary supplement or homeopathic remedy claims that are based solely on animal or in-vitro studies.

- IV. NBCUniversal requires studies conducted on the advertised product to substantiate claims when the claims in the advertisement make a link between the product itself and the results attained. Studies of other products, individual ingredients, or alternate formulations will not be accepted as adequate support. However, when the link is made between the ingredients in the product and the results attained, then reliable scientific data on the ingredients themselves may be acceptable.
- V. “Doctor recommended” and “pharmacist recommended” claims require a nationally representative survey of at least 250 doctors or pharmacists in the relevant specialty, showing that at least 20% of those surveyed recommend the advertised product in their practice.
- VI. NBCUniversal will accept advertisements for OTC homeopathic remedies for minor, self-limiting conditions provided that the product is made from homeopathic ingredients recognized by the Homeopathic Pharmacopoeia of the United States (HPUS).
- VII. Claims about the safety of dietary supplements or homeopathic remedies are not acceptable.
- VIII. Claims that compare or equate dietary supplements or homeopathic remedies with OTC or Rx drugs, explicitly or by implication, are not acceptable.
- IX. Visual disclaimers must be legible and prominent, and should be a preferred vertical size of 54 lines and in an anti-aliased font. The first line should appear on screen for at least 3 seconds. Each additional line should appear for 1 second (e.g., 5 seconds for a 3-line disclaimer).

Advertising Guidelines for Weight Loss Supplements & Programs

- I. Weight loss supplements are subject to the above dietary supplement and homeopathic remedy guidelines in addition to the guidelines below.
- II. Weight loss supplements must be presented as part of a healthy dietary regimen, not as replacements for food, exercise, or a proper diet.
- III. Weight loss advertisements must disclose that weight loss was achieved as part of a reduced-calorie diet and exercise program.
- IV. When weight loss advertisements include mentions of specific weight loss amounts or the rate of weight loss consumers can expect, the advertiser must comply with the following:
 - a. Rates of weight loss advertised must not exceed 2 lbs. a week for a month or more without diet and exercise or 3 lbs. per week for more than 4 weeks. Mentions of specific weight loss amounts must be accompanied by a disclosure of the amount of time it took to lose the weight (e.g., “I lost 4 pounds in two weeks”).
 - b. When a featured consumer lost weight at a faster rate than a typical consumer can expect, the typical results consumers can expect to achieve must also be disclosed (e.g., “Typical clients/consumers lose 1-2 pounds per week on average”). Typical results must also be disclosed when an advertisement refers to the rate of weight loss (e.g. “Lose weight quickly”).
 - c. Weight loss advertisements containing testimonials must be accompanied by a testimonial affidavit from each featured consumer. If a specific weight loss amount is mentioned, the affidavit must include the amount of weight lost and the length of time it took to achieve the loss.
- V. Documented “before and after” representations will be approved on a case-by-case basis and must be accompanied by a producer’s affidavit.
- VI. The advertiser must submit studies to prove that the advertised product results in weight loss above and beyond weight loss caused by diet and exercise alone.

- VII. Consistent with the FTC's recommendations (available at <http://www.business.ftc.gov/documents/0492-gut-check-reference-guide-media-spotting-false-weight-loss-claims>), NBCUniversal will not accept claims that a weight loss product:
- a. Causes weight loss of two pounds or more a week for a month or more without dieting or exercise;
 - b. Causes substantial weight loss no matter what or how much the consumer eats;
 - c. Causes permanent weight loss (even when the consumer stops using product);
 - d. Blocks the absorption of fat or calories to enable consumers to lose substantial weight;
 - e. Safely enables consumers to lose more than three pounds per week for more than four weeks;
 - f. Causes substantial weight loss for all users; or
 - g. Causes substantial weight loss by wearing it on the body or rubbing it into the skin.
- VIII. Visual disclaimers must be legible and prominent, and should be a preferred vertical size of 54 lines and in an anti-aliased font. The first line should appear on screen for at least 3 seconds. Each additional line should appear for 1 second (e.g., 5 seconds for a 3-line disclaimer).

Advertising Guidelines for Non-Casino Gambling & Fantasy Sports

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

- I. Advertisements for any publication, "tip sheet," electronic, or mechanical device whose primary purpose is the giving of odds or promotion of betting, are unacceptable.
- II. The lawful advertising of lotteries permissible under the law of the state in which they are conducted and in which the broadcast station is located may be acceptable, if any such lottery is conducted by a:
 - a. Not-for-profit 501(c) organization;
 - b. Governmental organization; or
 - c. Commercial entity provided that the lottery is promotional, occasional, and clearly ancillary to the primary business of that commercial entity.
- III. The advertising of private or governmental organizations that conduct legalized betting on sporting contests, including horse racing, may be acceptable provided the advertisement is not instructional in nature and the organization complies with all state and federal law. At minimum such advertising must include a video disclaimer stating "Void where prohibited".
- IV. Visual disclaimers must be legible and prominent, and should be a preferred vertical size of 54 lines and in an anti-aliased font. The first line should appear on screen for at least 3 seconds. Each additional line should appear for 1 second (e.g., 5 seconds for a 3-line disclaimer).
- V. Advertisements permitted under these guidelines must not present fictitious winners or winnings or misrepresent actual winners or winnings.

VI. Online Gambling

NBCUniversal Cable does not accept online gambling advertisements, however online gambling advertisements may be submitted for review to air on the NBC Owned Television Stations. Please contact your NBC Owned Television Stations sales representative for further information on submitting online gambling advertisements for review.

VII. Other Gambling-Related Websites

Advertisements for websites that provide gaming simulations or instructions for educational purposes only (e.g., online poker schools), will be reviewed on a case-by-case basis.

VIII. Fantasy Sports Leagues

Advertisements for fantasy sports leagues, including fantasy sports leagues with real cash prizes, are acceptable provided that the following disclaimers are included:

- a. Not a gambling website”
- b. “Void where prohibited”

IX. The “Void where prohibited” disclaimer should list states where the legality of fantasy sports is unclear.

X. Visual disclaimers must be legible and prominent, and should be a preferred vertical size of 54 lines and in an anti-aliased font. The first line should appear on screen for at least 3 seconds. Each additional line should appear for 1 second (e.g., 5 seconds for a 3-line disclaimer).