

**FOX**

**ADVERTISING GUIDELINES**

# **FOX COMMERCIAL CLEARANCE GUIDELINES**

## **INTRODUCTION**

Fox Corporation (“FOX”) sells commercial announcement time for the advertising of goods and services and for institutional, political or other appropriate advertising. As purveyors of First Amendment activities and defenders of the U.S. Constitution, FOX respects editorial independence; however, as we are ultimately responsible for what airs on our networks, FOX maintains control over it. FOX sells its advertising time on a neutral, non-discriminatory basis, but, except where required by law, reserves its right to decline or restrict advertisements that do not meet its standards, are contrary to the expectations of its audience or disparage our company, people or partners, or members of our audience.

Advertising is an important element of the information presented to audiences. Advertising must be truthful, appropriate and meet all Federal Communications Commission (“FCC”), Federal Trade Commission (“FTC”), and other legal requirements. Advertisers must warrant that commercials submitted to FOX for review and approval comply with all applicable legal and regulatory requirements.

FOX’s Commercial Clearance personnel consider many factors when evaluating an advertisement, including the demographic of the network and programming, the intended audience and the content of the advertisement itself. An advertisement may be acceptable for some networks but restricted or not approved for others. Similarly, certain categories of advertisements may be approved for all programming, but others may be restricted to air only during specific, appropriate programming (e.g., advertisements for hard alcohol, R-rated motion pictures).

FOX reserves the right to determine the scheduling and placement of commercials within both programming and commercial breaks during and adjacent to programs carried over its facilities. FOX also reserves the right to withdraw or modify the approval of an advertisement at any time.

FOX 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”). FOX will abide by decisions rendered by such third parties.

FOX Commercial Clearance personnel maintain all information and materials submitted by an advertiser or its authorized representative as strictly confidential.

The rights and obligations of FOX and the advertiser are reflected in the agreement governing the purchase of time for the airing of commercial announcements.

These guidelines are neither all-inclusive nor exhaustive. Moreover, we recognize that these guidelines will change over time as the broadcast media and societal standards continue to evolve. Therefore, the guidelines are not intended as a substitute for continuing dialogue with FOX Commercial Clearance personnel, and FOX cannot be responsible for production decisions made or other actions taken in reliance solely on the content of these guidelines. The acceptability of an advertisement always depends on evaluation of the advertisement itself.

If you have any questions or concerns regarding any specific guideline or submission, please contact the appropriate executive in FOX Commercial Clearance.

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## **ADVISORIES**

Advertisements may not use advisories such as “Warning! The following contains...,” “We interrupt this program/commercial to bring you...,” “Viewer discretion advised...,”.

## **ALCOHOLIC BEVERAGES**

### **General**

Alcoholic beverage advertising should not encourage excessive consumption, unsafe behavior, or the use of the product by those under the legal drinking age. Alcohol should not be depicted as essential to social success or acceptance (e.g., gaining popularity) or imply that refusal to imbibe is a sign of weakness.

Advertisements may not depict the consumption of alcoholic beverages within the advertisement itself.

### **Beer/Wine/Malt Beverage Advertising**

Advertising for Beer/Wine/Malt Beverages (no more than 24% alcohol by volume) is generally acceptable in programming targeted to adult audiences. However, it will not be approved to air in programs designated as Youth Appeal, Family Appeal, or Youth/High School Athletics. Advertising may also be subject to additional scheduling restrictions at the discretion of Commercial Clearance.

The advertisements must include the following:

- Legible disclosure of the corporate name, city and state of the brewer, producer, packer wholesaler or importer.
- Responsibility messaging.
- For Malt Beverages only, a Legal Disclaimer that the product is a malt beverage.
- For Malt Beverages only, FOX may require, on a case-by-case basis, a visual Legal Disclaimer that identifies the percentage of alcohol by volume.

### **Hard Liquor**

Scheduling of hard liquor advertising will be determined on a case-by-case basis for appropriate programming. However, it will not be approved to air in programs designated as Youth Appeal, Family Appeal, Youth/High School Athletics, and certain College Sports.

The advertisements must include the following:

- Legible disclosure of the corporate name, city and state of the brewer, producer, packer wholesaler or importer.
- Responsibility messaging.
- Percentage of alcohol by volume.

## **ANIMALS**

The use of animals in commercials should conform 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 (or similar visuals and sounds) may not be utilized in any portion of an advertisement that will be visible/audible to the audience.

## **BILLBOARDS**

A billboard is an identification of sponsorship, not an advertisement. Therefore, a billboard may only identify the sponsoring advertiser. A line of factual information regarding the product, organization or service, web address, or a simple slogan or catchphrase, may be approved on a case by case basis. FOX does not accept billboards that include “sell” copy, imperatives, or any other advertising devices soliciting the viewer. FOX does not accept 3<sup>rd</sup> party pass-throughs in billboards.

## **CASINOS, GAMBLING AND FANTASY SPORTS**

Advertisements for casinos or gambling may be accepted on a case-by-case basis during programming intended for adults. They are not to be scheduled:

- On Big Ten Network (including advertisements for Daily Fantasy Sports);
- During high school or children’s athletic events;
- During ACC collegiate events.

Advertisements for casinos should emphasize recreation, accommodations, or the facility’s other amenities. Additionally,

- Actual game play, chips or other depictions of gambling should not be featured;
- Advertisements may contain brief wide-lens shots of the casino, gaming rooms, tables or slots;
- Money must not be shown;
- Winning sounds and visuals such as clinking coins from a slot payoff, 7-7-7 from slot wheels, 21 on cards from Blackjack, etc. are prohibited from appearing;
- Gambling as a way to earn or make easy money should not be shown;
- Sports books cannot be featured;
- Advertisements for online or offshore gambling entities, including websites that contain banner advertisements or links to such entities will not be accepted.

Advertisements for Fantasy Sports will be accepted on a case-by-case basis and may be restricted from airing during some programming.

## **CHARITABLE APPEALS**

FOX 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.

## **COMPETITIVE PROGRAM/NETWORK ADVERTISEMENTS**

FOX will consider competitive network advertising on a case-by-case basis provided the content does not identify specific days, dates or times of the advertised program or series.

Advertisements for competitive programming will be required to include an accurate episode or series V-Chip rating.

## **CONDOMS AND CONTRACEPTIVES**

Advertising for condoms and contraceptives will be considered on a case-by-case basis and may be subject to scheduling restrictions. Advertisements should not be sexually explicit and should avoid graphic audio and video depictions, descriptions and language.

## **CONTENT EDITING TECHNIQUES**

Generally, content editing techniques, including but not limited to, audio drop-outs, black bars, bleeps, blurring, color bars and tone, digitization, fast-forwarding, visual static, test patterns and time code bars are not acceptable.

## **CONTESTS/SWEEPSTAKES**

All advertiser-supported contests or sweepstakes submitted to FOX for proposed airing must meet all applicable FCC requirements (47 U.S.C. §509; *see also* 47 CFR §73.1216), as well as FTC rules and federal, state and local laws.

Complete details, continuity, as well as proposed short rules language of all advertised contests and sweepstakes must be submitted to FOX Commercial Clearance for review.

All on-air copy regarding contests and sweepstakes must contain clear and complete information including the following:

- 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](http://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 following is required:
  - 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.

A complete copy of the rules, 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 Commercial Clearance. 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 start and termination dates 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 FOX Commercial Clearance.

### **CRUDE LANGUAGE/GESTURES**

Crude or course language, gestures or symbols may not be used in advertising, nor can they be bleeped, blurred, pixilated or otherwise censored.

### **DIRECT RESPONSE/INFOMERCIALS**

All Direct Response commercials, both Short Form and Long Form (“Infomercials”), must conform to applicable FTC Guidelines (16 C.F.R. §435), and all FOX Advertising Guidelines, including the following:

- Every commercial must include adequate Sponsor Identification.
- All offers must be clear, complete and honest. The consumer must know or be able to ascertain from the spot and/or in conjunction with the advertised website the nature of the product or service offered, including the price, terms of payment (e.g., extra charges, shipping and handling) and the commitment involved in placing the order.
- Advertisements that refer viewers to a website must show the complete website address. The website must be fully functioning as of the date of submission and must show information consistent with that advertised. Websites or web pages that are currently “Under Construction” and not currently functioning will not be approved.

- 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 commercial.
- 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 indicating such.
- Representations such as “Satisfaction or your money back,” “30-day free trial” or “60-day money back guarantee” will be construed as a guarantee that all monies paid will be refunded at the option of the purchaser. If such representation is made, the advertisement must disclose the acceptable return period and whether or not the refund of shipping and handling costs are included; any terms and conditions to an offer, i.e., “money back guarantee” is actually “less shipping and handling” must be disclosed.
- Specific claims of success, before and after pictures, and similar comparisons may require not only a “Results may vary” disclosure, but also a disclosure indicating typical results a consumer can expect as required by applicable FTC Guidelines.

In addition to the above, Long Form Direct Response Commercials (Infomercials) should be preceded by and conclude with clear and prominent audio and video disclosures that indicate the program is a paid advertisement for the product or service being presented. These disclosures must include

- 1) a statement that the program is a paid advertisement,
- 2) the name of the product or service advertised, and
- 3) the name of the party who sponsored or paid for the program.

### **DISCLAIMERS**

Any on-screen disclaimers must be clear and conspicuous, i.e., fully legible, displayed for a sufficient duration, against a contrasting background, and shown in a typeface and font size that can be easily read.

### **EMERGENCY ALERT SYSTEM (EAS) TONES**

The Emergency Alert System tones or graphic, or simulation thereof, may not be used in advertisements under any circumstances. 47 U.S.C. §325; *see also* 47 C.F.R. §11.45.

## **ENDORSEMENTS AND TESTIMONIALS**

All endorsements and testimonials must comply with the FTC 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 including remuneration or compensation.
- 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” is insufficient.
- Expert endorsements will be considered on a case-by-case basis.
- The inclusion of doctors, or other medical professionals is generally not acceptable.

## **FINANCIAL ADVERTISING**

Advertising for banks, funds, stocks, bonds, commodities, insurance, real estate, and other investments, must conform to all applicable laws. All relevant material restrictions, risk factors, and qualifications must be disclosed, and on-screen instructions on how to obtain further information must be provided.

“Tips” on specific stocks, bonds, commodities and other ventures are not acceptable.

## **FOOD, NUTRITIONAL AND DIETARY SUPPLEMENTS**

Food Nutrient Content and Health Claims

- All nutrient content and health claims, whether express or implied, must comply with FDA requirements and must be able to be substantiated by the advertiser. When requested by FOX Commercial Clearance, appropriate substantiation documentation must be submitted for review.
- 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”). 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).

## 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. When requested, substantiation and/or product sample and labeling must be presented to FOX Commercial Clearance for all claims.
- An advertisement must bear the DSHEA (Dietary Supplements Health and Education 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 to adults. Children may not be shown 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. When requested, product labeling and/or a list of ingredients must be submitted for all products purported to be energy boosters or enhancers.
- Representations that a product will provide energy or vigor should specify the source of the energy (i.e., carbohydrates, caffeine).
- Claims that a product will enhance mental acuity or alertness are closely scrutinized and must be accompanied by a disclosure of ingredients. When requested, adequate substantiation supporting the assertion that the product will produce the promised effect, or any other claims must be submitted for review.

## **FOREIGN LANGUAGE**

FOX will consider advertisements containing foreign language dialogue on a case-by-case basis. English subtitles may be required. English translations must be verified by an external, third-party source and the translation and verification must be provided in writing to Commercial Clearance prior to broadcast.

## **FOX TALENT APPEARING IN ADVERTISEMENTS**

FOX talent may be prohibited by their employment contracts from promoting products on FOX platforms. FOX may also independently prohibit similar advertisements featuring current or former FOX talent or other personalities on FOX platforms.

## **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, FOX may require 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, e.g., “See dealer for details”.

“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 advertising for health-related products must comply with all applicable governmental rules and regulations, including FDA (21 U.S.C. §§1 – 2252) and FTC guidelines. Additionally, all advertisements for health-related products must 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 the 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 Commercial Clearance.

Corporate Image and/or “Reminder” advertisements 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 FOX:

- The advertisement must comply with all governmental (and any other applicable) laws, rules and regulations. Assurance of such compliance may be required;
- When requested, relevant data, including adequate substantiation regarding product efficacy, safety and any claims asserted must be submitted to Commercial Clearance for review;
- 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 presentation for professional services will be reviewed on a case-by-case basis.

## **ISSUE ADVOCACY ADVERTISING**

FOX will consider issue advocacy advertisements on a viewpoint-neutral basis and will accept advertisements that express divergent points of view.

To be acceptable for air on FOX networks, issue advocacy advertisements must adhere to the FOX general standards as set forth in these Guidelines, including by disclosing on screen the sponsor of the message. In addition, an issue advocacy advertisement may be rejected by FOX if it:

- (1) contains claims that are unable to be substantiated;
- (2) makes personal attacks on an individual, business or organization, or is a comment on a private dispute;
- (3) is deemed to be grossly offensive;
- (4) includes FOX owned or licensed content or trademarks;
- (5) is contrary to FOX’s business interests or disparages FOX, its people or partners; or
- (6) is otherwise deemed to be inconsistent with FOX’s viewing environment, general standards, or viewer or partner expectations.

As with all advertisements, FOX reserves the right to determine appropriate placement and timing for any acceptable issue advocacy advertisement.

## **MOTION PICTURE/HOME VIDEO ADVERTISING**

All advertising for theatrical films must include an MPAA rating in both audio and video. FOX may accept advertising for films pending a rating on a case-by-case basis provided the advertisement discloses such in audio, video, or both, "This film is not yet rated." For advertisements that include a tie-in to a motion picture, a video or audio disclosure of the MPAA will be sufficient.

Scheduling of advertising for films will be determined on a variety of factors including advertisement content, audience composition, audience expectation, and program compatibility.

- Advertising for films that have been rated "R" by the MPAA generally may not run in programs designated Youth Appeal, Family Appeal, Youth/High School Athletics or 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. will be subject to scheduling restrictions.
- Films that have not yet been rated may be scheduled as "R" rated films.
- Advertisements for "X" rated and similar "adult" films will not be approved for air.

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 commercial must contain an audio disclosure that the film is "Rated NC-17, No Children Under 17 Admitted", and an appropriate MPAA video disclosure.

For DVD releases, an aural rating or visual rating disclosure is acceptable. However, DVD advertisement for previously released theatrical films that add new "bonus material" should also visually disclose if the "bonus material" is unrated.

## **NEWS AND NEWSROOM SIMULATIONS**

Commercial announcements that simulate news reports or news broadcasts through the use of newsroom or newsgathering techniques, the use of any person purporting to be a news announcer or news reporter, or the use of lead-in material which may mislead the audience to believe that it is about to hear a news report or is hearing a news report are unacceptable. Unacceptable techniques include, but are not limited to, audio and/or video phrases such as "We interrupt this program/commercial to bring you...", "bulletin", "flash", "This just in ...", "Breaking News", "Live", newsroom settings, lower third horizontal crawls, and teletype sound effects.

## **POLITICAL ADVERTISING**

FOX accepts political advertising on a non-discriminatory basis. Unless subject to FCC regulations to the contrary, political advertisements must comply with all FOX general standards as set forth in these Guidelines.

### **Legal Requirements**

All political advertisements regardless of the intended network or platform must conform to FEC regulations (52 U.S.C. 30101 et seq.) and Commission regulations (Title 11 of the Code of Federal Regulations, 11 C.F.R. 100-110), as well as for televised advertisements, The Communication Act of 1934 as Amended (47 USC §§ 315 and 317) and the FCC Rules (47 C.F.R. 73.1212, 47 C.F.R. 73.1940), including the following:

- **Advertisements authorized and financed by campaign**  
If the candidate or campaign authorizes and finances a covered communication (including any solicitation), the notice must state that the communication was paid for by the authorized committee. These advertisements must also comply with the "stand by your ad" provision in which a federal candidate (this does not apply to state and local candidates) must deliver an audio statement identifying himself or herself and stating that he or she has approved of the communication. For example, *"I am [candidate's name], a candidate for [federal office sought], and I approved this advertisement."* In a television ad, the disclaimer must be conveyed by one of two ways: 1) the candidate making the statement in an unobscured, full screen view (at least 80%); or 2) a candidate voice-over, accompanied by a clearly identifiable photograph or similar image of the candidate.
- **Authorized Party Committee coordinated communications on behalf of candidate**  
A party committee that pays for a communication that is a coordinated party expenditure must identify the party committee as the payor in the disclaimer. Prior to the date the party's candidate is nominated, it is sufficient for the party committee to state who has paid for the communication. Subsequent to the nomination, the disclaimer must state that it was paid for by the party committee and authorized by the candidate. Once a candidate has been nominated for the general election, the disclaimer notice must also state who authorized the communication and comply with the other applicable requirements listed on this page.
- **Authorized but not financed by campaign**  
If a covered communication, including any solicitation, is authorized by the candidate or campaign but paid for by another person, the communication must identify the person who paid for it and state that it was authorized by the candidate or campaign. Additional requirements apply for print, television and radio ads.
- **Not Authorized or financed by campaign**  
If a person pays for a covered communication (including any solicitation) that refers to their candidate but is not authorized by any candidate or campaign, the notice must state that it was not authorized by any candidate or candidate's committee, identify the entity that paid for the communication and provide at least one of the following: the payor's permanent street address, telephone number or website address.

Additionally, on a radio or television communication that is not authorized by a candidate or the candidate's authorized committee, a representative of the individual or group paying for the communication must state that "\_\_\_\_\_ is responsible for this communication," where "\_\_\_\_\_" is the name of the political committee or other person who paid for the communication. If applicable, the name of the sponsoring committee's connected organization is also required in the disclaimer.

### Content Guidelines

- Uses by Qualified Candidates for Federal, State and Local Offices

The Communications Act of 1934, as amended, and FCC Rules prohibit FOX Broadcast Network and FOX Television Stations from censoring an advertisement that is a "use". A "use" is any "positive appearance of a candidate whose voice or likeness is either identified or is readily identifiable" and sponsored by a "legally qualified candidate" or their campaign committee. FOX Broadcast Network and FOX Television Stations are required to offer "reasonable access" to legally qualified federal candidates, but not state and local candidates. However, if FOX accepts a legally qualified state or local candidate ad, the same non-censorship rules apply. Thus, FOX Broadcast Network and FOX Television Stations must run these ads without regard to content and may not require revisions, apart from ensuring the inclusion of proper sponsorship disclosures. FOX's cable networks are not required to offer reasonable access to legally qualified candidates.

Advertisements intended to run on all other FOX properties and platforms will be reviewed for content-related issues, including but not limited to, truthfulness and use of intellectual property. FOX may require revisions to advertisements intended for all networks and platforms apart from FOX Broadcast Network and FOX Television Stations.

- Advertisements for all other candidates and political advertisements

Advertisements for candidates that are not authorized by a legally qualified candidate or his or her campaign and all other political advertisements intended to run on all FOX properties and platforms will be reviewed for content-related issues, including but not limited to, truthfulness and use of intellectual property. FOX may require revisions to such advertisements.

Clear sponsorship identification is required on all advertisements intended for all FOX networks and platforms. All disclosures and disclaimers must be "clear and conspicuous" regardless of the medium in which the communication is transmitted. A disclaimer is not clear and conspicuous if it is difficult to read or hear, or if its placement is easily overlooked.

### **PUBLIC SERVICE ANNOUNCEMENTS (PSAs)**

Public Service Announcements ("PSAs") should serve general public needs and should not be charitable or advocacy advertising. In support of the Company's FOX Forward initiative, PSAs that address issues facing active duty military and veterans, youth development and the creative community may be prioritized. All PSAs should be submitted to PSAs@fox.com for review.

## **RELIGIOUS TIME**

FOX does not sell time to religious organizations for the purpose of advancing the particular beliefs or practices of any religion. On a case-by-case basis, FOX will consider selling time to religious organizations for other purposes.

## **SECONDARY PRODUCT EXPOSURES AND MENTIONS/THIRD-PARTY PASS THROUGHs**

Advertisements that give exposure to products other than the one being advertised may be acceptable on a case-by-case basis. Scheduling restrictions may be necessary if the secondary product conflicts with another advertiser's exclusivity. 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**

Advertisements for the solicitation of funds will be considered on a case-by-case basis.

## **SPONSORSHIP IDENTIFICATION**

Sponsorship identification must comply with all applicable federal laws. *See* 47 U.S.C. §317; 47 U.S.C. §508.

## **UNACCEPTABLE EXPLOITIVE ADVERTISING TECHNIQUES**

Advertising should not utilize scare tactics, create a sense of urgency or danger, or use economic, medical or social issues or events to exploit the sensitivities of vulnerable groups, including but not limited to, the elderly, disabled, economically disadvantaged, etc.

## **UNACCEPTABLE PRODUCTS**

- Electronic cigarettes, cigarettes, chewing tobacco, snuff tobacco, cigars, and all other tobacco or tobacco-related products and retailers;
- Weapons, ammunition, firearms, fireworks, and other destructive items;
- Presentations promoting a belief in the efficacy of fortune telling, astrology, phrenology, palm reading, numerology, mind reading, character reading, or other occult pursuits;
- Adult-oriented or sex-related books, DVDs, magazines, software, videos, websites, photos, devices, toys, clubs, "chat" lines, male enhancement products, etc.;
- Abortion clinics, services, or other informational material;
- Anti-law enforcement devices (e.g., radar detectors, fuzz busters);
- Illegal drugs or other illicit substances and related products, services or publications;
- Ingestible or topical cannabis, CBD, and Hemp products (or any related paraphernalia), unless FDA approved;

- Massage parlors;
- Matrimonial or escort services;
- Illegal gaming websites or facilities;
- Advertisements promoting anti-social behavior (including but not limited to, criminal activity, obscene behavior, violence, etc.);
- Any illegal product or service.

### **VIDEO GAMES**

Approval and scheduling of advertisements for video games are primarily dependent on the content of the individual advertisements, however, the overall theme/objective of the advertised game may also be taken into consideration. Additionally:

- 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 if individual advertisement content is appropriate. Games or advertisements that contain excessive violence, unacceptable language, or suggestive content may be restricted from programming designated as Youth Appeal, Family Appeal, Youth/High School Sports or other programming;
- Games with an “M” rating or higher (if approved) are restricted programming designated as Youth Appeal, Family Appeal, Youth/High School Sports or other programming. Games that contain excessive violence or suggestive content could possibly be further restricted;
- Advertisers are strongly encouraged to submit game footage prior to completion of the final cut.

### **WEBSITES**

The inclusion of a website address in an advertisement is permissible provided the content of the website is appropriate. Websites mentioned in conjunction with traditional advertising must not contain information that conflicts with or contradicts the information presented in the advertisement (e.g., the cost of the item, shipping and handling, product guarantees). Additionally, the website must be fully functioning as of the date of submission (i.e., websites or web pages that are currently “Under Construction” will not be accepted.)

### **WEIGHT LOSS/CONTROL PRODUCTS**

Claims for weight loss products or programs must comply with all applicable laws and regulations and claims must be substantiated. Additionally, this 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;

- Advertisements should not contain express or implied overstatements of a product's or program's results. If specific weight loss results are shown and those results are atypical to what the average consumer can expect to lose, it must also have a disclosure in compliance with FTC regulations stating results an average consumer can expect to achieve; "Results will vary" disclosure or similar are not sufficient;
- 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 the FTC's rules regarding endorsements and 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.