

FX TELEVISION NETWORKS

ADVERTISING STANDARDS AND GUIDELINES





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INTRODUCTION

OVERVIEW

It is the policy of the FX Networks (FX) to present advertising that is truthful, tasteful, and consistent with all applicable laws and regulations, as well as industry and corporate standards. This policy is mandated not only by our obligation to operate in the public interest and by state and federal laws, but also as a matter of good corporate citizenship.

These Advertising Standards and Guidelines are to be used by advertisers, their agencies and legal counsel, and FX personnel, with the goal of producing advertising that can be approved and aired on FX.

ROLE OF THE DEPARTMENT OF STANDARDS AND PRACTICES

The Department of Standards and Practices (“S&P”) is responsible for reviewing all advertising material presented for airing on FX, including commercials, interstitials, integrations, etc. These guidelines represent the guiding principles of FX and are not intended to substitute for the direct involvement of S&P in the advertising review and approval process.

S&P is an independent department of FX, ultimately reporting to the General Counsel of The Walt Disney Company, operating objectively and free of external influences.

GENERAL STANDARDS

Advertising presented on our platforms should be truthful, accurate, and tastefully executed. FX reserves the right to accept or reject any advertising or portion thereof it deems inconsistent with its policies and these guidelines.

In order to determine the acceptability of advertising material submitted for broadcast, S&P will review the accuracy of all statements and claims made in advertising copy and the appropriateness of the creative. Advertisers are required to have a reasonable basis for all express and implied claims made in their advertising. Advertising should be presented in a manner that is appropriate and tasteful and, towards that end, images of nudity and language that constitute profanity will not be acceptable.

Advertising may require scheduling restrictions. Such restrictions will be imposed at S&P’s discretion, taking into account the nature of the product or service advertised, the content and context of the advertising, and the content, tone and audience composition (including the likelihood of co-viewing by minors) of the program into which the advertisement would be placed.

FX reserves the right to request that the advertiser affirmatively establish that it has obtained all relevant rights and releases for all identifiable persons and intellectual property contained in its creative, to request revisions to bring advertising into compliance with its advertising standards and policies, or to reject any submitted advertising, and to revoke its approval of any advertising previously accepted.

CLEARANCE PROCESS:

COMMERCIAL SUBMISSIONS

Advertisers (or their agencies) should submit to S&P storyboards/scripts, rough cuts, and final versions for each commercial intended for air on FX. These materials should be submitted sufficiently in advance of the intended air date to permit careful review. Final versions should be accurately labeled and slated. The slate should contain the commercial title, length, and unique ISCI code or Ad-ID. All HD versions of commercials must be center-cut protected.

S&P *does not* routinely review advertising which is not intended for national broadcast. To qualify for national broadcast, products and services must generally be available in at least 50% of the country.

Substantiation must be submitted for all claims and should be sent along with the initial submission of proposed advertising. After reviewing a proposed commercial, S&P may accept or reject the advertising, request revisions, or request additional substantiation for claims.

It is the general practice of S&P to treat information and materials submitted by an advertiser (or its duly authorized representative) related to commercial clearance as confidential.

CHALLENGE PROCESS – Competitive Challenges to Advertising

Any commercial aired on FX may be challenged. Prior to filing a challenge, the challenger should contact the advertiser and make a good faith effort to resolve the concerns raised.

If the parties fail to resolve the issue(s), a challenge may be commenced by submitting, in writing to S&P, all arguments and supporting documentation or data. The advertiser should be copied on this correspondence.

S&P will review all challenges received, and if the challenge appears to have merit, S&P will send a letter to the advertiser requesting that it respond in writing to the challenge. The advertiser's response will be due within ten (10) business days from the date FX advised the advertiser of the challenge. Upon receipt of the advertiser's initial response, FX will invite the challenger to add to the record. The challenger must submit its reply within ten (10) business

days of such invitation. Lastly, the advertiser will be offered the opportunity to complete the record with its second and final reply. Should the advertiser choose to do so, this submission must also be received by FX within ten (10) business days. S&P may adjust the above schedule for good cause.

Every challenge is reviewed de novo. It is S&P's general practice that materials submitted by the challenger and advertiser, as well as communications from and decisions by S&P, will not be disclosed to parties that are not involved in the challenge process.

During the course of a challenge, if the advertiser believes that certain material needed to refute the challenger's claims is a trade secret, or contains information that is privileged or confidential, it should set forth the basis for such designation, and provide an Executive Summary of the information to the challenger for review and comment. In the event a challenger refuses to provide information to the advertiser that it deems confidential or proprietary, S&P will not consider this material in its review of the challenge and will promptly return such material to the challenger.

In the event litigation or government action is commenced during the course of a challenge raising the same or substantially similar issues, S&P will generally defer consideration of the challenge and permit the disputed claims to air pending resolution by the responsible court or government agency.

S&P will normally permit a challenged commercial to continue to air unless: (1) the advertiser refuses to cooperate with the challenge procedures described above; (2) the airing of the commercial has been enjoined by a court; (3) the issues raised by the challenge are resolved against the advertiser by a government agency or an appropriate court; or (4) S&P determines that continued airing is not in the best interests of FX or its viewers.

GOVERNMENT ACTION

The actions of a federal, state, or local government agency or court may affect the question of whether or not advertising claims for a particular product or service are acceptable. Advertising that contains claims that the government has announced are subject to investigation or other governmental process will be considered on a case-by-case basis. If the advertising is approved, and the government action is then resolved against the advertiser, the approval will be revoked and the advertising will be withdrawn from broadcast.

ALCOHOLIC BEVERAGES

STANDARD

Beer, wine, malt beverage, and hard liquor advertising is acceptable, subject to federal, state, and local laws, industry guidelines, and the applicable guidelines set forth here. Any commercial for or featuring alcoholic beverages may be subject to scheduling restrictions based upon the nature of the advertised or featured product, audience composition, and other factors.

GUIDELINES

General

- All alcoholic beverage advertising must include a “drink responsibly” or similar message in audio and/or video.
- The following elements are generally not acceptable:
 - o Direct or indirect references to, or depictions of, the strength of the product, (including statements of alcoholic content) unless used solely to establish that the product contains alcohol. General references to a reduction in alcoholic content in a given product type is acceptable, provided that there is no implication or conclusion about the safety or amount that may be consumed by reason of such reduction.
 - o Visual representations or sound effects of drinking.
 - o Depictions of unsafe or illegal activities, such as presentations that give the impression of, or promote, excessive consumption of these products; portraying or encouraging use of these products by young people who have not reached, or appear not to have reached, the legal drinking age; presentations that do not conform to generally accepted standards of safety, such as the use of these products either before or during situations involving hazardous activities or requiring a high degree of alertness.
 - o Advertising that represents personal achievements, athletic ability, attractiveness, maturity, etc., as deriving from the consumption of these products. These advertisements should not claim or imply that the consumption of alcoholic beverages will allow viewers to maintain or increase their athletic prowess, health, or conditioning; or perform at a level comparable to that of a famous athlete.

- o Advertising that expresses or implies that the consumption of these products will produce an alteration of mood.
- The gratuitous use of alcoholic beverages as props in non-alcoholic beverage commercials should be avoided. If otherwise acceptable, the use of props or language primarily associated with hard liquor may trigger the same restrictions as if the commercial was promoting a hard liquor product.
- Advertising for nonalcoholic products containing the brand name of a hard liquor product or a distiller may be subject to the same scheduling restrictions as the hard liquor product or distiller itself.
- The use of a QR code should not take the viewer directly to a webpage that is exclusively for the purpose of purchasing the product.

Beer, Wine, and Malt Beverages

- Such products may be no more than 24% alcohol by volume, and by definition may not be hard liquor based.
- Pursuant to the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, advertising for beer, wine, and malt beverages must disclose the corporate name, city, and state of the brewer, producer, packer, wholesaler, or importer responsible for its broadcast.
- Advertising for malt beverages (other than beer) must disclose in audio and/or video that the product is a malt beverage.
- Scheduling Restrictions. Advertising for Beer, Wine, and Malt beverages is subject to the following:
 - o May air only in thematically appropriate programming where 74% of the audience composition is of legal drinking age.
 - o Not acceptable in movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

Hard Liquor

- Hard liquor is defined as any beverage legally classified as a distilled spirit, which includes, but is not limited to: whiskey, gin, vodka, rum, brandy, cordials, liqueurs, fortified wines, and mixed products which contain hard liquor, including liquor-based coolers, even if the percentage of alcohol in them is less than that contained in beer, wine, or malt beverages.
- Pursuant to the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, advertising for hard liquor must disclose the corporate name, city, and state of the brewer, producer, packer, wholesaler, or importer responsible for its broadcast, as well as the percentage of alcohol by volume.
- Scheduling Restrictions. Advertising for distilled spirits may be considered subject to the following:
 - As long as the content of the commercial is deemed otherwise acceptable, such advertising may air in thematically appropriate, post 6PM EST programming where 85% of the audience composition is of legal drinking age.
 - Not acceptable in movies and programming rated TV-G and related TV-PG programming designated as Family Programming, High School Athletics, and certain College Sports Programming.
 - Placement will be considered on a case-by-case basis, taking into consideration factors including: the type of alcohol product being advertised (e.g., its % alcohol by volume); the content and tone of the program into which the advertising is to be placed; the scheduled time and audience composition (including the likelihood of co-viewing by minors) of the program into which the advertising is to be placed; and the nature and content of the proposed advertisement.
 - Program integrations involving hard liquor products will be considered on a limited basis and must be pre-approved by S&P. S&P review may entail consultation with and/or approval of Senior Corporate Management. The above guidelines, including the applicable mandatory disclosures, would apply to any program integration.

Alcoholic Beverages in Other Advertising

In advertising for businesses which sell alcohol in addition to other products/services, such as hotels, restaurants, airlines, etc., references to and/or visuals of alcoholic beverages are acceptable without restriction when limited to generic/unbranded visuals and/or language such as “cocktails,” “mixed drinks,” etc. Relevant scheduling restrictions will apply to such advertising that includes prominent, pronounced, and/or branded references to alcoholic beverages.

Alcohol Related

Advertising for Alcohol-related services, like delivery and subscriptions, may also be subject to the same requirements and restrictions as the alcohol brand.

ANIMALS

The use of animals in commercials shall conform with accepted standards of humane treatment. Advertisers should provide a letter from the Humane Society or a certified animal trainer confirming that no animals were harmed during commercial production. Alternatively, advertisers may provide documentation that the Humane Society was contacted but declined to be present.

When warranted, S&P will also notify Disney’s department of Animals in Film and TV of any proposed animal action in commercial content, which will then help to determine the appropriateness of animal usage.

CANNABIS/CBD

FX Networks do not accept advertisements for CBD/Cannabis related products or services.

CHAIRMAN’S MESSAGES IN SPORTING EVENTS

In the event of simulcasts of sporting events that may include Chairman’s messages, such advertising will be subject to the advertising guidelines and policies of the originating platform.

CLAIM SUBSTANTIATION

STANDARD

An advertiser must have substantiation for all reasonable interpretations of express and implied claims in its advertising. All claims must be substantiated with competent and reliable scientific evidence, market research, or any other material that provides a reasonable basis for the claims. To avoid post-production revisions or other last-minute issues, appropriate substantiation should be submitted well in advance of production or scheduling of any commercial.

(See also “Product Demonstrations”)

GUIDELINES

General

- Substantiation of competitive claims must include testing on all relevant products. If a product or service is being compared to an entire market, it should be tested against the top 85% of that market, based on current unit (not dollar) sales data.
- For claims supported by testing, the advertiser must document that the results: (1) are not likely due to chance (statistically significant at 95% confidence level); (2) are consistent with results one would expect from the product as purchased and used by consumers; and (3) are meaningful to consumers (i.e., not merely statistically significant).
- Qualifying information about the attributes or use of a product should be disclosed whenever a claim is valid only under certain circumstances. Inadequately qualified language (i.e. a “dangling comparative”) that creates a market comparison is not permitted, unless such claim can be substantiated, as discussed above.
- False or misleading disparagement of competitive products or services, and falsely claiming that a competitive product or service has little or no value (i.e., ash-canning) is not permitted.
- Puffery claims are subjective claims which cannot be verified (e.g., “When I wear X, I look my best” and “Y is the most terrific game around”). Since they deal with subjective preferences or hyperbole, they cannot be proven or disproven. Such claims are generally acceptable as long as the clear net impression upon the viewing public is that these claims are subjective, personal preference, or hyperbole.

CLINICAL STUDIES

Advertising for clinical and related studies is generally not acceptable.

COMMUNITY SENSIBILITIES

FX will not accept advertising which misrepresents, ridicules, or attacks an individual or group on the basis of age, color, national origin, race, ethnicity, religion, sex, sexual orientation, gender identity or disability. Special sensitivity should be exercised in dealing with these classifications.

Advertising which promotes violence, crime, obscenity, or any other forms of antisocial behavior is unacceptable.

Due to heightened community sensitivities during national and international tragedies, it may be necessary to reconsider or reexamine advertising, even if previously approved.

COMPETING MEDIA & PROGRAMMING

FX reserves the right to reject, or to impose restrictions on, advertising for, or that features, competing media. Such determinations will be made in consultation with senior members of the Sales department. If determined to be otherwise acceptable, such advertising generally may not include day, date, and time scheduling information for the advertised program.

Such advertising should disclose the rating of the promoted movie or program.

Advertising for TV-MA-rated programming will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming. Advertising for films and programs containing more intense depictions of violence, horror, sexual dialogue/situations, etc., if otherwise acceptable, may warrant additional scheduling restrictions (e.g., Post 9PM, TV-MA programs only, Late Night only, etc.). Such advertising will be reviewed on a case-by-case basis, taking into consideration the nature of the advertised program, the content of the proposed advertisement, and the content, tone and audience composition (including the likelihood of co-viewing by minors) of the program into which the advertisement would be placed.

CONTESTS

STANDARD

Advertising for advertiser-sponsored contests or sweepstakes may be acceptable if the contest or sweepstakes offers all entrants a fair opportunity to win and complies with all applicable

federal and state laws. Such advertising must not be misleading, or falsely or unfairly raise hopes and expectations of winning.

The broadcast of any advertisement or information concerning a lottery is a criminal offense under 18 U.S.C. § 1304, except for lotteries permitted by state law. (See also “Lotteries”)

GUIDELINES

FX reserves the right to require the advertiser to submit all details of a proposed contest, including an entry blank, game card, complete rules, and a list of all prizes for approval prior to production of the commercial.

Advertising including a contest or promotion should disclose the following information: (1) specific eligibility and entry requirements; (2) entry deadline; (3) no purchase necessary; (4) void where prohibited; (5) where to get complete rules; and (6) criteria for judging winning entries in contest involving skills.

Advertising for a sweepstakes which legally depends on the equal availability of free means of entry should adequately describe the availability of such free chances and the locations, times, and manner in which they may be obtained. Such phrases as “No Purchase Necessary” or “Nothing to Buy” without more information may not always meet this requirement.

CONTROVERSIAL ISSUES, POLITICAL, ELECTION ADS

FX will consider on a case-by-case basis political and election advertising, as well as advertising that presents a position on a controversial public issue, subject to the below.

Advertising that presents a position on a controversial public issue may be unacceptable if:

- its content, or other content referenced in the ad or otherwise disseminated by the advertiser, is deemed offensive (e.g., on racial, religious, or ethnic grounds);
- it is an attack of a personal nature on a private individual, an attack on an individual business, or a comment on a private dispute;
- it contains violent or otherwise graphic or potentially offensive content that is deemed to be inappropriate for our network’s viewing audience;
- it contains content that promotes or may incite violence, crime or any form of antisocial behavior;

- it is incompatible with any of our network’s other advertising standards;
- it is inconsistent with any network or corporate policy; or
- it offends network sensibilities.

As part of the clearance process for such advertising, substantiation may be required to support any factual claims made.

Such advertising must disclose the name of the actual individual or organization that is paying for the ad. This disclosure must be in the form of a “paid for by...” or “sponsored by...” super, or in a form otherwise required by law.

Any such advertising approved by this department may be subject to scheduling restrictions.

Use of any Disney intellectual property, talent or employees is not authorized and should be avoided.

CRIMINAL ACTIVITIES

Advertising may not contain the portrayal of specific, detailed techniques that provide instruction in the commission of crimes, the use of weapons, or the avoidance of detection. Advertising for illegal drug products, services, publications, or paraphernalia, as well as incidental or gratuitous references to such in other advertising, is unacceptable.

CRYPTOCURRENCY, NFTs, & OTHER BLOCKCHAIN-BASED DIGITAL ASSETS

STANDARD

Advertising related to cryptocurrencies and other blockchain-based digital assets is acceptable only for products, services and activities that perform the functions listed below or substantially similar functions (“acceptable categories”):

- Cryptocurrency exchanges;
- Cryptocurrency payment processors;
- Digital wallet providers;
- Cryptocurrency/digital asset investment advisors, managers, and broker-dealers;

- Companies that provide cryptocurrency custodial services to institutional clients,
- Non-fungible tokens (NFTs) including (i) NFT rights holders, (ii) NFT marketplaces, (iii) auction houses or any business whose primary function is to auction NFTs, and (iv) providers of NFT support services such as smart contract development services.

Even if an advertiser's products, services or activities involve multiple cryptocurrencies, the advertisements themselves must not include verbal or visual references to specific cryptocurrencies, other than Bitcoin and Ether/Ethereum.

No other categories of cryptocurrency-related advertising are acceptable. All advertising in acceptable categories is subject to 1) the Guidelines, including completion of an RFI, as described further below, and 2) an internal review of the creative. Advertising in acceptable categories may be restricted from running in certain programming, at FX's sole discretion. Advertising in which references to acceptable categories appear as secondary mentions will be accepted at the sole discretion of FX. All advertising must comply with all applicable federal, state, and local laws, as well as all other applicable guidelines.

Advertisers must submit all creative for pre-clearance sufficiently in advance of campaign launch. Advertisers seeking placement on digital platforms must proactively request pre-clearance review and approval. Self-serve and biddable programmatic advertising placements in this category are not acceptable.

GUIDELINES

All advertisers must complete and submit a Request for Information and Certification of Responses form ("RFI") supplying information about the advertiser's business. FX reserves the right to require additional information from the advertiser at its sole discretion.

Each of (i) the Advertiser, (ii) the Advertiser's products, services, and activities to be advertised, (iii) the site or app to which users are directed by the advertisement, and (iv) the advertisement itself, must be in compliance with all applicable federal, state, and local laws and regulations (and where applicable, laws of foreign jurisdiction).

Advertisers must have obtained all necessary federal and state registrations and licenses as required to operate in compliance with all applicable laws.

Advertisements must not include verbal or visual references to specific cryptocurrencies other than Bitcoin and Ether/Ethereum.

Advertisers must include in their advertising disclosures that are clear and conspicuous to a reasonable consumer of information material to a decision to purchase their product or service,

such as how a product works, what is included or excluded with a service or offer, who is eligible to receive a service or offer, and risks of using a product or service.

NFTs:

- Advertisers promoting NFTs must own or control the required intellectual property rights to the NFTs being advertised as well as the associated digital or physical assets.
- The following advertising for NFT projects are not acceptable:
 - o Advertisements for NFTs that promote or mention the ability to obtain a fractionalized ownership interest in the NFT.
 - o Advertising that promotes NFTs as an investment product or investment opportunity, or that implies that NFTs will increase in value.
 - o Advertising that promotes any type of digital token or cryptocurrency along with the NFT (e.g., “Buy X coins so that you get access to these NFTs.”)
 - o Advertising that promotes future, but undefined, benefits that will come with the NFT (e.g., “Purchase This NFT and Unlock a World of Benefits”).
 - o If the advertising promotes future, but undefined, benefits that will come with the NFT (e.g., “Purchase This NFT and Unlock a World of Benefits”), such benefits should be specified prior to purchase. If not, the advertising is prohibited.
 - o Advertising that states or suggests that purchase of the NFT will fund a project.
 - o Advertising that promises the NFT purchaser a share of future revenues or interest in a royalty stream.

DEMONSTRATIONS

(See “Product Demonstrations”)

DIETARY SUPPLEMENTS, VITAMINS, AND RELATED PRODUCTS

STANDARD

The Dietary Supplement Health and Education Act (DSHEA) defines “dietary supplement” as an ingestible that contains a dietary ingredient intended to supplement the diet. While not permitting claims that a dietary supplement can treat, cure, or prevent any disease, DSHEA

does permit “structure/function” claims, which are claims that describe the helpful impact of the product on the structure or function of the body. The Federal Trade Commission, which has jurisdiction over the advertising of dietary supplements, has affirmed its requirement that all claims must be fully supported with substantiation developed prior to the making of those claims.

FX will closely scrutinize advertising for dietary supplements that contains claims involving serious health considerations, or that is directed to particularly sensitive groups.

Advertising for dietary supplements must generally carry the following (or similar) super, which is also required for package labeling by DSHEA: “These statements have not been evaluated by the FDA. This product is not intended to treat, cure or prevent any disease.” (See also “Medical Product Advertising”)

GUIDELINES

Claims made in vitamin or dietary supplement advertising must be supported by competent and reliable scientific evidence. Studies submitted in support of any efficacy claims should be conducted on the advertised product as sold to consumers. Studies on other products, other formulations of the advertised product, or on the individual ingredients that compose the advertised product, may provide helpful background information, but may not be sufficient to support efficacy claims. Claims based on testing of an individual ingredient should be appropriately qualified to reflect that they are specific to that ingredient.

Claims about the safety of dietary supplements, and claims that compare or equate dietary supplements with OTC or Rx drugs, explicitly or by implication, are unacceptable. Likewise, express or implied claims that a vitamin or dietary supplement can replace or be equated with foods or food values (e.g., when dieting), are unacceptable.

Claims of comparative efficacy are generally not acceptable. Superiority claims may not be made on the basis of a quantity of vitamins (e.g., milligrams) greater than the Recommended Daily Value. Claims of comparative formulation of individual micronutrients are acceptable (e.g., “Twice as much Vitamin C as the leading brand”), so long as comparative efficacy is not conveyed.

Vitamin or dietary supplement advertising should be directed to adults. Children may not appear as spokespersons. Children may not be depicted dispensing vitamin or dietary supplements to themselves or other children.

DIRECT RESPONSE ADVERTISING

Direct response advertising permits the consumer to order products or services by mail, phone, or online. Such advertising must conform to all applicable legal and regulatory guidelines.

The price and additional charges (e.g., shipping and handling) must be disclosed in audio.

DRAMATIZATIONS, REENACTMENTS, AND SIMULATIONS

A dramatization is a fictionalized depiction created solely for the purpose of the advertising to portray the event, product or service involved. A reenactment is a recreation of an actual event, utilizing either the actual persons involved or actors portraying those persons. A simulation is an imitative representation of the performance of a product. Advertising that utilizes any of these techniques must include a clear disclosure identifying it as such. However, a “slice of life” is an obvious fictionalized dramatization of a real-life situation and requires no disclosure.

Advertising which utilizes a reenactment or simulation must accurately depict the product or service involved and, when warranted, testimonial affidavits may be required to support the accuracy of the event portrayed.

EMERGENCY ALERTS

The use of the Emergency Alert System (EAS) tone, Wireless Emergency Alert (WEA) tone, or similar-sounding alerts or tones, in any broadcast advertising or programming is prohibited by law.

ENDORSEMENTS

STANDARD

Endorsements must reflect the honest opinions, beliefs, findings, or experience of the endorser. The endorser may be an actual consumer (including a celebrity), an expert, or an organization. Endorsements may not convey any express or implied representations that would not be substantiated if made directly by the advertiser.

GUIDELINES

All endorsements must comply with the Federal Trade Commission Guides Concerning the Use of Endorsements and Testimonials in Advertising, 16 C.F.R. Part 255.

Advertisers must fully disclose any connection between the advertiser and the endorser that might materially affect the weight or credibility of the endorsement. This includes payment or the promise of payment to an “actual consumer” (who is not an expert or celebrity) prior to, and in exchange for, the endorsement.

FX reserves the right to request a statement signed by the endorser attesting to the truthfulness of all their representations.

ENVIRONMENTAL CLAIMS

Advertisers are expected to comply with the FTC’s Guides for the Use of Environmental Marketing Claims. Any express or implied claims regarding an environmental attribute of a product, package or service must have a reasonable basis. Particular attention should be paid to certain descriptors, such as: “environmentally friendly/eco-friendly,” “ozone safe/ozone friendly,” “green,” “recyclable,” “non-toxic,” “biodegradable,” and “compostable.” Such descriptors must be appropriately qualified.

FANTASY SPORTS

(See “Gambling Related Advertising”)

FINANCIAL ADVERTISING

STANDARD

Advertising for banking services, cryptocurrencies and blockchain-related assets, brokerage services, loan products and services, and similar services or investments is acceptable, provided that all appropriate and material restrictions, risk factors, and qualifications are disclosed, and that the advertising conforms to all applicable laws. Whenever advertising includes prior investment results, a statement should be included that past results are not an indication or guarantee of similar results in the future. Predictions about future investment results are not permitted. Online investment services must disclose material restrictions unique to their product or service (e.g., that response times for executing orders may depend on market or other conditions).

Advertising for speculative investments, money-making opportunities, credit repair services, bail bonds, pay day loans, and similar services is generally not acceptable.

GUIDELINES

Banking Services

Banking services, credit cards, etc., may be advertised, provided that appropriate disclosure is made of all relevant material terms, restrictions, and penalties.

Stocks and Bonds

Advertising for specific stocks and bonds is not acceptable. Similarly, the advertising for “stock tips,” and initial public offerings (“IPO”) and pre-IPO related products or services is not acceptable.

Cryptocurrency, NFTs, & Other Blockchain Products and Services

(See Section, “Cryptocurrency, NFTs, & Other Blockchain-Based Digital Assets”)

Loan Products

Advertising for mortgages, loans, and debt-relief services will be considered on a case-by-case basis. Advertisers must provide documentation that they are licensed to operate in the state(s) in which they are advertising. The ads must also contain all applicable terms related to the offered product or service (e.g., interest rates, fees, etc.).

FIREARMS, AMMUNITION, AND FIREWORKS

Advertising for firearms and ammunition is not acceptable. The use of firearms as props in advertising for other products is generally not acceptable.

The advertising of fireworks is not acceptable.

FOOD

STANDARD

Advertising may not overstate the health or nutritional value of foods. Use of words such as “nutritious,” “healthy,” “all natural,” “organic,” etc., must be substantiated and may not be used to exaggerate or distort the value of the food. Health and energy claims for foods and food ingredients will be considered on a case-by-case basis. Such claims must be fully substantiated and presented in the context of a complete diet. All food advertising must comply

with the provisions of the Nutrition Labeling and Education Act of 1990 (NLEA), and regulations issued by the FDA and USDA.

GUIDELINES

Nutrient content descriptors (e.g., “low fat,” “calorie-free,” “good source,” “reduced,” and “light”) must comply with the applicable NLEA definitions for those terms.

Foods advertised as meal substitutes are considered on a case-by-case basis and evaluated from the perspective of the completeness of the nutrition provided. Unless a food provides the nutritional equivalent of a balanced meal, food advertised as a meal substitute may only be presented as an occasional replacement for meals when a person is unable to eat properly; and may not be positioned as a permanent part of the daily diet.

Food possessing reduced or low levels of an ingredient should not be advertised to suggest that the food can be consumed in large amounts without consequences. Any implication of immoderate consumption is not acceptable.

Health claims will not be acceptable in those instances where a product possesses both healthy and unhealthy components which bear on the claim being made (e.g., a product containing no cholesterol cannot advertise itself as healthy or helping to prevent heart disease when that product is also high in sodium).

FOREIGN LANGUAGE

A commercial may generally contain statements in a foreign language provided that: (1) the literal and accurate translation of such statements is included in clearly legible English subtitles; (2) the advertiser provides S&P with an official translation; and (3) all claims relating to the advertised product and/or service are made in English.

“FREE,” Use Of

The word “free” is recognized as a strong inducement in advertising copy.

An offer may be described as “free,” provided that all conditions for obtaining the “free” product or service are clearly and conspicuously disclosed, and the advertising complies with Federal Trade Commission Guidelines covering “free” offers.

GAMBLING RELATED ADVERTISING

SPORTS BETTING ACTIVITIES

On linear television and radio networks that are distributed on a national basis, advertising for sports betting will be permitted on a national basis, subject to compliance with these Guidelines.

[On linear television and radio networks or stations that are distributed on a local or regional basis, advertising for sports betting should be restricted to markets that include states where sports betting is legal, but the network reserves the right to decline such advertising in its discretion if the market also includes state(s) in which sports betting is not allowed.]

[Sports betting advertising on digital sites and streaming services must be geo-fenced to only states where sports betting is legal.]

In addition:

- All advertising is subject to applicable league restrictions;
- All advertising copy and/or disclaimers should make clear that betting activity is restricted to states where such activity is legal and the advertiser is licensed to conduct such activity;
- All proposed sports betting advertisers should obtain internal approval prior to acceptance of any advertising;
- All proposed creative is subject to internal review and approval by Advertising Standards and Practices in advance of campaign launch. Self-serve and biddable programmatic advertising placements in the sports betting category are not acceptable;
- Advertising for a property that includes a sportsbook (e.g., casino, racetrack) should observe all applicable sports betting restrictions if the advertisement includes any references (audio or visual) to sports betting;
- Advertising, advertisers and the product(s) or service(s) advertised must adhere to all applicable state and federal laws and regulations;
- No “bounties,” cost-per-conversion or other revenue share permitted;
- Any proposed integration of advertising or links into digital or streaming content will be considered on a case-by-case basis to ensure legal and regulatory compliance; and

- Sports betting advertisements will not be permitted in youth-oriented programming.

SUBMISSION AND APPROVAL MINIMUM REQUIREMENTS:

Documentation Required:

- Documentation evidencing a current license within applicable state(s) of operation; and
- Full Terms & Conditions for all contests, deposit bonuses and/or other promotions specified in advertising content.

Minimum Creative Guidelines:

- Advertising should not refer directly or indirectly to college sports;
- Advertising should not include unauthorized intellectual property (e.g., logos, trademarks, color schemes), or imply sponsorship or endorsement by any league or team;
- Advertising should not contain any flashing call-to-action or other overt solicitation of betting, or contain information that assists in the placing of a bet or how to consummate a bet;
- Advertising should clearly communicate the legal state(s) of operation (e.g., “Only in . . .”) in a manner that is visible before users access any URL, link or QR code;
- Advertising should disclose material terms for special promotions, and deposit bonuses should not be described as “free” if conditioned on payment;
- Advertising should clearly communicate minimum age requirements to wager and include responsible gaming messaging in each case in accordance with applicable law and industry standards;
- Disclaimers within advertising should be prominent and clearly separated as distinct disclaimers; and
- URLs, links or QR codes included in sports betting advertising will be considered on a case-by-case basis. Additionally, the use of a QR code should not take the viewer directly to a webpage that is exclusively for the purpose of placing a bet.

DAILY FANTASY

- Advertising for daily fantasy platforms will be permitted provided that:
 - Such advertising should clearly communicate a daily fantasy game. Promotion of season-long products is not permitted.

- Such advertising should not promote live scoring or general news and information content.
- Such advertising should not promote player values or salaries.
- Such advertising otherwise complies with these guidelines.

FX NETWORKS SCHEDULING RESTRICTIONS:

Advertising for brick and mortar casinos, sports betting, and daily fantasy platforms, including advertising with secondary references to such products and services, that is otherwise determined to be acceptable under this section may air on FX Networks in Sports and Entertainment Programming for which 85% or more of the audience is 21 years or older and is subject to the following additional scheduling restrictions:

- Acceptable in Sports Programming except college and youth-oriented sports programming.
- Not acceptable in movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

ADDITIONAL CURRENT RESTRICTIONS FOR SPORTS BETTING AND DAILY FANTASY IN COLLEGE SPORTS PROGRAMMING:

The following additional restrictions apply for sports betting and daily fantasy ads in College Sports Programming (and other sport categories, subject to league policies and at FX's discretion):

- Advertising is not permitted to run in-game during any live or taped broadcast, or during licensed studio programming;
- Advertising within non-licensed studio programming (e.g., College Game Day, pre-game and post-game shows) will be assessed on a case-by-case basis and may be subject to hourly caps;
- Advertising is not permitted to run during video pre-roll to highlights clips;
- Direct sponsorship of sport category may be permitted on a case-by-case basis pending league approval;
- Creative may not promote or depict betting on college sports; and

- Additional programming restrictions may be applied at FX’s discretion.

[Digital:

Sports betting and daily fantasy ads are prohibited in licensed video on digital, mobile, and social platforms, including pre-roll and streaming. However, digital display is permitted ROS.]

[Audio:

Ads for sports betting are restricted from live broadcasts of restricted programming. Talent reads for such ads are permitted as strictly copy reads only; talent endorsement language is not permitted in any form. Prior approval of the script/copy is required.]

CASINOS

FX may accept advertising for offline casinos or other physical places of gambling (including travel services or tourist destinations that directly or indirectly promote gambling) operating in states where such activity is legal, subject to the broader Standards & Guidelines within and the following:

- If the advertisement promotes sports wagering or race book services, then applicable guidelines herein should be followed.
- Advertisements for offline casinos may promote the gambling amenities of the offline casino and may include visual or audio references to gambling or gambling paraphernalia (e.g., dice, roulette wheels, “slot machine” type graphics).
- Such advertising for offline casinos will be subject to any restrictions or prohibitions required by [Sports] programming rights-holders during applicable programming.

OTHER GAMBLING (Lottery, Poker, Horse Racing, etc.)

Generally: Other than as noted in these Advertising Standards & Guidelines, Disney/FX does not accept advertising constituting or relating to a lottery, a contest of any kind in which the public is unfairly treated or any enterprise, service or product which would tend to encourage, aid, abet, assist, facilitate or promote illegal or legal gambling, including without limitation sports betting tout services and unregulated forms of wagering (e.g., so-called “skill-based gaming”).

Other Legalized Intrastate Wagering Activities:

Advertising for state operated lotteries (including lotteries conducted over the Internet) or state-licensed iGaming or online casinos (e.g., pay-to-play poker/casino websites) will be permitted only in local television and radio markets and on digital sites and streaming services, provided that: (a) the wagering activities are geo-gated strictly to within states where it is legal, (b) the advertising copy and/or disclaimers make clear that the wagering activity can only take

place within states where it is legal, (c) TV/Radio advertising should be restricted to markets that include states where the advertiser's advertised betting activity is legal, but FX reserves the right to decline such advertising in its discretion if the market also includes state(s) where the advertiser's advertised betting activity is not allowed, and (d) digital/streaming advertising should be geo-fenced to reach only states where the activity is legal.

GUARANTEES OR WARRANTIES

STANDARD

References to guarantees, warranties, or similar terms in advertising copy must comply with all applicable laws and governmental rules and regulations, including the Magnuson-Moss Warranty Act and the rules promulgated by the Federal Trade Commission.

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," or the like.

INTERSTITIALS / INTEGRATIONS

An interstitial or integration is a hybrid creative that combines commercial and program elements. The creative will be reviewed by S&P and other relevant in-house corporate partners to ensure its compliance with all applicable requirements.

INTIMACY, PERSONAL CARE, CONTRACEPTIVE & FERTILITY PRODUCTS

Advertising for intimate, personal care, contraceptive and fertility products is acceptable on a case-by-case basis. Such advertising should be presented in a sensitive and tasteful manner and will be subject to scheduling restrictions as noted below.

CONTRACEPTIVES

Advertising for contraceptive products and medications is generally not acceptable in movies and programming rated TV-G and related TV-PG programming designated as Family Programming and will be restricted to airing Post 9PM ET. Provided the content is otherwise acceptable, advertising for condoms may be considered for TV-14 and above rated programming airing Post 10PM. Additional restrictions may apply based on the nature of the product and the content of the creative.

In determining the acceptability and scheduled time of the proposed advertisement, S&P will take into account the content and tone of the ad, the nature of the product being advertised,

and relevant industry practice. In determining the suitability of the program into which the advertising would be placed, S&P will take into consideration the nature, content and tone of the program and its audience composition (including the likelihood of co-viewing by minors).

INTIMACY PRODUCTS

Intimacy products may be accepted on a case-by-case basis. Acceptable advertising for such products will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming. Depending on the content of the creative, additional restrictions may apply. In determining the acceptability and scheduled time of the proposed advertisement, S&P will take into account content and tone of the program and its audience composition (including the likelihood of co-viewing by minors), the nature of the product being advertised, and relevant industry practice.

PERSONAL CARE PRODUCTS

Advertising for tampons, sanitary pads, feminine hygiene, and related personal care products is generally acceptable. Scheduling restrictions may be applied depending on the nature of the product, and the content and tone of the commercial. Advertising for such products is generally not acceptable in movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

FERTILITY PRODUCTS/IMPOTENCE DRUGS

Advertising for these products will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

PREGNANCY TESTS

Advertising for pregnancy tests is acceptable but will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

LIVE, Use of

Use of the word “live” to describe content that is not live is not acceptable.

LOTTERIES

A lottery is a game which contains: a) the expenditure of “consideration” to enter; b) chance; and c) a prize. All three elements must be present for the contest to be a lottery under federal

or state law. The broadcast of any advertisement or information concerning a lottery is a criminal offense under 18 U.S.C. § 1304, except for official lotteries permitted by state law.

(See also “Contests” and “Gambling and Related Advertising”)

MEDICAL PRODUCT ADVERTISING - OTC Products and Medical Devices

STANDARD

Advertising for Over the Counter (“OTC”) drugs and medical devices should provide factual information about such products, avoid overstatements of their capabilities, and advise consumers to read and follow label directions (e.g., “Use as directed.”). Advertising should be confined to those symptoms and conditions for which the product is indicated.

Comparative safety claims in medical product advertising raise special concerns. All OTC medications are regulated by the FDA and are generally recognized as safe for the vast majority of the public when used as directed. However, virtually all can have potential side effects when used by individuals under certain circumstances. Virtually all contain warnings and many direct affected consumers to consult with a healthcare professional before use. As a result, only those comparative safety claims which are substantiated, and which do not have the potential to alarm, confuse, or mislead the public, will be acceptable.

FX will not accept advertising for a product which fails to comply with applicable governmental regulations, or which is otherwise contrary to the public interest.

The use of healthcare professionals and/or actors representing them is generally not permitted in advertising where health or medical claims are made for OTCs and other products that do not require a doctor’s intervention. Appropriately qualified references to healthcare professionals may be permitted when such references are substantiated by independent evidence in a manner and to an extent consistent with the spirit of the rule. Such exceptions may be considered in cases where the appearance of the healthcare professional is supported by documentation that is tantamount to a consensus within the relevant medical community. (See also “White Coat Considerations”)

Advertising for medical products may not generally be scheduled in or adjacent to programs designed primarily for children.

For specific guidance on prescription drug advertising, see “Prescription Drugs.”

GUIDELINES

The following guidelines apply to advertising of all OTC drugs and medical devices and to advertising of other products that contain health or medical claims (e.g., dietary supplements):

- An overt reference to use the product in accordance with its labeling directions must be included (e.g., “Use as directed”).
- Before and after depictions of product-use should indicate an adequate time lapse if the product does not provide immediate relief.
- Advertising should not portray a casual attitude toward the use of a medication. Advertising should not present the use of a medication as a solution to personal or everyday problems.
- An OTC medication may not be equated with a prescription product except where products are labeled for the same medical indications and there is adequate evidence to substantiate the comparison. In addition, an “Ask your doctor” reference should be included when the name of the prescription product is referenced. A reference to the heritage of an OTC product, which was previously available only by prescription, is permitted without such reference.
- The words “safe,” “harmless,” “without risk,” or any words or phrases with similar meaning may be used only when qualified and when appropriately supported.
- Advertising should not dramatize distressing symptoms or morbid situations associated with specific illnesses or diseases, nor should it describe internal or external functions of the body in an objectionable manner. Representations which overstate the symptoms for which the product is indicated are unacceptable.
- The on-camera ingestion of OTC products is generally unacceptable but will be considered on a case-by-case basis.
- Products should be advertised for occasional use only. Representations of chronic use are not permitted.
- Children 12 and under are not permitted in commercials promoting a product for adult use except for incidental background appearances. A child may appear in a commercial advertising a medication formulated for children provided adult/parental supervision is clearly established.

- A claim that the advertised product is “clinically proven” effective should be supported by at least two clinical studies. The studies must have been conducted on the advertised product as sold. In cases where only one clinical trial is available, the claim should explicitly refer to a single clinical study (e.g., “a clinical test suggests...”).

MOTION PICTURE, STREAMING, AND HOME ENTERTAINMENT ADVERTISING

GUIDELINES

- All advertising for domestic motion pictures and home entertainment (post theatrical release) must carry either a Motion Picture Association (“MPA”) rating or clearly and conspicuously disclose that such rating has not yet been assigned.
 - o The MPA rating for motion pictures must be clearly disclosed in audio and video. If the film has not yet been rated, that must be clearly disclosed in video or audio and video. For video advertising, the MPA rating, or disclosure that a film has not yet been rated, may be in video only, provided that it is large enough to be read by the viewer.
 - o Non-theatrical advertising that contains bonus footage (e.g., director’s commentary, deleted scenes, bloopers, games, etc.) that is not rated must disclose such in video.
 - o Advertising for video of unrated versions of motion pictures (e.g., director’s cuts, uncensored versions, etc.) is acceptable provided that the advertising is appropriate and clearly discloses that the product is unrated. For scheduling purposes, these videos will generally be considered as though they earned a rating one rating higher than the MPA rating of the theatrical version. For example, advertising for an unrated version of a PG-13-rated motion picture would be limited to R-rated scheduling.
 - o Commercials with secondary product mentions promoting a motion picture must clearly disclose the MPA rating in video, or audio and video.
- Advertising for NC-17 rated motion pictures will be considered on a case-by-case basis. NC-17 rated motion pictures must be screened prior to acceptance of the advertising. If otherwise acceptable, the MPA rating in its entirety must be included in the advertising in both audio and video (“NC-17, No Children Under 17 admitted”). The advertising must both accurately reflect the content of the film and conform to FX’s standards of acceptability for a mass audience.

- “X” rated and similar “adult” fare are not acceptable.
- Advertising that features review quotes with the reviewer’s name and affiliation in video is generally acceptable. Quotes must be representative in context.
- Scheduling of advertising for motion pictures and video will take into consideration the composition of the audience and the compatibility of programming. If the content of the commercial and the overall theme of the motion picture are acceptable, the following scheduling restrictions apply:
 - o Advertising for G- and PG-rated motion pictures may be scheduled in most FX Programming.
 - o Advertising for PG-13 rated motion pictures will be considered on a case-by-case basis for placement in movies and programming rated TV-G and related TV-PG programming designated as Family Programming.
 - o Advertising for R-rated motion pictures will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming. Advertising for films and programs containing more intense depictions of violence, horror, sexual dialogue/situations, etc., may warrant additional scheduling restrictions (e.g., post 9PM, TV-MA programs only, Late Night only, etc.).
 - o Advertising for NC-17 rated motion pictures, which has been reviewed and determined to be acceptable, will be restricted to TV-MA rated programming airing Post 10PM ET.
 - o Advertising for not yet rated motion pictures will be limited to R-rated scheduling until a rating has been designated by the MPA. Exceptions will be granted upon receipt of a responsible representation from the client that the movie will likely be assigned a rating of PG-13, PG, or G.
 - o Advertising promoting the unrated version of motion pictures on video will generally be considered as though they earned a rating one rating higher than the MPA rating of the theatrical version. In addressing this issue, S&P will review and consider the content of the additional unrated footage.
 - o Commercials featuring a motion picture or video as a secondary mention may be subject to the scheduling restrictions appropriate for the rating of that motion picture.

“NEW,” Use Of

Use of the term “new” is limited to no more than six months from the time a product achieves substantial distribution in the relevant market. Terms such as “introducing,” “now,” and the like are generally limited to no more than one year from when substantial distribution is achieved in the relevant market.

NEWS and RELATED TECHNIQUES (including simulation of)

Advertising should generally not contain language, visual techniques, or sound effects associated with newscasts when such advertising is likely to confuse or alarm the audience or trivialize actual newscasts. Examples of language and techniques that are unacceptable include: “Breaking News,” “Bulletin,” “Flash,” “Live,” “Special Report,” “We interrupt this program to bring you...,” horizontal crawls at the bottom one-third of the screen, and teletype sound effects.

ONLINE DATING SERVICES

Advertising for online dating services will be considered on a case-by-case basis. Generally, ads for dating sites that have a sexual emphasis, or that contain sexually explicit or suggestive material, would not be acceptable.

PET FOOD

Advertising for pet food must accurately represent the product’s composition, quality, identity, and nutritional properties so that consumers may make responsible decisions. (See “Claim Substantiation”) An express or implied message that a pet food is suitable for human consumption is unacceptable.

POLITICAL ADVERTISING

See “Controversial Issue, Political, Election Ads.”)

PREMIUMS AND OFFERS

FX reserves the right to reject any premium which is deemed to be of lesser value than stated or is unsafe or detrimental in any way to the consumer. In general, material details of an offer (i.e., eligibility requirements, termination dates, and requirements for fulfillment) should be clearly and completely detailed or easily accessible to the viewing public.

PRESCRIPTION DRUGS

STANDARD

The Food, Drug, and Cosmetic Act (“FDCA”) sets forth disclosure requirements for consumer directed prescription drug advertising on television. FX will accept consumer directed prescription drug advertising provided that it complies fully with the provisions of the FDCA, as well as any other applicable regulations or guidance issued by the Food and Drug Administration (“FDA”).

Prescription drug advertising should support the doctor-patient relationship, should not encourage self-medication or the use of prescription drugs without consulting with a physician, and should not glamorize the product or otherwise encourage excessive or inappropriate drug use. FX will not accept advertising which fails to fully comply with applicable governmental regulations or which is otherwise contrary to the public interest.

Advertising for indications other than those designated as “safe and effective” by the FDA is unacceptable.

GUIDELINES

The FDCA requires that television advertising for prescription drugs that references an indication for use, dosage recommendations, or otherwise identifies the drug as an effective treatment for a specific disease, must carry a Major Statement and Adequate Provision. Additionally, there must be a “fair balance” between the Major Statement and the advertised benefits of the drug. (21 C.F.R. § 202.1)

The “major statement,” “adequate provision,” and “fair balance” requirements are generally not triggered when: (1) advertising only raises public awareness of a disease or condition without identifying, directly or by implication, the name of a prescription product; or (2) advertising only calls attention to the name of a prescription product without mentioning, directly or by implication, its indications for use or the condition that it treats.

- Major Statement:
 - o The “major statement” is a statement of the product’s most important risk related information.
 - o The Major Statement must be clearly disclosed, using consumer-friendly language, in audio or audio and visual parts of the advertisement.
 - o The advertiser must produce satisfactory evidence that its “major statement” has been reviewed by the FDA’s Office of Prescription Drug Promotion (“OPDP”), or, in the alternative, produce an affidavit executed by the

advertiser's legal counsel stating that the "major statement" is compliant with the FDCA.

- Adequate Provision:
 - The "adequate provision" communicates where the viewer can obtain the product's approved labeling and detailed information in connection with the ad.
 - The "adequate provision" requirement includes, but is not limited to: providing a toll-free telephone number; referring to print ads; providing a website; and/or including a statement referring patients to their healthcare provider, where they may obtain detailed product information including access to the approved product labeling.
- Fair Balance:
 - The content and presentation of the advertised drug's most important risks must be reasonably similar to the content and presentation of its benefits.

GENERAL CONSIDERATIONS

- Advertising should not portray a casual attitude toward the use of a medication and should not represent the use of a medication as a simple solution to personal or everyday problems.
- Care must be taken that advertising does not raise false hopes or expectations, use scare tactics, or otherwise prey on people's fears and insecurities.
- Commercial copy should not dramatize distressing symptoms or morbid situations associated with specific illnesses or diseases, nor should it describe internal or external functions of the body in an objectionable manner.
- The on-camera ingestion or administering of prescription products will be considered on a case-by-case basis.
- Children (12 and under) are not permitted in commercials promoting a prescription drug product for adult use, except for incidental background appearances. A child may appear in a commercial advertising a prescription drug formulated for children provided adult/parental supervision is clearly established.
- No prescription drug advertising may be scheduled in or adjacent to children's programming.

- All prescription medications are regulated by the FDA and are generally recognized as safe when prescribed by and taken under the supervision of a physician. FX will examine comparative safety claims with the utmost care. Only those comparative safety claims which are substantiated, and which do not have the potential to alarm, confuse, or mislead the public, will be acceptable.
- The words “safe,” “harmless,” “without risk,” or any words or phrases with similar meaning may be used only when appropriately qualified and when satisfactory substantiation is provided.
- Advertising an indication for a product which has not been designated as safe and effective by the FDA (e.g., “off-label” use) is not acceptable.

PRIVACY AND PUBLICITY RIGHTS

S&P may request that advertisers provide assurances that they have obtained all necessary releases for the use of any music; of any person’s name, voice, likeness, or picture; or of any company or organization name or logo for trade or advertising purposes as may be required under the right of publicity, copyright, trademark, or other law. (See also “Endorsements”)

PRODUCT DEMONSTRATIONS

STANDARD

Demonstrations of product attributes must be performed with actual examples of the product as available to consumers, and the results must be accurately represented. The use of mock-ups or enhanced or altered products is not permitted. (See also “Claim Substantiation”)

GUIDELINES

Demonstrations in advertising should accurately reflect how the product performs when used by consumers. However, advertisers may simulate actual consumer use conditions (e.g., a laboratory simulation of clogged drains or kitchen countertop grease) if they: (1) provide clear and convincing evidence that the simulation accurately reflects the product’s performance under actual consumer-use conditions, and (2) establish the impracticality or impossibility of demonstrating a product’s performance under actual consumer-use conditions.

Producers may be required to provide FX with an affidavit attesting to the accuracy of all product demonstrations and should be prepared to produce records of the circumstances and results of the demonstration upon request.

Material facts which are essential to a full understanding of the significance of the demonstration (e.g., actual time elapsed) must be disclosed.

PROFESSIONAL ADVERTISING

Advertising for the services provided by duly accredited lawyers, doctors, and other generally recognized professionals may be acceptable, provided it does not overstate the benefits of the advertised service. Advertising that speaks to specific products is generally unacceptable, but will be considered on a case-by-case basis. All such advertising must comply with the ethical standards and requirements of the relevant profession. Copy which overly plays upon a viewer's fears or insecurities, or which creates false or overly optimistic expectations is not acceptable.

PROGRAM-LENGTH COMMERCIALS

All express and implied claims should be appropriately supported. (See "Claim Substantiation")

Special attention must be paid to sponsor identification requirements. At a minimum, each program-length commercial of 15 minutes or more must display visually, in a clear and prominent manner, within the first thirty seconds of the program-length commercial and immediately before each presentation of ordering instructions for the product or service, the following disclosure:

"THE PROGRAM YOU ARE WATCHING IS A PAID
ADVERTISEMENT FOR [THE PRODUCT OR SERVICE]."

PSYCHIC SERVICES

The advertising of astrology, character reading, fortune-telling, mind reading, numerology, occultism, palm reading, phrenology, or similar subjects is generally not acceptable but may be considered if presented for the purpose of entertainment only. Advertising for these pseudo-sciences must neither state nor imply that they have any scientific basis or can be relied upon as factual or true.

PUBLIC SERVICE ANNOUNCEMENTS

STANDARD

Public service announcements (PSAs) are meant to inform the public of the work of charitable, governmental, and non-profit organizations and other services available to the public. PSAs must fully comply with all applicable FX policies and government laws/regulations.

Such announcements must reflect the true nature of the organization identified with the announcement and all claims must be substantiated. PSAs must be consistent with the objectives of the sponsoring organization and must be in the public interest. PSAs must be tastefully presented and of appropriate production value.

Discussions of controversial public issues and religious doctrine are not permitted in public service announcements.

The identity of the sponsor must be clearly set forth in the commercial, and in the case of paid PSAs, the fact that the message was “paid for” or “sponsored by” the sponsor must be disclosed.

No commercial products, services, or corporate names may be shown or referenced in PSAs.

GUIDELINES

Organizations Seeking Donated Airtime:

- All such service announcements are subject to review and approval of Disney’s Corporate Communications.
- Organizations requesting to run a PSA during airtime donated by FX must be non-profit or governmental. Requesting organizations are reviewed by Disney’s Corporate Social Responsibility team to ascertain their non-profit status, objectives, activities, and financial policies. Generally, ads from trade or professional associations are not acceptable.
- Non-profit organizations should be in compliance with the guidelines of the Council of Better Business Bureaus’ Wise Giving Alliance. (See www.give.org)
- As a general matter, the organization and its message must be national in scope and serve the needs of an extensive part of the United States.
- Controversial issue messaging and religious themes are generally not acceptable in this space.
- Direct solicitations of funds are not acceptable in PSAs where the airtime is being donated by FX.

Sale of Commercial Time for Public Service Announcements

- Paid commercials with a public service message are permitted on a case-by-case basis.
- Organizations and advertising must meet the same standards that otherwise apply to PSAs.
- The identity of the sponsor must be clearly set forth in the commercial as well as the fact that the message was “paid for” or “sponsored by” such sponsor.
- Absent special public interest considerations, overt solicitations of funds are not acceptable.

PUBLIC SYMBOLS

STANDARD

Heads-of-state, other public officials, religious leaders, and public buildings and/or monuments must be treated with appropriate respect and dignity when mentioned or depicted in advertising.

GUIDELINES

- Unless authorized in writing by the Office of the White House Counsel, the use of the name or likeness of the President or Vice President of the United States and their families, as well as the Presidential Seal, is generally not acceptable for advertising purposes.
- Unless expressly permitted by its duly authorized representatives, the use of the White House in advertising is generally not acceptable. Other national buildings and monuments may be used in advertising provided the use is incidental to the advertiser’s promotion of a product or service and is in good taste.
- FX recognizes the “Flag Code,” which serves as a guide to the use of the American Flag, and state statutes governing the American Flag’s use in advertising. As a general rule, the appearance of the flag may be acceptable in advertising provided that it is treated in a dignified manner and displayed with proper respect, is incidental to the main thrust of the commercial and in a natural setting, and is not employed in an attempt to enhance the advertised product or service. Rules governing the use of flags of foreign countries in advertising vary from country to country. Advertisers are required to provide evidence from a country’s consular service to support the use of that country’s flag. Use of the United Nations flag in connection with advertising is not permitted.

- Religious leaders may not be mentioned or depicted in any advertising without their consent.
- Absent special public policy considerations, the National Anthem of the United States and “Hail to the Chief” are not permitted in advertising. However, music of a traditional or patriotic nature is permitted in advertising, provided it is used with dignity.
- Use of official military uniforms or vehicles is permitted subject to prior approval of the Department of Defense.

QR CODES

The use of QR Codes may be acceptable provided that the code serves only as a “quick-link” to a website under the control of the advertiser or its agent. The advertiser will be responsible to assure and confirm that no personally identifiable or other sensitive viewer information is accessed, saved, or stored through the use of the QR code. FX reserves the right to request additional information about the use of the QR Code in a particular creative, including the administration of the QR Code, the purpose of its use, and the designated landing page.

RELIGIOUS THEMES

STANDARD

Advertising that includes religious themes will be considered on a case-by-case basis taking into consideration various factors, including the content of the creative and the nature of the programming for which it is intended. Scheduling restrictions may apply.

SAFETY / DANGEROUS BEHAVIOR

STANDARD

Advertising should depict the proper use of required or recommended safety gear and equipment. Advertising that disregards standard safety precautions; or promotes or depicts unsafe or illegal acts is unacceptable. FX will request appropriate disclosures when deemed necessary (e.g., “Professional driver,” “Do not attempt”).

GUIDELINES

- Commercials depicting the use of recreational equipment such as bicycles, in-line skates, skateboards, etc., must show users practicing proper and lawful safety protocol and using appropriate gear.

- Safe and lawful driving practices should be depicted at all times, including but not limited to, not using cell phones or otherwise not being distracted. Seatbelts should be worn (unless in an historic setting or in period footage).
- Children shall not be represented, except under proper adult supervision, as using or being in proximity to a product or a situation recognized as potentially dangerous to them.

SEXUALLY EXPLICIT PUBLICATIONS, PRODUCTS, AND SERVICES

FX does not accept advertising for sexually explicit publications, products or services.

SOLICITATION OF FUNDS

Generally, direct solicitations of funds (e.g., “donate/give now”) in advertising are not acceptable. (See also “Public Service Announcements”)

SPONSORSHIP IDENTIFICATION

Advertising which does not contain clear sponsorship identification is not acceptable.

In the case of advertising for commercial products or services, an announcement stating the sponsor’s corporate or trade name, or the name of the sponsor’s product, may be sufficient when it is clear that the mention of the name of the product constitutes sponsorship identification. Only one such announcement need be included in a standard commercial advertisement.

In the case of any political advertisement; paid advertisement by a trade association, non-profit, or charity; public service announcement (or advertisement which the audience might take to be a public service announcement) for which the airtime is purchased; or advertisement where sponsorship is not clear due to the depiction of multiple potential sponsoring entities or the lack of any apparent sponsoring entity; the sponsorship identification announcement should contain the term “paid for” or “sponsored by” and must adequately disclose the true identity of the person, committee, or other entity furnishing the consideration.

Sponsorship identification may be made in audio or video. Any portion in video should be clear and conspicuous. (See “Supers”)

A reference to the advertiser’s URL generally does not constitute adequate sponsor identification, unless it is the official name of the sponsoring entity.

SPORTS INSTITUTIONALS

STANDARD

Sports Institutionals are announcements provided by a sporting league or governing body (e.g., NBA, NFL, PGA, etc.). These messages air during program time as part of arrangements negotiated by the Sports Programming, Sales, and Legal Departments. Institutionals may include commercial material or public service announcements that are: (1) intended to advertise the respective games, athletes, products, and services of or licensed by the sporting league or governing body; (2) intended to promote an event or program scheduled for air on Disney platforms; or (3) intended to create an awareness of a specified partnering non-profit organization (e.g., universities, foundations, community outreach initiatives).

S&P will work with Sports Programming and the Legal Department to determine what commercial elements are acceptable in Institutionals based on the intent of the Institutional and the provisions of the previously negotiated arrangements.

SUBLIMINAL PERCEPTION

FX will not broadcast commercial messages utilizing the technique of “subliminal perception.” Any audio or video technique which attempts to convey information to the viewer by transmitting below the threshold of normal awareness (e.g., an image that registers subconsciously) is not permitted.

SUPERS

Disclosures via supers must be displayed clearly and conspicuously, against a contrasting background, appropriately drop-shaded, and presented in large, bold, and well-spaced letters in order to be easily legible. Supers should be displayed for sufficient duration so that they can be read and understood by the average viewer, with a minimum screen time of 3 seconds for the first line of copy, and 1 second for each additional line of copy.

Visual supers may not be used to materially alter a claim, but may only provide minor clarification. Supers should appear in close proximity to the claim they are meant to qualify.

Horizontal crawls in the bottom one-third of the screen are generally not acceptable.

TECHNICAL EFFECTS

The use of visual or technical effects in advertising is subject to review in terms of perceptibility and safety for viewers with certain health conditions. Problematic effects for television may include flashing or intermittent visuals. Advertising that utilizes such effects may need to be evaluated by use of the Harding Test.

Fanciful use of technical effects including, but not limited to, pixelation, black bars, color bars, advisories, and bleeps, is generally not acceptable.

The use of the EAS alert/tone, and WEA alert/tone, or similar-sounding effects or tones, is strictly prohibited.

TELEPHONE NUMBERS

The use of real telephone numbers as props in advertisements is prohibited. An advertiser may use a media-safe number or its own telephone number in the context of advertising provided the advertiser confirms ownership of that number during the lifespan of the commercial in question.

TEXTING REQUESTS

Advertising containing mobile texting requests must contain the disclosure, “Message and data rates may apply,” when applicable, and comply with all applicable laws and regulations.

TOBACCO

Advertising for cigarettes, electronic cigarettes, “smokeless” tobacco, cigars, etc., or for products which promote their use, is unacceptable. The use of such tobacco products as props in commercials should be avoided.

Advertising for clinics and products intended to assist people to stop smoking is acceptable.

UNDERGARMENTS

Advertising for undergarments is acceptable. Generally, advertising that features live models in undergarments will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming.

VIDEO & MOBILE GAMES

STANDARD

Advertising for video games should accurately represent the actual content of the game. However, depictions of extreme violence, sexual themes, and profanity are unacceptable. Additionally, the content of the advertised game itself will also be considered when determining acceptability and any scheduling restrictions.

If a video game is rated, the rating must be disclosed in audio and video. If a game is not yet rated, such may be disclosed in video only.

Advertising for video game consoles (or any advertising featuring a video game as a secondary mention) that also contains game footage or otherwise promotes a video game must include the rating of that game.

GUIDELINES

- The following factors are considered when reviewing advertising for approval and/or scheduling restrictions: violence, mature themes, dangerous or anti-social behavior, and taste considerations.
- Advertising for “M” rated video games, if otherwise acceptable, will be restricted out of movies and programming rated TV-G and related TV-PG programming designated as Family Programming. Depending on the nature of the game and/or advertising, additional restrictions may apply (e.g., “TV-MA rated programming only,” or “Late Night programming only.”)
- For scheduling purposes, RP (rating pending) video games, if accepted, will be treated as M-rated video games, until the actual rating is established.
- Commercials featuring a video game as a secondary mention may be subject to scheduling restrictions appropriate for the rating of such video game.

VITAMINS

(See “Dietary Supplements”)

WEIGHT REDUCTION AND CONTROL

STANDARD

The advertising of products and services for the reduction, gain, and control of weight must comply with established nutritional evidence and medical opinion, as well as FX Guidelines. Where the demonstrated weight loss for the individuals shown in a commercial is not typical, that fact must be clearly and conspicuously disclosed.

Weight-loss advertising must neither be directed to children nor depict children using the product/service.

GUIDELINES

- Representations that weight loss itself is easy, effortless, or quick are prohibited. For example, the FTC has flagged the following types of claims as generally unacceptable: (i) “Lose two pounds or more per week, without dieting or exercise;” (ii) “Eat what you want. The more you eat, the more you lose;” (iii) “Weight loss will be permanent (after using the product);” (iv) “Block the absorption of fat or calories and lose substantial weight;” (v) “Safely lose more than three pounds per week for more than four weeks;” (vi) “Product causes substantial weight loss for all users;” and (vii) “Diet patches, creams, wraps, earrings, and other products worn on the body or rubbed into the skin cause substantial weight loss.” (See www.ftc.gov for full details.)
- Nutritional and medical authorities agree that to lose weight, people must consume fewer calories than they expend for energy. Exercise is helpful in burning calories and toning muscles, but to lose weight, exercise must be regular and generally be accompanied by a reduction in calories. Weight loss is highly individual and subject to many variables: physiological status, state of health, age, amount and intensity of physical activity, rate of metabolism, total diet, and environment.
- Advertising should refer to the product or service as a part of an overall, reduced calorie, dietary regimen.
- Advertising should avoid overemphasizing any one factor in the weight-reduction process because there are many varied factors which must be taken into consideration.
- Express or implied overstatements of the weight reduction capabilities of a product or service are prohibited.
- Due to the individual nature of weight loss, references to a specific number of pounds lost, a specific change in clothing size, a specific period of time involved in the process, or a visual change in a specific area of the body must be carefully presented and qualified. Generally, such claims are acceptable when:
 - o Sufficient empirical data has been provided to substantiate that claims are representative of the users of the product/service advertised. If an advertiser does not possess such empirical data, the advertiser must clearly and conspicuously disclose the generally expected results;
 - o The rate of weight loss should not exceed 2 pounds per week;

- o Claims are qualified with an audio and/or video disclosure (appropriateness to be determined on a case-by-case basis) of the length of time it took to lose the weight; and
 - o There is a disclosure that weight loss and weight maintenance varies between individuals.
- Average results and the manner in which they were achieved should be clearly communicated or otherwise disclosed in the advertisement.
- Since the maintenance of weight at a desired level generally requires adherence to a dietary regimen, advertising should not claim, directly or by implication, that weight loss will be permanent.
- The use of “safe” language must be adequately supported and accompanied by the disclosure “when used as directed.” This disclosure is also required in any advertising involving a diet product which contains a drug ingredient.
- There may be no dwelling upon an individual’s fears and insecurities associated with being overweight and accompanying self-image or social stigma.
- Low calorie foods will not be subject to the guidelines under this section unless specific reference is made to weight loss or weight loss programs.
- Representations that a change in mood will directly result from the ingestion of a diet pill or other diet products are prohibited.
- Advertising for products containing ingredients known or suspected of causing negative side effects (e.g., Olestra) should affirmatively disclose such information.
- Advertising for products containing any ingredient that has been determined to be unsafe by the FDA or other governmental authority is unacceptable.

“WHITE COAT” CONSIDERATIONS – HEALTHCARE PROFESSIONALS IN ADVERTISING

A medical professional may appear in a commercial promoting his or her own services.

The use of health-related professionals or actors representing such persons is generally permitted in advertising for products or services requiring a physician’s intervention or a prescription (e.g., prescription medications or medical devices). Such professionals include, but are not limited to doctors, dentists, nurses, pharmacists, physical therapists, nutritionists, nurses’ aides, etc.

The appearance of healthcare professionals and/or actors representing them in advertising involving health considerations for OTCs and other products that do not require a doctor's intervention may be acceptable where such appearance is justifiable and independently supported. More specifically, the appearance of a healthcare professional should be supported with independent evidence that is tantamount to, or otherwise speaks to a consensus about the advertised product (as advertised) within the medical community. Moreover, the incidental use of healthcare professionals that would not reasonably be interpreted as an endorsement from medical or healthcare professionals is also acceptable.