

NBCUniversal
ADVERTISING STANDARDS

ADVERTISING GUIDELINES

Advertising Standards Department
2026 NBCUniversal

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INTRODUCTION

PURPOSE

NBCUniversal ("NBC") aims to present viewers with advertisements that are truthful, tasteful, substantiated, and non-deceptive. The NBC Advertising Guidelines ("Guidelines") were created to help advertisers and their representatives, including agencies and legal counsel, create such advertisements. The Guidelines provide general guidance and should not be considered exhaustive or a substitute for consulting with the NBC Advertising Standards Department ("Advertising Standards").

COMPLIANCE

Each advertiser and their representatives are responsible for ensuring that their advertising materials are in compliance with all applicable laws and governmental regulations, including the rules of the Federal Communications Commission (FCC), the Federal Trade Commission (FTC) and the Federal Drug Administration (FDA), as well as NBC's internal guidelines, standards and policies. The function of Advertising Standards is to review advertisements for adherence to all such governmental laws and regulations, as well as NBC's internal guidelines, standards and policies.

Advertising Standards' approvals will expire after either two years from the date of approval, or at such time as any previously provided substantiation is no longer valid, whichever date is earlier. For example, if new scientific research shows that an ingredient used in a product no longer yields the results that are reflected in an advertisement that was approved by Advertising Standards, the approval will expire. It is the advertiser's responsibility to update the substantiation even if it has been less than two years from the original date of approval.

APPROVALS

NBC reserves the right to: (1) require revisions to advertisements; (2) accept or reject any advertisement at any time, including any advertisement with discriminatory and/or potentially offensive content that is deemed incompatible with NBC's viewing environment or general standards; (3) expand or limit an advertisement's scheduling based on content considerations, audience composition and program compatibility; (4) investigate the advertiser and the accuracy of all statements and claims made in advertising materials; and (5) at any time, revoke its approval of any advertisement which is inconsistent with NBC's standards and policies in response to emergency circumstances or situations of unusual significance.

CHALLENGES

Any advertisement that is broadcast on the NBC Broadcast Network may be challenged in accordance with the rules in the "Challenges" section of these Guidelines.

GENERAL PROCEDURES

Prior to production, advertisers should submit a script or storyboard of the proposed advertisement to Advertising Standards. Rough cuts may also be submitted for review prior to final production. There are two ways to submit clearance materials for review:

(1) Upload materials to www.nbcustandards.com; or
(2) Submit materials via MediaQurator

NBC requires all advertisers to provide substantiation that establishes a reasonable basis for all claims made in their advertisements. Advertisers should endeavor to submit substantiation with the initial submission of the proposed advertising. When applicable, NBC will request authentication of all demonstrations, testimonial statements, and any required releases. After reviewing the submitted materials, NBC may have no concerns with the advertising materials, request additional information, require modifications to the advertisement, or deem the advertisement unacceptable for broadcast.

For final approval, the advertiser must submit a copy of the final advertisement that is slated with a unique ISCI code and the as-produced script using one of the methods above.

CLEARANCE FOR NBCUNIVERSAL CABLE NETWORKS

Advertising Standards reviews advertisements in the following categories for NBCUniversal Cable Networks ("Cable Networks"): (1) Controversial Issues and Political; (2) Dietary Supplements & Homeopathic Remedies; (3) Non-Casino Gambling & Fantasy Sports; and (4) Weight Loss Supplements and Programs.

Additionally, Advertising Standards requires review of the following categories for Bravo: (1) Competitive Linear Television and Streaming Services; (2) Hard Alcohol; (3) Movies – Rated PG-13 & R; (4) Personal Products; and (5) Video Games – M-Rated.

The procedures and guidelines for obtaining clearance for advertisements in the preceding categories intended for our Cable Networks are outlined in the Guidelines for NBCUniversal's Cable Properties. Advertisements that do not fall into the above categories, and are intended for broadcast on our Cable Networks, do not require approval by Advertising Standards.

CLEARANCE FOR NBC OWNED TELEVISION STATIONS

Advertising Standards reviews advertisements in the following categories for the NBC Owned Television Stations and COZI TV: (1) Dietary Supplements & Homeopathic Remedies; (2) Online & Sports Gambling and Fantasy Sports; and (3) Weight Loss Programs & Supplements.

For any other advertisements intended for broadcast on NBC Owned Television Stations, please consult the appropriate Sales representative for further information in advance of production.

CONFIDENTIALITY

Advertising Standards treats all information and materials submitted by an advertiser or its authorized representative in connection with commercial clearances as strictly confidential.

ACCESSIBILITY OVERLAYS

The following guidelines are applicable to advertisements for any automated add-on software product that aims to detect and address web accessibility issues by modifying the code of a web page ("Accessibility Overlay").

I. NBC will only accept Accessibility Overlay advertisements that include a clear disclosure that no add-on Accessibility Overlay product can guarantee Americans with Disabilities Act (ADA) or Web Content Accessibility Guidelines (WCAG) compliance.

(See also Disclaimers, Supers, and Horizontal Crawls)

II. In addition to the above guideline, Accessibility Overlay advertisements must not make broad, generalized or implied claims that the Accessibility Overlay product:

A. will make a website compliant with ADA and/or WCAG regulations; or

B. is a comprehensive fix for accessibility violations.

ADVISORIES

I. The use of advisories (e.g., "The following … contains adult subject matter, parental discretion advised") and simulated censorship (e.g., "bleeps" and pixilation) is generally not permitted.

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

(See also News and Programming Simulation)

ALCOHOLIC BEVERAGES

I. The advertising of beer, malt beverage and wine products (up to 24% alcohol content) is acceptable only when consistent with applicable federal, state, and local laws. Advertising must be in good taste without glamorizing, encouraging or sanctioning alcohol abuse or misuse.

A. In accordance with federal Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations, beer, malt beverage and wine advertising must include a legible disclosure of the corporate name, city, and state of the brewer, producer, packer, wholesaler or importer responsible for its broadcast.

(See also Disclaimers, Supers, and Horizontal Crawls)

B. Malt beverage advertising must disclose that the product is a malt beverage in video.

i. Advertising for hard soda and similar alcoholic beverages should not appeal to persons below the legal drinking age. These advertisements may be subject to additional disclosures and restrictions beyond the standard malt beverage guidelines outlined above.

II. The advertising of distilled spirits and products made with or derived from distilled spirits is acceptable in programming, at NBC's discretion, where 85% of the audience is 21 years old or over. Advertising must be in good taste without glamorizing, encouraging or sanctioning alcohol abuse or misuse.

A. In accordance with TTB regulations, hard alcohol advertising must include a legible disclosure of 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.

(See also Disclaimers, Supers, and Horizontal Crawls)

III. All alcohol advertising must include a drink responsibly message in the video.

IV. The following are unacceptable:

A. Advertising that portrays intoxication, excessive drinking, or pronounced loss of inhibitions.

B. Advertising that portrays or encourages the use of alcohol products by persons who are, or appear to be, below the legal drinking age.

C. Advertising that depicts any entertainment figure, role model, animation or other characters, that appeals primarily to persons below the legal drinking age.

D. Advertising that associates alcoholic beverages with social status, stress relief, or portrays alcohol as a solution to personal problems, a "mark of adulthood" or a "rite of passage."

E. Advertising that portrays the use of alcoholic beverages before or during any activity requiring alertness, dexterity, and/or sober judgment.

F. Advertising that states, suggests or implies that cars, motorcycles, or other vehicles can be safely operated while or after drinking alcoholic beverages.

G. Advertising that portrays a professional or amateur athlete promoting alcohol before or during their participation in an athletic event.

H. Advertising that states or implies that the consumption of alcohol increases athletic prowess, health, or conditioning.

I. Advertising that includes statements, references, or representations of the strength of alcohol products; however, alcohol content may be mentioned when necessary to establish that a product contains alcohol or is considered by law to be "low alcohol."

J. Advertising that depicts the use of alcohol as the sole purpose of any activity.

K. Advertising that depicts remedies for "hangovers" or other side effects of alcohol ingestion.

V. Advertising for establishments and other businesses that primarily offer non-alcoholic products and services (e.g., restaurants and airlines) may make limited and incidental references to the availability of cocktails.

VI. Approval of the following types of advertisements will be determined on a case-by-case basis:

A. Advertising that alerts the public to the dangers of alcohol abuse.

B. Advertising by retail liquor outlets for hard alcohol, beer and/or wine products.

C. Incidental representations of hard alcohol, beer, wine, and malt beverages (up to 24% alcohol content) in non-alcohol advertisements.

ANIMALS

The use of animals in advertisements must be in conformity with accepted standards of humane treatment. If animals are featured prominently in an advertisement, the advertiser must provide a letter from the Humane Society or from the animal trainer on set indicating that the animals were treated in conformity with accepted standards of humane treatment.

ASTROLOGY, FORTUNE TELLING, AND PSYCHICS

NBC does not accept advertisements for astrology, fortune telling, phrenology, numerology, mind reading, or similar services and products.

"BAIT AND SWITCH" TACTICS

The use of "bait and switch" tactics, which feature goods or services not intended for sale but designed to lure the public into purchasing something else, is unacceptable.

BETTER BUSINESS BUREAU STATUS

NBC generally will not air advertisements for companies or organizations that have an unsatisfactory record with the Better Business Bureau.

BILLBOARDS

A billboard is intended to describe a sponsor's product or service and to announce its sponsorship of the related program.

I. All claims must be supported. Claims requiring additional qualifications are unacceptable.

II. Sell-copy regarding offers or pricing is generally unacceptable, with the exception of slogans that have been well-established in the sponsors' commercials.

III. Billboards may not reference more than one sponsor, cross-reference other television programs, contain QR codes, or mention contests, sweepstakes, and promotional teasers.

IV. Gambling-related billboards must comply with all gambling laws, regulations, rules and guidelines.

V. Billboards may reference websites, only if they are exclusively owned by the sponsor of the billboard.

VI. All billboards must be submitted to the appropriate NBC Sales Operations department for technical approval (i.e. length, format, etc.).

CHALLENGES

Advertisers may challenge advertisements that have aired on the NBC Broadcast Network, NBC Cable Networks, Peacock, Telemundo, and the Telemundo Subnetworks ("NBCU Properties" or "NBCU"). Challenges must be submitted in written form to AdvertisingChallenge@nbcuni.com.

I. Procedures

A. NBCU requires the challenger to provide evidence that it has made a good-faith effort to resolve the matter directly with the advertiser before submitting a challenge.

B. NBCU requires that all challenge documents be forwarded to the advertiser.

C. NBCU will acknowledge receipt of the challenge documents to both parties via email and set a reply date for the advertiser. Upon acknowledgment from NBCU, the challenged advertiser must supply the corresponding ad codes (e.g., ISCI, Ad-ID etc) and a schedule of the current media buy.

D. In general, NBCU will allow five (5) business days for replies.

E. NBCU may request rebuttals and/or sur-rebuttals at its sole discretion and will notify the parties of the time allowed to provide such rebuttals and/or sur-rebuttals.

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

G. If NBCU's challenge decision requires changes to the advertisement, NBCU will allow five (5) business days after the date of the challenge decision for the changes to be made.

II. Policies

A. NBCU accepts advertising challenges solely from competitors in the same or a materially related industry.

B. By seeking a challenge to an advertisement that has aired on NBCU, a company must agree in written form to release and discharge any claims it has, had, or may have in the future against NBCU or its agents and employees in connection with the challenged

advertisement and/or challenge procedures, and will not commence any legal action against NBCU in connection with the challenged advertisement and/or the challenge procedures.

C. If upon receipt of a challenge, the advertiser elects to continue airing the ad, it must agree to participate in the challenge process and provide a written release waiving all claims against NBCU and its agents related to the ad or the challenge process.

D. NBCU will use reasonable efforts to maintain the confidentiality of original substantiation submitted before the challenge. Either party may request confidential treatment for materials provided during the challenge (e.g., trade secrets or privileged data). If NBCU deems a confidentiality request unreasonable and the party then withholds the materials, those materials will carry no probative value in the challenge.

E. NBCU may invite both parties to appear and address the arguments and data raised in the challenge. If NBCU personnel do not have the expertise to make a judgment on technical issues raised by a challenge, NBCU will take appropriate measures in its discretion to assist the advertiser and challenger to resolve their differences, including encouraging them to obtain a determination from an acceptable third party.

F. NBCU will withdraw a challenged advertisement from the schedule if:

   i. The challenged advertisement was accepted subject to challenge or complaint;

   ii. The challenged advertiser fails to agree to the requirements of a challenge procedure;

   iii. It is directed to do so by the challenged advertiser;

   iv. The challenged advertiser refuses to submit the dispute for review by some appropriate entity when deemed necessary by NBCU;

   v. A decision is rendered by NBCU or a third party to whom the challenge was referred by NBCU against the challenged advertiser;

   vi. The challenged advertiser, when requested, refuses to cooperate in some other substantive area;

   vii. NBCU, prior to final disposition of the challenge, determines that the substantiation for the challenged advertisement has been so seriously brought into question that the challenged advertisement can no longer be considered substantiated; or,

   viii. The issues raised by the challenge are resolved, with finality, against the challenged advertiser by a government agency or an appropriate court.

G. All challenge proceedings and resolutions are confidential. Materials submitted by the advertiser and challenger, and NBCU's communications and decisions, may not be disclosed to outside parties without the express written consent of all parties to the challenge.

CHARITABLE APPEALS AND COMMERCIAL CO-VENTURES

I. Charitable Appeals

A. Advertisements that include express or implied appeals for funds will be approved on a case-by-case basis provided that:

i. Upon request, the organization noted in the advertisement provides verification of 501(c)(3) status;

ii. The funds are not solicited to support or oppose a political candidate, organization or cause;

iii. The funds are not solicited to support or oppose a controversial issue; and

iv. Clear sponsor identification is included visually or in audio as applicable in the form of "Paid for by…" or "Sponsored by…" [SPONSOR].

II. Commercial Co-Ventures

A. When a for-profit business advertises that the purchase of a product, use of a service, or other action will benefit a charitable cause, the following must be disclosed:

i. The period of the promotion;

ii. Where viewers can find complete details of the promotion (e.g., a website); and

iii. The amount of the donation, if the minimum and maximum donated amounts will be the same regardless of consumer participation.

(See also Sponsor Identification)

CHILDREN'S ADVERTISING

Advertising Standards reviews advertising for Universal Kids. For information about advertising on Universal Kids, please contact: UKids.AdStandards@nbcuni.com.

CLINICAL TEST CLAIMS

Clinical testing for claim documentation can involve a wide variety of valid methodological and analytical approaches. The following guidelines provide areas of basic research design that should be considered when developing a clinical study.

I. General Overview

A. For "clinically proven," "scientifically proven" or "proven" claims, the advertiser must provide at least two valid clinical studies. Study results must reach statistical (95% confidence level) and clinical significance.

B. On a case-by-case basis, NBC will accept the claim that a product has been "clinically shown" or "clinically tested" if the advertiser has provided a controlled and valid clinical study.

C. Test design should follow generally recognized protocols and relevant guidelines issued by government, professional, or industry bodies (as evidenced, for example, by acceptance and publication in peer review journals).

D. Claims related to drug pharmacokinetics or other mechanisms of action should be clinically meaningful.

E. Studies that lack randomized assignment to control and treatment groups, a clinical setting, double-blinding, and clinical outcome measures do not constitute adequate support for "clinical" claims.

II. Sample

A. The study sample should be of sufficient size to yield clinically significant results. Through consultation with a statistician, minimum size can be determined using the "power" calculation.

B. The sample should be representative of product consumers along all relevant variables, including gender, age, and the condition or situation being studied.

II. Design

A. The test protocol should be relevant to the product category and the intended claim.

B. Test products should be used in representative conditions according to label directions. In the absence of package directions, the protocol should parallel typical consumer use.

C. Tests should include random assignment to control and treatment groups.

D. Tests should be double-blind.

E. Potentially biasing information on the product should not be given to subjects or evaluators.

F. Concept-aided tests are not acceptable as support for product claims.

G. The study duration should be representative of actual use conditions and product directions.

III. Data Collection

A. At a minimum, studies must include baseline and outcome measurements.

B. Noncompliance and dropout rates should be controlled and reported.

C. Where appropriate, safety and side effect data should be recorded.

D. Measures should be valid and reliable, as determined by industry standards and validation tests.

E. Evaluators should be adequately trained and should have relevant credentials.

IV. Statistical Analysis

A. The advertiser must provide evidence that the results are statistically significant and consumer-meaningful. Claims will only be acceptable if the results reach statistical significance at the 95% level. Statistical significance does not necessarily confer clinical significance.

B. If a superiority claim is made against one or more competitors, statistical analyses should be conducted against each individual competitor at the 95% confidence level.

C. Subgroups should be analyzed separately.

COMPARATIVE ADVERTISING

NBC will accept comparative advertising that identifies, directly or by implication, a competing product or service, provided that each substantive claim, direct or implied, is adequately substantiated. Advertisers may not disparage competitors, competing products, services or other industries through the use of representations or claims that are false, deceptive, or misleading.

I. Competitors must be fairly and properly identified. When a specific competitor is not identified, or a product claims to be "the best" or "better," substantiation must be provided against the top 85% of the relevant market in unit, not dollar, sales.

II. Superiority claims that a product is better than its competitor(s) are required to be significant at the 95% confidence level.

III. Parity claims must be supported by reliable scientific evidence indicating that the product is effective or operates at the same level as its competitors.

IV. Products should be compared feature-to-feature, particularly in cases where the claim is limited to one feature or attribute. When testing is limited to one feature, advertisers should not make explicit or implied claims about the overall performance of the products being compared.

V. The difference in the properties being compared should be measurable, noticeable, and relevant to the consumer.

VI. NBC will accept advertisements containing price comparisons only upon certification from the advertiser that the comparative claims accurately, fairly, and substantially reflect the actual price differentials at retail outlets throughout the broadcast area and that these price differentials are not likely to change during the period the advertisement is broadcast.

VII. When a claim in an advertisement involves market relationships that are subject to fluctuation (such as sales position or exclusivity), the substantiation for the claim will be considered valid only as long as the advertiser continues to certify, on a yearly basis, that the market conditions have not changed.

VIII. When a comparative claim refers to a product that has been reformulated, the advertiser must submit testing against the reformulated product within three months of the reformulated product's date of national distribution.

COMPETITIVE MEDIA AND TALENT

I. NBC reserves the right to reject advertisements that feature talent from, reference, or promote competing networks or programs.

II. Advertising by cable systems, syndicators, cable program services, pay-per-view, direct broadcast satellite, and similar services will be approved on a case-by-case basis.

III. Competitive media advertisements should avoid day, date or time mentions and "tune in" language.

CONSUMER PERCEPTION TESTS

I. Sample

A. A minimum of 250 individuals is recommended.

B. The universe should not be defined too broadly (e.g., any consumer of any product) nor too narrowly (e.g., only individuals who have previously purchased the advertised product).

C. Test participants should include a representative sampling of potential purchasers. The sample should be statistically projectable to the target population.

II. Design

A. Participants and interviewers must be blinded to the sponsor and purpose of the study.

B. The study should be national in scope and conducted in at least four geographically dispersed markets.

III. The Questionnaire

A. A copy of the questionnaire must be sent to Advertising Standards.

B. Questions should be clear, concise, unambiguous, and structured in a way that does not lead, plant ideas or otherwise bias responses.

C. Opinions should not be "forced" from respondents who have none. A "don't know" or a similar option should be explicitly made available in structured questions.

D. Order bias should be minimized by rotating questions/options where appropriate.

E. Where possible, control questions or control advertisements should be suggested to minimize external sources of bias such as "yea-saying."

F. Demographic and brand usage questions should be included.

IV. Analysis

A. Coding categories for responses from open-ended items should be clear, unambiguous, relevant, and one-dimensional (for example, note how the category "good/better/best" inappropriately combines monadic as well as comparative superiority responses).

B. Aggregating across responses is appropriate only with questions that address the same factor or idea.

V. Results

A. Complete results of consumer perception tests must be provided, including answers to both open-ended and structured questions.

B. In unstructured questions, response levels in appropriate, clearly defined coding categories must be at least 20% to be considered meaningful and above the "noise level."

C. For probative value, it should be shown that study participants perceive the comparison specifically against the competing product.

CONTESTS AND SWEEPSTAKES

Advertising Standards will review contests, sweepstakes, and other similar promotions featured in advertisements to ensure that each promotion is not a lottery, that the material terms are clearly disclosed, and that the promotion is being conducted fairly, honestly, and according to all applicable rules.

I. Contests and Sweepstakes

A. The following must be included for review:

i. Complete details, including the final official rules, must be submitted.

B. Broadcast copy regarding promotions should contain clear and complete information regarding:

i. How to enter, including alternate means of entry, where appropriate;

ii. The termination date of the promotion;

iii. Any restrictions or eligibility requirements; and,

iv. For sweepstakes, the disclosures "No Purchase Necessary," and "Void Where Prohibited."

(See also Disclaimers, Supers, and Horizontal Crawls)

CONTROVERSIAL ISSUE ADVERTISING

Controversial issue and political advertisements will not be reviewed until an order to buy is placed with NBCUniversal Sales. NBC will accept advertisements that comment on controversial issues, subject to

the below conditions. Except for the required disclaimers/disclosures, the below conditions do not apply to political advertisements by legally qualified candidates that we are required by law to accept.

I. General Standard for Acceptance

A. NBCUniversal accepts issue and political advertisements that express divergent points of view (including religious beliefs or political ideologies). As we do with all advertisements submitted for air, we reserve the right to require substantiation of factual claims made by an advertiser.
B. Subject to the guidelines set forth in sections II and III below, advertisements generally will be accepted if there is a factual basis for the claims and such claims fall within the bounds of reasonable debate.
C. An acceptance may be subject to limitations regarding time period and type of programming.

II. Use of NBCUniversal Content is Not Authorized

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

III. Unacceptable Content

A. An advertisement may be rejected if its content, or other content referenced in the advertisement or otherwise disseminated by the advertiser, is grossly offensive (e.g., on racial, religious or ethnic grounds).

B. An advertisement may also be rejected if: (1) it is merely an attack of a personal nature, a direct attack on a specific organization (either a non-profit or a business) or a comment on a private dispute; or (2) it contains violent or otherwise graphic or potentially offensive content that is deemed incompatible with a network's viewing environment or general standards; (3) its content or style of production is otherwise deemed inconsistent with a network's viewing environment or general standards, as determined by the applicable network in its sole discretion; or (4) it includes NBCUniversal content in violation of the above policy.

IV. Disclaimers/Disclosures

A. Issue advertisements must disclose the party who paid for the advertisement for at least four (4) seconds in a readable and contrasting font equal to 4% of screen height or larger. Any issue advertising that refers to any federal candidate or solicits contributions must disclose whether the advertisement was authorized by a candidate. If the advertisement was not so authorized, the disclaimer should state: "Paid for by [Advertiser Name] and not authorized by any candidate." If the advertisement was paid for by a federal candidate, the candidate must sign a certification at the time the advertisement is purchased that pledges that the relevant advertisement either: (1) does not refer to any opposing candidate or (2) includes a statement in the paying candidate's voice disclosing that he or she has paid for the advertisement, along with the candidate's likeness.

DEMONSTRATIONS

I. Advertisements that include demonstrations, tests, experiments, or other technical, mechanical, electronic, or chemical exhibitions must be accompanied by an affidavit signed by the producer of the advertisement or another supervisory individual who personally observed the production.

   A. The affidavit must attest that:

      i. The demonstration is accurate;

      ii. The demonstration was performed with samples of the product available to consumers or prototypes that perform no differently than the actual product; and,

      iii. No mock-ups, modifications, or alterations were employed.

II. In appropriate circumstances, alterations or modifications of products or demonstrations may be utilized provided that they are disclosed to the viewer and that viewers are not misled with respect to a material product feature.

DIETARY SUPPLEMENTS

Congress defined the term "dietary supplement" in the Dietary Supplement Health and Education Act (DSHEA) of 1994 as an ingestible that contains a "dietary ingredient" intended to supplement the diet. Dietary ingredients include vitamins, minerals, herbs, botanicals, amino acids, and substances such as enzymes and metabolites.

I. Dietary supplement advertisements may not include disease claims, explicit or implied, unless the claims have been approved by the FDA (e.g., osteoporosis and calcium, anemia and iron). For more information about FDA-approved health claims and qualified health claims, see the FDA's Label Claims for Conventional Foods and Dietary Supplements.

II. Under DSHEA, nutritional supplement manufacturers are allowed to make "structure/function" claims, defined as statements that describe the role of a specific substance in maintaining normal healthy structures or functions of the body (e.g., "helps maintain digestive health"), under certain circumstances:

   A. Structure/function claims are acceptable provided that they are supported by "competent and reliable scientific evidence" defined as "tests, analyses, research studies or other evidence based on the expertise of professionals in the relevant area conducted and evaluated in an objective manner by qualified persons and using generally accepted procedures to yield accurate and reliable results."

   B. Claims must be accompanied by the DSHEA disclaimer: "This product is not intended to diagnose, treat, cure, or prevent any disease. This statement has not been evaluated by the Food and Drug Administration."

III. NBC generally will not accept advertisements for dietary supplements with claims that have been the subject of FTC, FDA, Better Business Bureau, or ERA action.

IV. NBC requires studies conducted on the advertised product to substantiate claims when the claims in the advertisement make a link between the product itself and the results attained. Studies of

other products, individual ingredients, or alternate formulations will not be accepted as adequate support. However, when the link is made between the ingredients in the advertised product and the results attained, then reliable scientific data on the ingredients themselves may be acceptable.

V. The following are not acceptable:

A. Claims about the safety of dietary supplements.

B. Claims that compare or equate dietary supplements with over-the-counter or prescription drugs, explicitly or by implication.

VI. Nutrient comparisons between dietary supplements may be acceptable provided no comparative health benefits are claimed.

VII. Physicians, dentists, nurses, or actors representing them may appear in dietary supplement advertisements so long as the advertiser provides sufficient documentation to support the professional endorsement of the advertised product where such professional endorsement is implied. Additionally, other health professionals such as pharmacists, nutritionists, physical therapists, or actors representing them are permitted in these types of advertisements under the same conditions.

VIII. "Doctor recommended" and "pharmacist recommended" claims require a nationally representative survey of at least 250 doctors/pharmacists in the relevant specialty, showing that at least 20% of those surveyed recommend the advertised product in their practice.

DIRECT RESPONSE

I. All advertisements must conform to applicable FTC Guidelines. All claims, including, but not limited to those made in the visual or audio copy, must be supported with adequate substantiation.

II. Each advertisement must include the name, street address, city, state and zip code of the sponsor or a website and/or toll-free telephone number.

III. When applicable, any charges beyond the advertised purchase price must also be disclosed (e.g., shipping and handling).

IV. Advertisements must indicate actual anticipated delivery date if anticipated delivery will be in excess of thirty days.

DISCLAIMERS, SUPERS, AND HORIZONTAL CRAWLS

I. Disclaimers cannot be used to contradict or materially alter a claim.

II. When superimposed copy is used to qualify advertising claims, it must be presented so it can be read easily against a plain contrasting background and must be located within the safe title area of the television screen.

III. The first line of every required super should appear on screen for at least three seconds. Each additional line should appear for at least one second (e.g., five seconds for a three-line disclaimer).

IV. As a general rule, visual disclaimers should appear in a font that is easy to read and remain on the screen long enough to be noticed, read, and understood by an average viewer.

V. Audio disclaimers should be clear and loud enough to be easily heard and understood by an average viewer.

VI. The use of horizontal crawls in the lower third of the screen is unacceptable.

DISTRIBUTION AND AVAILABILITY OF PRODUCTS AND SERVICES

I. To advertise nationally, the product or service advertised must reach 51% national distribution at the time of air through any generally accepted process of distribution (e.g., retail stores, company website, online retailer) unless otherwise clearly disclosed in the advertisement (e.g., "Coming Soon," "Not yet available in all areas," or "Available for preorder").

II. Unless available at all locations, advertising for franchise or chain retail outlets must indicate that the product or service is only available at participating stores.

DOCTORS AND HEALTH PROFESSIONALS

I. Physicians, dentists, nurses, or actors representing them may appear in: (1) prescription drug advertising and advertising for medical equipment and services accessed by the consumer through a physician's prescription, or (2) over-the-counter drug advertisements or in advertisements involving health considerations, so long as the advertiser provides sufficient documentation to support the professional endorsement of the advertised product where such professional endorsement is implied. Additionally, other health professionals such as pharmacists, nutritionists, physical therapists, or actors representing them are permitted in these types of advertisements under the same conditions. Said advertisements should not in any way imply that use of the advertised product is a replacement for regular doctor visits.

II. To support an express or implied "doctor recommended," "veterinarian recommended," or similar claim NBC requires a nationally representative survey of at least 250 doctors in the relevant specialty, showing that at least 20% of those surveyed recommend the advertised product in their practice.

DRAMATIZATIONS AND REENACTMENTS

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

ENDORSEMENTS AND TESTIMONIALS

All endorsements and testimonials must comply with the FTC's Guides Concerning the Use of Endorsements and Testimonials in Advertising. The advertiser must adequately substantiate all express and implied claims made through endorsements.

I. General Overview

A. An endorsement includes an advertising message that consumers are likely to believe reflects the opinions, beliefs, findings, or experiences of a party other than the advertiser.

B. Endorsements must reflect the honest opinions, findings, beliefs and experiences of the endorser. An endorsement may not convey an express or implied representation that would be deceptive if made directly by the advertiser.

C. Where there exists a connection between the endorser and the advertiser that might materially affect the weight or credibility of the endorsement (i.e., the connection is not reasonably expected by the audience), such connection must be disclosed.

II. Consumer Endorsements

A. An endorsement relating the experience of one or more consumers on a key attribute of the product or service will be interpreted as representing what consumers can generally expect from the product or service and the advertiser must present support for this representation. If the advertiser doesn't have such support, then the advertisement must clearly and conspicuously disclose what the consumer can expect and the advertiser must have support for that claim.

B. Advertisements presenting endorsements by "actual consumers" should utilize actual consumers or clearly and conspicuously disclose that the persons in such advertisements are not actual consumers of the advertised product.

III. Expert Endorsements

A. The advertiser must provide proof of an endorser's expertise.

B. The endorsement must be supported by valid exercise of the expert's expertise such as a proper evaluation of the product and comparison of products where relevant.

IV. Endorsements by Organizations

A. Endorsements by organizations are viewed as representing the judgment of a group whose collective experience exceeds that of any individual member. Therefore, an organization's endorsement must be reached by a process that fairly reflects the collective judgment of the organization.

ENVIRONMENTAL CLAIMS

All environmental claims must conform to 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 possess a reasonable basis substantiating the claim. It should be clear that the benefit being asserted refers to the product, the product's packaging, service or to a portion of the product, package or service. Particular attention should be paid to certain descriptors such as: environmentally friendly, eco-friendly, ozone safe/ozone friendly, green, recyclable, non-toxic, biodegradable, compostable.

FANTASY SPORTS

I. Fantasy Sports Leagues

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

i. "Void where prohibited."

ii. Clear disclosure of geographical limitations/restrictions (e.g., a list of states where the legality of fantasy sports is unclear or "Must be physically present where required by state law," etc.).

(See also Disclaimers, Supers, and Horizontal Crawls)

FINANCIAL ADVERTISING

I. General Overview

A. Advertisements for financial products and services must adhere to all of the rules and guidelines of the Financial Industry Regulatory Authority (FINRA), the Municipal Securities Rulemaking Board (MSRB), the Securities and Exchange Commission (SEC), and all other applicable laws, including federal and state securities laws.

B. Advertisements must be balanced, presenting both the risks and benefits of any investment, and based on principles of fair dealing and good faith. All relevant restrictions and qualifications must be disclosed. Advertisements must present a sound basis for evaluating facts about brokerage services, banking, stocks and bonds, real estate, futures, options trading services, or other investments.

C. Advertisements for, or tips on, specific stocks and incidental references to specific stock quotes/prices are not acceptable.

D. Advertisements may not predict or project performance, imply that past performance will recur, or make any exaggerated or unwarranted claims or forecasts.

E. Comparative advertisements between investments and services must disclose all material differences between them, including (as applicable) investment objectives, costs and expenses, liquidity, safety, guarantees or insurance, fluctuation of principal or return and tax features.

II. Loan Products

A. Advertising for: (1) mortgage relief plans, products and services, (2) payday loan products and services, or (3) online loans will be reviewed on a case-by-case basis. Advertisers in the foregoing categories must provide documentation that they are licensed to make loans in the state in which they are advertising. In addition, the content of the spots must disclose all material terms, including applicable interest rates, related to the offer as required by applicable law. When applicable, any charges and/or fees beyond the advertised interest rates must also be disclosed. NBC generally will not air commercials for companies or organizations that have an unsatisfactory record or are otherwise not in good standing in the state(s) in which they operate.

B. Advertising for loan products that require upfront fees or purport to offer credit with little or no regard for a user's credit or collateral (e.g., "No credit? No problem!") are not permitted.

FIREARMS, WEAPONS, AND FIREWORKS

NBC does not accept advertisements for fireworks, firearms or weapons, including firearm or weaponry paraphernalia or accessories. Advertisements that contain (a) fleeting depictions of firearm or weaponry paraphernalia or accessories; or (b) firearms, weapons or fireworks as props, may be approved on a case-by-case basis.

FOOD AND NUTRITION

I. Food labeling regulations issued by the FDA and the United States Department of Agriculture (USDA) must be observed. For example, claims such as "fresh," "low fat," "low calorie," "good source," and "healthy" will be reviewed pursuant to the definitions adopted by the FDA and the USDA.

II. Health claims for foods directed at specific diseases or disease prevention must be consistent with FDA policy applicable to those topics (e.g., fat and heart disease, sodium and high blood pressure, calcium and osteoporosis). Any other claims about disease or prevention of disease will be subject to stringent standards of documentation.

III. Advertisements that include health-related claims should also mention the importance of a balanced diet.

IV. Advertising must not overstate or misrepresent the nutritional value of foods.

V. Taste preference claims must be supported by a valid taste test. Please refer to the Preference Claims section for guidance regarding valid taste tests.

GAMBLING, BETTING, LOTTERIES, AND GAMES OF CHANCE

I. General Overview

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

i. Advertisements for any publication, "tip sheet," electronic or mechanical device, application, or other product or service whose primary purpose is the giving of odds or promotion of betting will be considered on a case-by-case basis;

ii. The lawful advertising of lotteries permissible under the law of the state in which they are conducted and in which the broadcast station is located may be acceptable, so long as any such lottery is conducted by a:

1. Not-for-profit 501(c) organization,

2. Governmental organization, or

3. Commercial entity, provided that the lottery is promotional, occasional, and clearly ancillary to the primary business of that commercial entity.

B. The advertising of legalized betting, including horse racing may be acceptable provided the advertisement is not instructional in nature and the organization complies with all state and federal laws. At a minimum such advertising must include:

   i. A video disclaimer stating, "Void where prohibited", and

   ii. Gambling responsibly messaging (i.e. if you or someone you know has a gambling problem, please call 1-800-GAMBLER).

C. Advertisements permitted under these guidelines must not present fictitious winners or winnings or misrepresent actual winners or winnings.

II. Sports Gambling

A. In all instances, NBC requires substantiation for claims, including those made in testimonials.

B. Advertisements permitted under these guidelines MUST NOT:

   i. Be instructional in nature;

   ii. Unduly exhort the audience to bet;

   iii. Mislead or exaggerate one's likelihood of winning money or other prizes;

   iv. Present fictitious winners or winnings or misrepresent actual winners or winnings;

   v. State or imply praise for those who participate in the advertised activity or denigrate those who abstain; or

   vi. Include third-party likenesses or intellectual property without the express permission of the owner or otherwise create unauthorized associations with third parties.

C. Sports gambling products, games of chance, contests, and advertising approaches not specifically referred to in the foregoing shall be considered on a case-by-case basis.

D. All sports gambling advertising must include disclaimers disclosing applicable regional gambling restrictions and the risks associated with gambling, including at a minimum:

   i. Clear disclosure of geographical limitations/restrictions (e.g., a list of states where online/sports gambling is legal as applicable or "Must be physically present where required by state law," etc.) and "void where prohibited"; and

   ii. The minimum age requirements of the applicable state(s);

   iii. Gambling responsibility messaging (e.g., If you or someone you know has a gambling problem, please call 1-800-GAMBLER).

E. Sports gambling advertisements may air only in:

i. Sports programming, subject to league rules and restrictions, and

ii. Programming not directed at children, subject to discretionary program and daypart restrictions based on the content of the specific advertisement.

III. Online Gambling

A. The NBC Broadcast Network does not accept online gambling advertisements; however, online gambling advertisements may be submitted for review to air on the NBC Owned Television Stations. Please contact your NBC Owned Television Stations Sales representative for further information.

(See Online & Sports Gambling Advertising Guidelines for NBCUniversal Owned Television Stations and Regional Sports Networks)

IV. Other Gambling-Related Platforms

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

(See also Disclaimers, Supers, and Horizontal Crawls)

GET-RICH-QUICK AND PYRAMID SCHEMES

NBC does not accept advertising for pyramid or get-rich-quick schemes that promise guaranteed employment or earnings, or otherwise provide misleading information to potential participants.

GOVERNMENT AND PUBLIC SYMBOLS

I. The American Flag may be depicted in advertising provided it is incidental to the primary selling objectives and context of the ad.

II. Direct or implied use of the office of the President of the United States or any governmental body or figure without official approval is not acceptable.

III. Use of military or law enforcement uniforms or vehicles require prior approval from the relevant government agency.

GUARANTEE AND WARRANTY OFFERS

I. A copy of the guarantee or warranty must be submitted for review.

II. Material conditions or limitations of a guarantee or warranty must be disclosed within the advertisement.

III. Advertisements must disclose in audio and/or video where the consumer can find the complete written guarantee or warranty.

IV. Advertisements containing a lifetime guarantee or warranty should define the meaning of the term "lifetime."

HOMEOPATHIC REMEDIES

I. NBC will accept advertisements for OTC homeopathic remedies for minor, self-limiting conditions provided that the product is made from homeopathic ingredients recognized by the Homeopathic Pharmacopoeia of the United States (HPUS).

II. Pursuant to the FTC's Enforcement Policy Statement on Marketing Claims for OTC Homeopathic Drugs, unqualified treatment claims for self-limiting disease conditions amendable to self-diagnosis and treatment must be substantiated by competent and reliable scientific evidence, defined as "tests, analyses, research, or studies that have been conducted and evaluated in an objective manner by qualified persons and generally accepted in the profession to yield accurate and reliable results." When such support is not available, advertisers must communicate the following:

A. There is no scientific evidence that the product works; and,

B. The product's claims are based only on theories of homeopathy from the 1700s that are not accepted by most modern medical experts.

III. NBC generally will not accept advertisements for products with claims that have been the subject of FTC, FDA, Better Business Bureau, or ERA action.

IV. NBC requires studies conducted on the advertised product to substantiate claims when the claims in the advertisement make a link between the product itself and the results attained. Studies of other products, individual ingredients, or alternate formulations will not be accepted as adequate support. However, when the link is made between the ingredients in the product and the results attained, then reliable scientific data on the ingredients themselves may be acceptable.

V. The following are not acceptable:

A. Claims about safety of homeopathic remedies.

B. Claims that compare or equate homeopathic remedies with OTC or Rx drugs, explicitly or by implication.

VI. Physicians, dentists, nurses, or actors representing them may appear in homeopathic remedy advertisements so long as the advertiser provides sufficient documentation to support the professional endorsement of the advertised product where such professional endorsement is implied. Additionally, other health professionals such as pharmacists, nutritionists, physical therapists, or actors representing them are permitted in these types of advertisements under the same conditions.

VII. "Doctor recommended" and "pharmacist recommended" claims require a nationally representative survey of at least 250 doctors/pharmacists in the relevant specialty, showing that at least 20% of those surveyed recommend the advertised product in their practice.

ILLEGAL DRUGS

NBC does not accept advertising for illegal drug products, services, publications, or paraphernalia.

LAWYER ADVERTISING

I. NBC does not accept advertisements that solicit viewers to participate in litigation, as these are matters of dispute between outside parties.

II. Advertisements notifying class members of a court decision or settlement are acceptable on a case-by-case basis. Such advertisements must have proper sponsor identification.

(See also Sponsor Identification)

"LIVE," USE IN ADVERTISING

An advertisement cannot be identified or presented as "Live" unless it is broadcast in real time.

MEDICAL AND HEALTH-RELATED PRODUCTS

I. General Overview

A. Health claims must be supported by clinical studies, appropriate consumer testing, and/or other scientific evidence.

B. Claims and demonstrations must be consistent with the product's indications, directions, and warnings.

C. General safety claims are not acceptable (e.g., Drug X is safe). With respect to dental products and FDA approved over-the-counter drugs only, qualified safety claims (e.g., Drug X contains a safe amount of ingredient Y) will be considered on a case-by-case basis, provided that any such qualified claims are adequately supported by robust studies.

D. Children may appear only incidentally in advertisements for adult medications. Children may be used in advertisements for children's medications and vitamins but adult supervision must be portrayed.

E. Depictions of product ingestion are generally not acceptable, but may be considered on a case-by-case basis.

F. Claims that a product is a panacea or cure-all are not acceptable.

G. Direct or indirect references or comparisons between over-the-counter drugs and prescription medications must be clinically documented.

H. Advertisements for online prescription and diagnosis websites will be considered on a case-by-case basis. (See Telemedicine Platforms)

I. Physicians, dentists, nurses, or actors representing them may appear in advertisements for medical and health-related products, so long as the advertiser provides sufficient

documentation to support the professional endorsement of the advertised product where such professional endorsement is implied. Additionally, other health professionals such as pharmacists, nutritionists, physical therapists, or actors representing them are permitted in these types of advertisements under the same conditions. Said advertisements should not in any way imply that use of the advertised product is a replacement for regular doctor visits.

II. Over-the-Counter ("OTC") Medical Products, Medical Devices and Advertisements Making Health or Medical Claims

A. Advertisements must clearly advise consumers to follow label directions (e.g., "Use as directed").

B. Products bearing a Drug Facts label will be reviewed as OTC drugs. These include, but are not limited to, acne products, antiperspirants and sunscreens. Advertisements for dandruff products will not be required to have the "Use as directed" disclaimer, as these products pose a low risk for consumer misuse.

C. Advertisements for OTC medications can only promote occasional use and treatment of minor to moderate conditions.

D. Comparative efficacy claims for over-the-counter products that are based solely on in vitro data must be disclosed as such.

(See also Doctors and Health Professionals)

III. Prescription Drug Advertising

A. Prescription drug advertising must comply with applicable FDA regulations. Advertisers should also reference the FDA's Prescription Drug Advertising Guide for Consumers for additional guidance.

i. Advertisements must clearly advise consumers to consult a healthcare professional or call their doctor.

ii. Advertisements must clearly state that the advertised product is available by prescription only.

B. Advertisers must submit the following for review of a prescription drug advertisement:

i. Complete prescribing information and/or product insert.

ii. Evidence of compliance with FDA regulations in the form of a letter from: (1) the Office of Prescription Drug Promotion (OPDP) (formerly known as the Division of Drug Marketing, Advertising and Communications (DDMAC)), or (2) the advertiser's legal counsel, indicating that the advertiser has submitted materials to OPDP and is in compliance with all FDA regulations.

iii. If mentioned, please include evidence of print advertisement insertion order.

MEDICAL DEVICE ADVERTISING

I. General Overview

A. Medical device advertising must comply with applicable FDA and FTC regulations.

B. 510(k) clearance and complete labeling must be submitted for review for all medical devices advertisements.

C. Premarket approval (PMA) from the FDA must be provided for restricted Class I, Class II, and Class III medical device advertisements.

D. Medical device "product claim" advertisements should disclose relevant warnings, precautions, side effects, and contraindications that may result from the use of the device under its labeled, advertised, or usual conditions of use.

II. Advertisements for restricted devices should include the following:

A. References for consumers to conveniently access detailed labeling information via a toll-free telephone number and/or a website address.

B. Language that tells consumers to seek the advice of a healthcare professional.

C. Advertisements for prescription devices should clearly state that the advertised product is available by prescription only.

III. Pregnancy Test Kits

A. Advertisements must include an audio or video disclosure reminding viewers to "Follow Label Directions" and "See Your Doctor."

MOTION PICTURE AND HOME ENTERTAINMENT ADVERTISING

I. All advertising for domestic theatrical films must disclose the Motion Picture Association (MPA) rating in both the audio and video.

II. All advertising for home entertainment must include a disclosure of the film's rating in the video in a font that is large enough to be read by viewers.

III. NBC may accept, on a case-by-case basis, advertising for films pending a rating provided that the advertisement discloses that the film "is not yet rated."

IV. While the content of the advertisement and its accurate reflection of the underlying film is the primary concern, Advertising Standards also considers the substance of the advertised film and retains the right to expand or limit its scheduling based on content considerations. Placement of an advertisement will be determined based on audience composition and program compatibility. Advertisements which contain violence, horror, sexual themes or dialogue and/or shocking or inappropriate behavior may warrant scheduling restrictions such as "post 9pm" or "late night only."

V. NBC does not accept advertising for "X- Rated" and similar "adult" films.

VI. All proposed advertising for films carrying the MPA "NC-17" rating (no children under 17 admitted) will be approved on a case-by-case basis, taking into account both the content of the advertisement and the film. If judged acceptable for a network television audience, such advertisements must contain an audio disclosure that the film is "Rated NC-17, No Children Under 17 Admitted" and an appropriate MPA video disclosure. In no event may such advertisements be scheduled to air earlier than 9:55P.M., Central and Mountain Time zones and 10:55P.M., Eastern and Pacific. In certain circumstances, later scheduling may be deemed appropriate.

VII. Advertising for the home entertainment release of television series and made for TV movies will be considered on a case-by-case basis.

VIII. Advertisements with secondary product mentions promoting a motion picture or home entertainment must clearly disclose the rating in the video. If the advertisement is predominantly promoting a film then the rating may be required to be disclosed in both the audio and video.

NBCUNIVERSAL TALENT, LOGOS, AND SHOW MENTIONS

The use or mention of NBC shows, talent, or logos requires pre-approval from the appropriate NBC entity (e.g., NBC Programming, Sales, Business Affairs, etc.).

"NEW," USE IN ADVERTISING

I. In accordance with FTC policy, advertisers may only use the term "new" for a period of six months from the time a product has achieved national (51%) distribution. Product samples and/or labeling may be required for new products.

II. The use of the terms "introducing" and "now" are generally limited to a period of one year from the time a product has achieved national distribution.

NEWS AND PROGRAMMING SIMULATION

I. Advertisements may not contain audio or visual approaches or formats that could confuse viewers as to the origin of the material being telecast. The simulation of: (1) programming or (2) the interruption of programming (e.g., snow, fuzz, or a blank screen) is generally not acceptable.

II. Advertisements may not contain language, visual techniques or sound effects that simulate news broadcasts. Techniques including news language such as, "We interrupt this program (advertisement) to bring you…," "breaking news," "flash," "This just in…," newsroom settings, and call letters or numbers are usually not acceptable. Horizontal crawls on the lower third of the screen and the use of EAS tones or a recording or simulation thereof are not acceptable.

(See also Advisories)

PERSONAL PRODUCTS

I. General Overview

A. Products and services of a personal nature including, but not limited to, feminine hygiene products, personal lubricants, contraceptives, incontinence products and other products that require sensitivity in presentation should be presented in a tasteful manner and will be accepted on a case-by-case basis. Scheduling restrictions may apply.

II. Personal Lubricants, Deodorants, and Cosmetic Douches

A. Generalized statements of product efficacy (e.g., "Helps you feel fresh for hours") are acceptable as long as they are supported by reliable and competent scientific evidence.

B. Health claims are not acceptable.

C. Advertisements for cosmetic douche products must include the disclosures "Use only as directed" or "Follow label directions."

III. Medicated Douches and Genital Itch Products

A. Advertising may promote the product for health-related uses.

B. Advertising of products designed for external genital itch may not state or imply broader use. Advertisements for these products must include the disclosures "Use as directed" and "If symptoms persist, see your doctor."

(See also Medical and Health-Related Products)

PIRACY AND INFRINGING ACTIVITY

NBC respects the intellectual property rights of others and expects our advertisers to do the same. The following guidelines apply to advertisements for services, products or other mechanisms that may be used to infringe the intellectual property rights of others.

I. An advertisement may be deemed unacceptable for broadcast if it is for a service, product or other mechanism that is used to infringe the intellectual property rights of others. Infringing activity includes, but is not limited to:

i. The illegal dissemination of content, or the selling or offering of content on an unauthorized platform or by an unauthorized user in a way that infringes the intellectual property rights of the owner of such content;

ii. The circumvention of restrictions imposed by an owner of content with regard to the geographic reach of its content or other viewing options deemed permissible by such owner;

iii. The circumvention of copyright, trademark, or other proprietary notices marked by an owner of content; or

iv. Uploading, sharing, obtaining, modifying, or accessing content in a way that was not intended or authorized by the owner of such content.

II. NBC reserves the right to:

A. Request additional materials from an advertiser to address any suspected infringing activity or acts of piracy, including evidence of the advertiser's efforts to control, combat, and prevent such infringing activity or acts of piracy;

B. Require revisions to an advertisement;

C. Reject advertisements from advertisers that have a demonstrated history of infringing on the rights of content owners; or

D. Reject an advertisement at any time in response to situations of unusual significance.

III. An advertisement for a service, product or other mechanism that is used for infringing activity may be rejected regardless of whether such infringing activity is featured in the advertisement.

IV. These guidelines are not exhaustive and all advertisements are reviewed on a case-by-case basis.

PREDICTION MARKETS

I. NBC will accept ads for prediction market platforms ("Prediction Market Ads") that are regulated by the Commodity Futures Trading Commission ("CFTC") subject to the following conditions:

A. Ad Content Restrictions

i. Prediction Market Ads may not include or otherwise reference political elections (including ballot measures) or legislative action.

ii. NBC will accept Prediction Market Ads that include references to sports on a case-by-case basis.

iii. Prediction Market Ads cannot include or reference predictions relating to NBC linear and streaming programs, talent, logos, or other intellectual property.

iv. Prediction Market Ads may not include or reference predictions that are, in NBC's sole judgment, in poor taste or contrary to the public interest (e.g., war, death, etc.).

B. Required Statements

i. Prediction Market Ads must include a statement indicating that the advertising entity (i) is registered with the CFTC, including the name of the entity through which the advertising entity obtained its CFTC registration, OR (ii) is authorized as a brokerage by the National Futures Association to

offer third-party access to products listed by a Designated Contract Market registered with the CFTC.

ii. Prediction Market Ads must clearly and conspicuously (i) indicate the markets where the advertiser currently operates, including applicable age requirements, and (ii) include a statement substantially similar to the following: "Event contract trading involves substantial risk of loss and is not suitable for everyone. Market availability varies. Eligibility restrictions apply."

II. Programming Restrictions

A. Prediction Market Ads cannot be targeted to children.

B. Prediction Market Ads may be subject to additional program and daypart restrictions at NBC's sole discretion.

III. Advertisers related to prediction markets shall be considered on a case-by-case basis and additional considerations may apply.

IV. Prediction Markets are an evolving advertising category. This policy may be revised at any time at NBC's sole discretion.

PREFERENCE CLAIMS

I. General Principles

A. The claim that "A is preferred over B" requires a significant win on the overall preference measure. A win on one or two attributes (e.g., smell and texture) is insufficient to support an overall preference claim.

B. Preference for a particular dimension cannot be claimed if the overall preference is a loss, unless the overall loss is disclosed in the advertising.

C. If a claim encompasses the entire category, at least the top 85% of unit share should be accounted for, but this is entirely dependent on share data configuration. For some product categories, where necessary, the 85% rule may be adjusted to fit the constraints of the market.

D. Apples-to-oranges comparisons should be avoided. To the extent that multiple forms of a product exist, only the same form of the product should be used in comparisons and demonstrations and the comparison should only be focused on similar or related properties (e.g., the smell of the powdered form of detergent A is preferred over the smell of the powdered form of detergent B). Where only different forms are available, the claim should clearly state this (e.g., "Instant X tastes as good as ready-made Y").

II. Parity Claims

A. The absence of statistical significance is sometimes incorrectly interpreted as evidence of product parity when, in fact, that outcome is best ascribed to insensitive testing.

B. It is the advertiser's responsibility to demonstrate that it has chosen the most appropriate methodology and statistical analysis.

C. We suggest 500 respondents when comparing two products since a high degree of certainty is required to show there is no difference between the products. When comparing more than two products, a proportionate increase in sample size is recommended.

D. Side-by-side or paired comparisons made at centrally located testing sites are preferred. Home use tests may be insufficiently sensitive, as memory can be affected by events intervening between sequential exposures.

E. Parity results should represent an equal split of respondents expressing a preference between the advertiser and competitor's products. If results directionally favor the competitor, a two-tailed statistical significance test at the 90% confidence level should be conducted. If the competitor has a statistical win at this level, it indicates parity may be a result of a small sample rather than true product equivalency. In this circumstance, a parity claim is not supported.

III. Superiority Claims

A. Superiority claims, such as "Product A tastes better," should be qualified (e.g., "than Product B", "than the leading brands", or "than before").

B. A minimum of 300 respondents is suggested for comparisons between two products. For testing against more than two products, a proportionate increase in sample size is recommended.

C. Central location tests are preferred for attribute superiority claims. Home-use tests may be acceptable to support overall preference claims and may be appropriate support for attribute claims particularly for products with a wide range of common uses (e.g., mayonnaise).

D. Results should be statistically significant at a 95% confidence level.

E. A statistically significant proportion of the <u>total</u> sample must prefer the advertised product.

F. If preference results are significant only for a subgroup of respondents, or if a large no preference group is present (approximately 20% or more of the total sample), then qualifying language, such as "Among those with a preference," is required.

G. An advertiser cannot claim taste superiority against a competitor unless all varieties have been tested against the advertiser's corresponding varieties.

IV. Sample

A. The sample should represent a minimum of four geographic U.S. Census regions with at least two markets per region.

B. The sample demographics should be representative of all relevant product users.

C. Respondents should have experience with the product category, specifically in those instances where previous use of a product category may affect the responses.

D. Data defining the usage patterns of the respondents should be collected (e.g., consumption frequency, exclusive or multiple brand use).

Market share patterns should be proportionally represented in the total sample, unless the claim is limited to specific brand users (e.g., "Product B users prefer the taste of Product A").

V. Test Design

A. The test protocol should be relevant to the product category and to the intended claim.

B. Tests should be double-blind.

C. Product codes for blinding must not reveal the products being compared nor should the codes create an internal bias (e.g., always numbering one product higher than the other).

D. No biasing information about the product should be given to participants prior to evaluation.

E. Products presentation should be rotated.

F. Single-product testing is not acceptable for comparative claims.

G. Discrimination or triangular tests conducted to identify potential respondents prior to taste test execution are not acceptable for documentation of advertising claims.

VI. Product Selection, Sourcing, Handling, and Serving

A. Products should be sourced at retail in the appropriate geographic region. All test brands should be procured from the same retail outlets when available. Strict precautions should be taken to assure all products are handled, stored, and transported identically, except for those products that are handled differently within their own distribution system.

B. If a new product is being tested and cannot be purchased off-shelf, preliminary work will be accepted—with documentation showing every reasonable effort was made to treat the products equally in age, storage, and handling—pending retail distribution. Testing should be repeated with products purchased in the marketplace within a reasonable time after large-scale distribution has been achieved.

C. Product should not be removed from its original packaging prior to preparation when the integrity of the product could be adversely impacted.

D. Container sizes and types should be comparable for all products.

E. Products should be prepared according to label instructions.

F. Controlled procedures should be undertaken to ensure temperatures are well regulated, are the same across products, and are product-appropriate.

G. Participants should be able to consume the products as they normally would. For example, condiments for hot dogs should be supplied. Additions that would alter the integrity of the product and/or that are not commonly used should be avoided.

H. If a product is intended for a variety of uses, the test should account for the major uses, or, alternatively, the claim should be appropriately qualified.

VII. Questionnaire Design

A. Leading questions will have no probative value.

B. Participants should be given a "no preference" option.

C. Answers to previous questions should not provide cues for answers to subsequent items.

VIII. Data Analysis

A. In analyzing test results, the "no preference" responses should either be discarded or distributed equally among the products tested.

PREMIUMS AND OFFERS

I. Full details of the premium or offer must be submitted to Advertising Standards.

II. If the offer termination date is material it must be disclosed at a minimum in the video of the advertisement.

III. Descriptions or visual representations of premiums or offers may not exaggerate their value, size, or be otherwise misleading.

RELIGIOUS ADVERTISING

I. NBC will, within its discretion, accept advertisements for the sale of products that have a religious theme (e.g., books, recordings, artifacts, etc.).

II. NBCUniversal accepts religious advertisements that express divergent points of view. Religious books, periodicals, or other products depicted in advertisements may be reviewed by NBC to ensure that they do not disparage any group or individual or otherwise violate NBC's advertising policies.

III. NBC may, on a case-by-case basis, accept advertisements of a general nature on behalf of religious organizations, for the announcement of meetings, religious services, or for the promotion of approved public service and charitable activities.

IV. Solicitation of funds is acceptable on a case-by-case basis.

V. Advertising may not depict, proselytize, promote, or discuss sectarian doctrine or dogma.

VI. Advertising copy that denigrates, attacks, or negatively stereotypes any group or individual is not acceptable.

VII. All religious advertising must include proper sponsor identification.

(See also Sponsor Identification)

SAFETY

I. It is the advertiser's responsibility to portray compliance with standard safety precautions (e.g., use of seatbelts in vehicles, bicycle, and skateboarding safety equipment).

II. Adult supervision should be portrayed whenever children are engaged in potentially dangerous activities.

III. In general, unqualified references to the safety of a product are not acceptable, particularly when the package, label, or insert contains a caution or the normal use of the product presents a possible hazard. With respect to dental products and FDA-approved OTC drugs only, the words "safe," "harmless," or other words/phrases with similar meaning will be considered on a case-by-case basis when qualified and supported by robust studies.

SEXUALLY EXPLICIT PUBLICATIONS, PRODUCTS, AND SERVICES

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

SOLICITATION OF FUNDS

Advertisements that include express or implied solicitation of funds will be approved on a case-by-case basis.

SPONSOR IDENTIFICATION

I. Identification of sponsorship must be made in all advertisements in accordance with the requirements of the Communications Act and the rules and policies of the FCC relating to Sponsorship Identification (47 C.F.R. § 73.1212).

II. An advertisement must disclose, visually or in audio, that it is paid for by the person(s), corporation, committee, association or other entity by whom or on whose behalf such payment is made. The required disclosure must take the form of "Paid for by…" or "Sponsored by…."

III. An announcement stating the sponsor's corporate or trade name or the name of the sponsor's product, when it is clear that the name of the product constitutes sponsorship identification, may be sufficient when commercial products or services are being advertised. Such announcement would not be sufficient where the sponsor is a nonprofit or governmental entity and there are no commercial products or services being advertised, in that case, an appropriate sponsorship

identification disclosure in the form outlined above must be included in the advertisement.

IV. Generally, when no payment or other valuable consideration is paid or promised for broadcast or cablecast, no "sponsorship identification" is necessary, since by definition there is no sponsor. A "public service announcement" (one for which no charge is made and which is regarded as serving community interests, as by promoting programs, activities, or services of governmental or other nonprofit organizations) exemplifies the type of material that would not require sponsorship identification because it is broadcast or cablecast for free. When payment is made, however, the same announcement must include an appropriate sponsorship identification disclosure.

V. A copyright notice does not generally constitute adequate sponsorship identification unless the copyright notice is incorporated into the required disclosure (e.g., "Paid for by…," "Sponsored by…").

VI. A website URL does not necessarily constitute adequate sponsorship identification unless it is the official name of the sponsoring entity.

SUBLIMINAL PERCEPTION

The use of subliminal perception techniques is generally unacceptable. Any advertiser who would like to include any content that is not readily discernible to viewers watching the advertisement in real time must submit all frames of that material to Advertising Standards for review, along with information detailing how the advertiser plans to alert the public to this content. Any such content may not include a sales pitch.

TELEMEDICINE PLATFORMS

The following guidelines are applicable to advertisements for any digital platform, including applications and services using two-way video, and other forms of telecommunications technology, that facilitates the use of medical information exchanged from one site to another via electronic communications to (1) diagnose and treat patients , and (2) sell and deliver prescription drugs and/or other regulated healthcare products, including dietary supplements and over the counter drugs ("Telemedicine Platform"). Advertisements for Telemedicine Platforms are also subject to the Medical and Health-Related Products and the Dietary Supplements guidelines.

I. NBC will only accept advertisements for Telemedicine Platforms that:
   A. Operate legally and have a physical address and telephone number in the United States; and
   B. Comply with applicable FDA, FTC and state laws and regulations.

II. Advertisements must include a clear disclosure of the availability and all applicable limitations, and exclusions and restrictions of the Telemedicine Platform's services. Please refer to the Distribution and Availability of Products and Services and Disclaimers, Supers, and Horizontal Crawls sections for additional guidance.

III. In addition to the above guidelines, Telemedicine Platforms advertising prescription drug services must also comply with applicable FDA regulations and the following:
   A. Advertisements must not encourage self-diagnosis and self-treatment.

B. Advertisements must include messaging that directs viewers that consultation with a doctor will be required to access prescription drug services.
C. Advertisements that mention a specific drug or contain a representation of a drug in combination with claims about the drug must disclose the risks and all other information as applicable, in accordance with FDA regulations.
D. Advertisers must submit a letter from the advertiser's legal counsel certifying that the Telemedicine Platform:
    i. Complies with all FDA laws and regulations and all state pharmacy laws and regulations;
    ii. Does not dispense drugs solely on the basis of an online questionnaire except where permitted under applicable telemedicine state laws or regulations with a pre-existing patient-prescriber relationship that has included a face-to-face physical examination.
    iii. Has a licensed pharmacist that is reasonably accessible during regular business hours to address consumer inquiries.
    iv. Provides consumers access the drug's FDA-approved prescribing information.
    v. Requires a valid prescription from a doctor or other licensed health care professional authorized to prescribe under applicable laws in the state where the consumer is located.
    vi. Operates its pharmacy shipping services legally and only in states where such pharmacies are licensed by the state board of pharmacy, or equivalent state agency.

TOBACCO PRODUCTS

NBC does not accept advertising for cigarettes (including electronic cigarettes or e-cigarettes), chewing tobacco, snuff tobacco, small cigars, or nicotine pouches, or the use of these products in advertisements. On a case-by-case basis, NBC will accept fleeting depictions of tobacco use in advertisements for FDA-approved smoking cessation products, services, or advertising to discourage or prevent smoking.

VIDEO GAMES

I. Advertising for video games and computer software must contain an audio and video disclosure of the Entertainment Software Rating Board (ESRB) rating.

II. NBC accepts advertising for M-Rated video games, subject to content review, with scheduling limited to Primetime, Late Night, and Sports Programming. Advertisements containing an M-Rated video game as a secondary mention will be subject to the same restrictions.

III. Inclusion of video games as a secondary mention in an advertisement will require disclosure of the ESRB rating as follows:

    A. In audio and video for advertisements comprised primarily of game footage and/or when the game is the focal point of the advertisement.

B. In video for advertisements advertising a promotion or tie-in with the game where the game is not the focal point of the advertisement.

C. If the game is cross-promoted only by title or logo (e.g., a text listing of a game title with no box art or screen shot), rating information does not need to be displayed.

WEIGHT LOSS PRODUCTS AND PROGRAMS

I. Weight loss supplements are subject to the Dietary Supplements and Homeopathic Remedies guidelines, as well as the guidelines in this section.

(See also Dietary Supplements and Homeopathic Remedies)

II. Weight loss advertisements must disclose that weight loss is achieved as part of a healthy reduced-calorie diet and exercise program.

III. All weight loss claims must be supported by valid and reliable scientific evidence. Studies must provide strong evidence that the advertised product, as part of a diet and exercise program, resulted in weight loss above and beyond weight loss caused by diet and exercise alone. Study subjects should be representative of the targeted audience.

IV. Documented "before and after" representations will be approved on a case-by-case basis and must be accompanied by a producer's affidavit.

V. Advertising for weight control may not be directed to children.

VI. Advertising including mentions of specific weight loss amounts or the rate of weight loss consumers can expect must comply with the following:

A. Rates of weight loss advertised must not exceed two pounds a week for a month or more without diet and exercise or three pounds per week for more than four weeks. Mentions of specific weight loss amounts must be accompanied by a disclosure of the amount of time it took to lose the weight (e.g. "I lost four pounds in two weeks").

B. When a featured consumer lost weight at a faster rate than a typical consumer can expect, the typical results consumers can expect to achieve must also be disclosed (e.g. "Typical consumers lose one to two pounds per week on average"). Typical results must also be disclosed when an advertisement refers to the rate of weight loss (e.g. "Lose weight quickly").

C. Weight loss advertisements containing testimonials must be accompanied by a testimonial affidavit from each featured consumer. If a specific amount of weight loss is mentioned, the affidavit must include the amount of weight loss and the length of time it took to achieve the loss.

VII. The FTC has issued a document that warns against deceptive weight loss claims entitled Gut Check: A Reference Guide for Media on Spotting False Weight Loss Claims. Consistent with the FTC's recommendations, NBC will not accept claims that a weight loss product:

A. Causes weight loss of two pounds or more a week for a month or more without dieting or exercise;

B. Causes substantial weight loss no matter what or how much the consumer eats;

C. Causes permanent weight loss even after the consumer stops using product;

D. Blocks the absorption of fat or calories to enable consumers to lose substantial weight;

E. Safely enables consumers to lose more than three pounds per week for more than four weeks;

F. Causes substantial weight loss for all users; or

G. Causes substantial weight loss by wearing it on the body or rubbing it into the skin.