

THE CHILDREN'S BROADCAST ADVERTISING CLEARANCE GUIDE



ALL YOU NEED TO KNOW TO BROADCAST CHILDREN'S COMMERCIALS IN CANADA

About this Guide

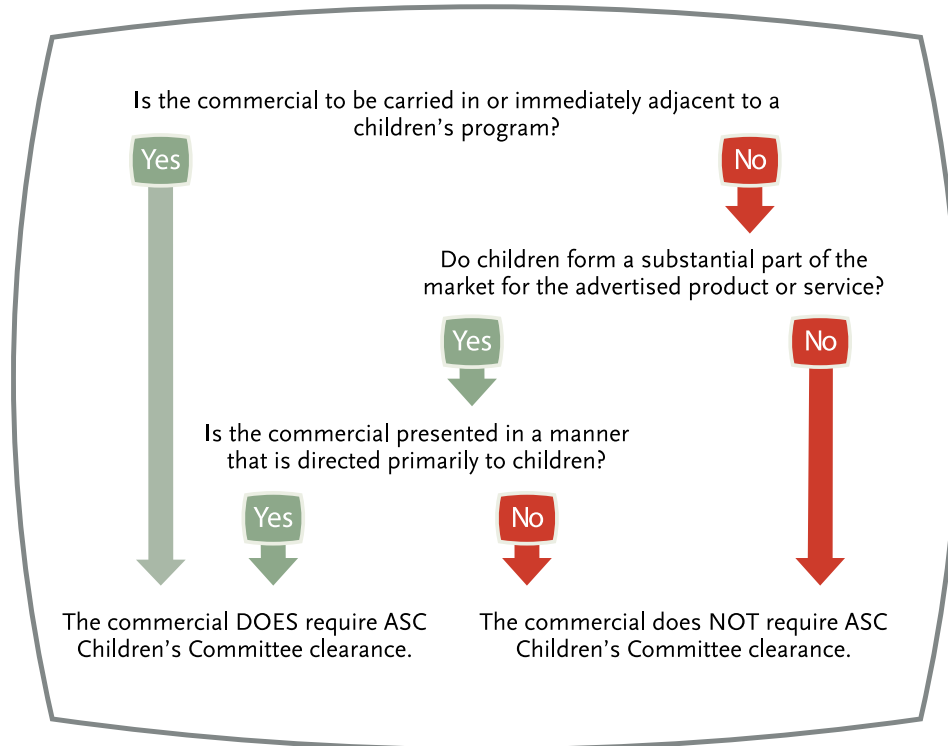
This Children's Broadcast Advertising Clearance Guide is designed to help advertisers, advertising agencies and broadcasters develop, schedule and present commercials that comply with *The Broadcast Code for Advertising to Children (Children's Code)*. The *Children's Code* was created to guide advertisers in preparing commercial messages that recognize and respect the special characteristics of the child audience. The *Children's Code* is published by Advertising Standards Canada (ASC), and it is endorsed by the Canadian Radio-television and Telecommunications Commission (CRTC). Broadcasters in Canada (excluding Quebec, where advertising to children is not permitted) have agreed to adhere to the *Children's Code* as a CRTC condition of licence.

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DETERMINING WHICH COMMERCIALS REQUIRE CLEARANCE

Your commercial will require ASC Children's Committee clearance if it is considered to be "*children's advertising*" OR a "*child-directed message*". The following sequence of questions will help guide you.



USEFUL DEFINITIONS

- "Children's advertising" refers to any paid commercial message that is carried in or immediately adjacent to a children's program. Children's advertising also includes any commercial message that is determined by the broadcaster as being directed to children and is carried in or immediately adjacent to any other program.
- "Children" refers to persons under 12 years of age.
- A "Child-directed message" is a commercial message on behalf of a product or service for which children are the only users or form a substantial part of the market as users, and the message (i.e. language, selling points, visuals) is presented in a manner that is directed primarily to children.
- A "Children's program" refers to a program that is directed to the under-12 audience, as defined by the broadcaster.
- "ASC Children's Clearance Committee", or "Children's Committee", is responsible for reviewing and approving children's commercials in accordance with the provisions of the *Children's Code*. The Children's

Committee includes representatives from industry, the CRTC and the public. Public representatives are drawn from consumer organizations.

CHILD-DIRECTED PUBLIC SERVICE ANNOUNCEMENTS

Although the *Children's Code* does not apply to unpaid public service announcements, stations are urged to conform to the spirit of the *Children's Code* when scheduling such announcements

ADVERTISING PROHIBITIONS

- Advertising to preschoolers is not permitted: Child-directed messages cannot be aired during the school day morning hours (Monday to Friday 9 a.m. to noon, except during school breaks and holidays). However, one can advertise to the family, parent or an adult at these times as long as the commercial bears the requisite ASC approval number if appearing in, or adjacent to, a child-directed program.
- Advertising to children in Quebec is not permitted.

PRODUCT PROHIBITIONS

- Products not intended for use by children (e.g. a video game rated “T” for “Teen”, etc.) advertised either directly or through promotions that are primarily child-directed.
- Drugs (this includes all vitamins and natural health products), except for children’s fluoride toothpaste. See Clause 4, page 5, in the FAQ section.

ADDITIONAL CLEARANCE REQUIREMENTS FOR FOOD AND COSMETICS

- Food and cosmetics commercials directed to children must also comply with pertinent Canadian regulations and should receive separate clearance, also available from ASC Clearance Services. ASC Clearance Services offers “Combined Children’s/Food Clearance” at a reduced rate.

CLEARANCE OF CHILDREN’S ADVERTISING IN MEDIA OTHER THAN BROADCAST

ASC Clearance Services reviews children’s advertising in non-broadcast media at the request of industry. While not required, this voluntary review mechanism helps advertisers ensure that child-directed advertising in non-broadcast media complies with the provisions of the *Interpretation Guidelines* to Clause 12 of the *Canadian Code of Advertising Standards (Canadian Code)*.

This review of children’s advertising in non-broadcast media is provided by ASC Clearance Services on a fee basis and includes, but is not limited to, children’s advertising appearing in magazines and on the Internet.

For additional information on the review of children’s advertising in non-broadcast media, including the full text of the *Interpretation Guidelines* to Clause 12 of the *Canadian Code*, please visit www.adstandards.com/en/Standards/interpretationGuideline2.aspx.

CONSUMER COMPLAINTS ABOUT CHILDREN’S BROADCAST ADVERTISING

If a consumer complains to ASC about an advertisement appearing in a broadcast medium (television or radio), the complaint will be evaluated under the *Children’s Code*. Consumer complaints alleging that a children’s advertisement contravenes the *Children’s Code* are accepted online, by mail, or fax. For more information on the Procedure for Consumer Complaints about Children’s Broadcast Advertising, go to www.adstandards.com/en/ConsumerComplaints/ChildrensBroadcastAdvertisingComplaintsProcedure.aspx

STEPS TO GETTING A CHILDREN'S COMMERCIAL TO AIR

Each children's commercial must be reviewed and approved by the Children's Committee before it can be broadcast. The Children's Committee meets once every other week to review final commercials to ensure that they adhere to the *Children's Code*. Upon final approval, each commercial is assigned a six-digit approval number, valid for one year. This number signifies to broadcasters that the commercial has been approved.

ASC Clearance Services are provided on a fee basis.

The Children's Committee meeting schedule and fee schedule are available at www.adstandards.com/clearance or from ASC Clearance Services at (416) 961-6311.

See page 4 for a complete description of ASC Children's Clearance Services, including submission requirements and turnaround times.

STEP 1

Log on to ASC Clearance Services' online submission site at www.adstandards.com/clearance. You will need to set up an ASC Clearance account by following the instructions on the site. If you cannot use our online system, download a Clearance Submission Form from our website or call (416) 961-6311 for more information.

STEP 2

Complete the online submission form. Include all required information and attach any required materials. If supplementary materials are required, they can be sent to clearance@adstandards.com, faxed to (416) 961-7904 or delivered to:

ASC Clearance Services
Advertising Standards Canada
175 Bloor Street East
South Tower, Suite 1801
Toronto, ON M4W 3R8

Please note that a "Script/Video Evaluation" is a consultation service only and does not constitute final clearance.

STEP 3

- If your commercial is approved, it will receive an ASC approval number.
- If your commercial is rejected by the Children's Committee, ASC Clearance Services staff will provide advice on how the identified Children's Code infraction(s) can be remedied. There will not be a new charge when you resubmit your revised commercial.

Advertisers have the opportunity to lodge an appeal if the Children's Committee rejects a submission. Details of the Appeal Process are available from ASC Clearance Services or at www.adstandards.com/clearance.

STEP 4

Don't forget to obtain clearance from TVB Telecaster Services and/or CBC.

TVB TELECASTER SERVICES

For information on TVB Telecaster Services, you can call (416) 923-8813 or send an e-mail to tvb@tvb.ca. All submissions to Telecaster must be made online at www.tvb.ca. Telecaster can be reached at:

Television Bureau of Canada
Telecaster Services
160 Bloor Street East, Suite 1005
Toronto, ON M4W 1B9
Fax: (416) 413-3877

At your request, ASC Clearance Services will forward your approved submission to Telecaster. However, you must follow up directly with Telecaster on the status of your submission.

CBC ADVERTISING STANDARDS

For information on clearance from CBC, you can call (416) 205-7344 or e-mail pol.therrien@cbc.ca. All broadcast material may be shipped to:

CBC Broadcast Standards
205 Wellington Street West
Room 6H202
Toronto, ON M5V 3G7

At your request, ASC Clearance Services will forward your approved submission to CBC Advertising Standards. However, you must follow up directly with CBC Advertising Standards on the status of your submission.

ASC CHILDREN’S CLEARANCE SERVICES

There are two ways to get an ASC approval number for your children’s commercial:

1. Committee Clearance
- or**
2. Conditional Clearance

1. COMMITTEE CLEARANCE

The Children’s Committee meets every other week to review finished commercials to ensure that they adhere to the *Children’s Code*. A schedule of these meetings is posted on ASC’s website. From early September to the end of November, ASC Clearance Services conducts special, weekly Holiday Off-week Children’s Committee Meetings.

Renewal

Children’s Clearance approval numbers are valid for one year. Advertisers wishing to continue to broadcast a commercial for more than one year must submit the commercial for re-evaluation to ensure continued compliance with the *Children’s Code*.

Split 30

Advertisers wishing to combine two previously approved 15-second commercials into a new 30-second commercial are required to submit the new combined spot for approval. This is to ensure that the combined message complies with the *Children’s Code*. A new approval number will be assigned to this commercial message.

For current clearance fees and Children’s Committee meeting schedule, go to www.adstandards.com/en/Clearance/Childrens/childrens.aspx

2. CONDITIONAL CLEARANCE

ASC Clearance Services provides “Conditional Clearance” in between Children’s Committee meetings, meaning that advertisers can submit commercials for “temporary” clearance in order to accommodate broadcast schedules. Conditionally cleared commercials receive a temporary approval number until the next scheduled Children’s Committee meeting, at which time the Children’s Committee will render a final clearance decision.

COMMITTEE CLEARANCE REQUIREMENTS

Clearance Service	Submission Requirements	Turnaround
Committee Clearance*	<ul style="list-style-type: none"> ·Completed submission form ·Finished commercial ·Detailed script ·Submit before noon on the Friday prior to meeting 	Close of business on meeting day
Holiday Off-week Committee Clearance*	<ul style="list-style-type: none"> ·Completed submission form ·Finished commercial ·Detailed script ·Submit before noon on the Friday prior to meeting 	Close of business on meeting day
Renewal or Split 30	<ul style="list-style-type: none"> ·Completed submission form ·Finished commercial ·Detailed script ·Previous ASC approval numbers 	Within 2 business days
Conditional Clearance*	<ul style="list-style-type: none"> ·Completed submission form ·Finished commercial ·Detailed script ·Submit at anytime 	Within 2 business days

**To expedite clearance, please provide products/premiums for evaluation by the Children’s Committee at time of submission (see Clause 3b, page 5, and Clause 12, page 13).*

ASC CLEARANCE SERVICES EVALUATION

Upon request, ASC Clearance Services staff will review a script, storyboard or rough-cut prior to final commercial production and provide written advice as to whether or not the submission complies with the *Children’s Code*. This preliminary evaluation does not guarantee final Committee Clearance. It can, however, help avoid major changes to finished commercials.

FREQUENTLY ASKED QUESTIONS



CLAUSE - 3 - FACTUAL PRESENTATION

CLAUSE 3B: Written, sound, photographic and other visual presentations must not exaggerate service, product or premium characteristics, such as performance, speed, size, colour, durability, etc.

The intent of this clause is to ensure that children are not misled by the presentation of a service, product or premium in an unrealistic or exaggerated manner.

Q: How can I ensure accurate communication of product features or capabilities?

A: Products must be accurately represented and depicted. Specifically, the product’s actual sounds, movements and features must be demonstrated. Voice-overs or video supers cannot be used to correct a misleading product depiction. The Children’s Committee may request that products/premiums be submitted to ASC Clearance Services for evaluation before an approval number is assigned (see Clause 12).

Save time by sending a product sample for evaluation along with your submission.

Q: May I use special effects to demonstrate product features and capabilities?

A: Yes. Special effects (e.g. stop motion, computer-generated imaging [CGI], sound effects, etc.) may be used as long as children can clearly differentiate between the actual product and/or product features and the simulated model and/or special effect.

Q: Are there any special requirements if I am advertising a video game?

A: Yes. Because video games often look different on different platforms, if the game is available on multiple platforms, you must indicate on which platform the game is being played in the commercial. This can be done in video or audio.

CLAUSE 3C: The relative size of the product must be clearly established.

The intent of this clause is to ensure that commercial messages do not mislead children by exaggerating or misrepresenting the size of the product.

Q: How do I clearly establish “relative size”?

A: The “relative size” clause requires that the product be shown in relation to a known and understood reference object, such as a child’s hand or body, unless its actual

size is universally understood by children (e.g. DVD, standard size trading cards, slice of bread).

Product relative size can be demonstrated by depicting children playing with the product. Dolls and stuffed animals are often shown in a child’s arms, while board games and sporting goods are often shown during play.

Showing a child playing with a toy clearly establishes relative size.



CLAUSE - 4 - PRODUCT PROHIBITIONS

CLAUSE 4A: Products not intended for use by children advertised either directly or through promotions that are primarily child-oriented.

CLAUSE 4B: Drugs, proprietary medicines and vitamins in any pharmaceutical form, with the exception of children’s fluoride toothpastes.

Q: Am I allowed to advertise a product or service that is not intended for children during children’s programming?

A: No. For example, a video game rated T, M or A, or activities limited to those over the age of 12 may not be advertised during children’s programming.



CLAUSE - 5 - AVOIDING UNDUE PRESSURE

CLAUSE 5A: Children’s advertising must not *directly* urge children to purchase or urge them to ask their parents to make inquiries or purchases.

Q: What is meant by “directly urging” children to purchase?

A: Imperative language that directs a child to buy a product is prohibited by the *Children’s Code*. Direct imperatives to buy (e.g. “buy”, “get”, “own”, “bring it home”; “ask for”, “play (name of product)”, or any other synonymous words or phrases) are not permitted.

Not Acceptable	Acceptable
Come see Snax the Dog this Sunday	You can come see Snax the Dog this Sunday
Ask your mommy for this doll	This doll can be found at the doll store
Own the video today	On video today
Buy [x] and get a free [y]	You’ll get a free [y] if/when you buy [x]

Q: May I use imperatives to demonstrate product attributes?

A: Yes. Imperatives may be used in the context of play as long as there is no direct urge to purchase the product (e.g. “Watch her dance”, “Hear it roar”).

To determine if an imperative relates to purchase or to play value, consider:

- 1) If the imperative relates to the play value of a toy, (e.g. “brush her hair”; “ build”, etc..) it is generally acceptable;
- 2) If the imperative relates to the storyline of a movie, (e.g. “experience the adventure”; “discover the magic”, “enter the world of”; “learn the secret”; “find out what happens”; “join Thorvald”; “follow the gang” etc..) it is acceptable;

UNLESS:

- a. There is a date associated with the imperative. This is deemed by the Children’s Committee to be a **direct** urge to purchase (i.e. to go see the movie on a specific date) or,
- b. The title of the movie, or the words “the movie” or statements that are synonymous with “the movie” are associated with the imperative, as these are **direct** urges to purchase.

Not Acceptable	Acceptable
On Jan 1, enter a world of magic	Enter a world of magic
This Friday, follow Thorvald on his quest	Follow Thorvald on his quest
Experience <i>Thorvald</i> (where <i>Thorvald</i> is the title of the movie)	Experience Thorvald’s quest
Experience the magic of <i>Thorvald</i> (where <i>Thorvald</i> is the title of the movie)	Experience the magic

CLAUSE 5B: Direct response techniques that invite the audience to purchase products or services by mail or telephone are prohibited in children’s advertising.

Q: How can I determine if my commercial uses a direct response technique for the purpose of the *Children’s Code*?

A: 1. Does the commercial invite a purchase or state/ imply that a purchase is possible?

If “yes”, go to 2.

If “no”, then the commercial DOES NOT use a direct response technique.

2. Does the commercial include all the necessary information to enable the purchase to be completed (address, telephone number, website) without obliging the child to take further action (other than place the order).

If “yes”, then the commercial DOES use a direct response technique.

If “no”, then the commercial DOES NOT use a direct response technique.

The *Children’s Code* prohibits the use of direct response techniques in children’s advertising.

Not Acceptable	Acceptable
To buy HollerDoll, call 1-800-111-1111 or visit www.hollerdoll.com	For information on HollerDoll, call 1-800-111-1111 or visit www.hollerdoll.com (does not suggest purchase is possible)
Puppies on Ice – For information, call 1-800-TICKETSGAL (phone number identifies this as a ticket purveyor and enables purchase)	Puppies on Ice – For information, call TICKETSGAL (phone number not included in commercial message)
Websites such as www.buyhollerdoll.com	www.hollerdollinfo.com

Q: If my commercial invites the public to acquire more information via the telephone and/or Internet, can I mention the price of the product?

A: No. According to the Telecaster Services guideline for direct response advertising, commercials that encourage viewers to acquire more information via the telephone and/or Internet that state a price must also mention that shipping and handling is not included. This additional mention of shipping and handling contravenes Clause 5b of the *Children’s Code* by stating/ implying that purchase is possible.

CLAUSE 5C: In children’s advertising which promotes premiums or contests, the product must receive at least equal emphasis. Promotion of the premium or contest must not exceed one-half of the commercial time. In promoting contests which have an age restriction that excludes children, this must be made clear orally or visually.

The intent of this clause is to ensure that the premium or contest does not overshadow the product, so that children are not enticed to purchase a product because of the premium or the contest.

Q: What is the maximum amount of time that can be devoted to advertising a premium or a contest?

A: The premium or contest portion of the commercial message cannot take up more than half of the commercial time, and the product must receive at least equal emphasis.

Q: How do I calculate premium or contest time?

A: Any audio or video reference to a premium or contest is calculated as “premium time”. Showing even a small illustration of an identifiable premium or contest on a product package, such as a cereal box, counts as “premium time”.

Q: What is meant by giving “at least equal emphasis” to the advertised product?

A: A minimum of one-half of the commercial time and the overall emphasis of the message must be on the product. There are two common ways to meet this requirement:

Any video depiction or audio mention of the premium counts as premium time.

1. “Split” approach: One commercial segment is dedicated to selling the product and the other to promoting the premium or contest. In this case, the product portion of the commercial must be recognizable as an independent message and occupy at least one-half of the total commercial time.

2. “Integrated” approach: The product and premium or contest messages are interspersed throughout the commercial. In this case, care should be taken to ensure the overall emphasis is on the product and at least one-half of the actual commercial time is devoted solely to the product.

Q: May I use the same theme (e.g. baseball, hockey, swimming, etc.) in both the product and premium or contest segments?

A: Yes; however, the primary emphasis must be on the product – not on the premium or contest.

Example: A commercial for a food product with a hockey card premium may feature a hockey theme in both the product and the premium segments as long as the primary emphasis is on the food product.



CLAUSE - 6 -
SCHEDULING

CLAUSE 6A: The same commercial message or more than one commercial message promoting the same product cannot be aired more than once in a half-hour children’s program. In children’s programs of longer duration, the same commercial message or more than one commercial message promoting the same product must not appear more than once in any half-hour period.

CLAUSE 6B: No station or network may carry more than four minutes of commercial messages in any one half-hour of children’s programming or more than an average of eight minutes per hour in children’s programs of longer duration.

CLAUSE 6C: In children’s programs, only paid commercial messages are included in the four minutes per half-hour limitation. Promotions and public service announcements may occupy the time difference between the *Code* limit and the CRTC regulations limit. Broadcasters will, however, consider the appropriateness of the content of public service announcements before scheduling in children’s programs.

Q: Can I air the same commercial, or different commercials for the same product, in a children’s program?

A: No. A product can be advertised only once in a 30-minute program. However, in children’s programs exceeding 30 minutes, a commercial may be repeated or a different commercial for the same product may be aired at intervals of no less than 30 minutes.

Questions regarding scheduling your commercial should be directed to TVB Telecaster Services or CBC Advertising Standards.

Q: Does a sponsorship message (billboard) count as a “commercial message” for the purpose of scheduling advertising to children?

A: No. A billboard identifying program sponsorship (e.g. “brought to you by Brand X”) is logged as “promotional air time”. It is not classified as a “commercial message”. If, however, any product attribute is mentioned or shown, this is deemed to be a “commercial message”, and another commercial for Brand X may not air during the same half-hour.



CLAUSE - 7 -

PROMOTION BY PROGRAM CHARACTERS, ADVERTISER-GENERATED CHARACTERS AND PERSONAL ENDORSEMENTS

CLAUSE 7A: Puppets, persons and characters (including cartoon characters) well-known to children and/or featured on children’s programs must not be used to endorse or personally promote products, premiums or services. The mere presence of such well-known puppets, persons or characters in a commercial message does not necessarily constitute endorsement or personal promotion. (For example, film clips or animation are acceptable as a mood or theme-setting short introduction to commercial messages before presenting the subject of the commercial message itself.) These puppets, persons and characters may not handle, consume, mention or endorse in any other way the product being advertised.

The intent of this clause is to ensure that persons or characters well-known to children are not used to unduly influence them to make purchases.

Q: How do I determine if a character is “well-known to children and/or featured on children’s programs”?

A: The following definitions will help you.

- **“Well-known to children”** encompasses puppets, persons and characters, real or animated, that are identifiable by name or personality EITHER individually (e.g. Batman, Sponge Bob Squarepants, Optimus Prime, Sidney Crosby, Miley Cyrus) OR as a group (e.g. Hogwarts students, NHL players).
- **“Featured on children’s programs”** includes puppets, persons or characters that may or may not be individually identifiable, but by virtue of their presence in children’s programs are readily identifiable (e.g. iCarly, Chaotic, Bakugan, Ben 10, Power Rangers).

Characters well-known to children may be used to set a theme as long as they do not endorse the product in any way.

Q: How can I tell if a puppet, person or character is promoting, endorsing or handling a product?

A: The following definitions will help you.

- “Promoting” and “endorsing” are OVERT, requiring a POSITIVE action on the part of the character; and can be in video or in audio.

- “Handling” includes ANY interaction between the character and the product (in audio or video). For clarification, the handling of a video super by a character is not permitted.

The following sequence of questions will help guide you.

- 1) Is the puppet, person or character well-known to children?
Yes – go to 3
No – go to 2
- 2) Is the puppet, person or character featured in a children’s program?
Yes – go to 3
No – go to 5
- 3) Is the puppet, person or character handling, consuming, mentioning or endorsing the product being advertised in any way?
Yes – go to 4
No – go to 5
- 4) Use of the puppet, person or character in this manner contravenes Clause 7a of the *Children’s Code*.
- 5) Use of the puppet, person or character is acceptable under Clause 7a of the *Children’s Code*.

Q: What about puppets or characters created by advertisers to sell specific products (e.g. Tony the Tiger, Bernard the Beeboy, Ronald McDonald)?

A: The prohibition against use of well-known puppets or characters does not apply to characters created and used by advertisers to sell the products they were designed to sell.

Q: How can I use film clips or animation featuring well-known characters?

A: Film clips and animation that feature well-known characters can be used as a short introduction to the product being advertised. They are often used to set the tone for the commercial. However, interactions between clips and promotional voice-overs or supers are unacceptable if they give the impression that the character is endorsing or promoting the advertised product.

Acceptable Example: A clip from a superhero movie is followed by a depiction of a child playing with the advertised product.

Unacceptable Example: The use of a clip from a superhero movie communicates positive things about the advertised product (e.g. a clip with the well-known character saying “Awesome” in reference to the advertised product).

Unacceptable Example: An identifiable character in the movie moves across the bottom of the screen and reveals a promotional video super in his wake.

Unacceptable Example: An identifiable character is positioned leaning across the DVD case.

Unacceptable Example: The use of a clip from a DVD shows an identifiable character saying “I want one of those” immediately following the AVO or super stating the release date of the product.



CLAUSE - 8 -
PRICE AND PURCHASE TERMS

CLAUSE 8A: Price and purchase terms, when used, must be clear and complete. When parts or accessories that a child might reasonably suppose to be a part of the normal purchase are available only at extra cost, this must be made clear in audio and video.

The intent of this clause is to ensure that children clearly understand what is included and what is not.

Q: What if batteries are required to operate my product?

A: When batteries are required for product operation but are not included, this must be CLEARLY communicated in both audio and video. The audio must be clearly spoken and video supers must be easy to read, of sufficient size and on screen for sufficient duration to register with the viewer.

Remember to state “Batteries not included” and “Each sold separately”, as is appropriate, in both the audio and in a clearly legible video super.

Q: Are there special requirements if I am advertising a product that requires a computer (e.g. a software program or a toy that connects to a computer, etc.)?

A: Yes. When advertising a product that requires a computer, the commercial must include the basic requirements in both audio and video (e.g. “Windows XP or higher required”, “Internet connection required”, “Controller not included”, “USB cable sold separately”, etc.). For additional guidance the adjacent charts are provided for Clauses 8a and 8d as they relate to video games and game systems:

Requirements when depicting video games and video gaming systems

Game and game system with no additional hardware:

Clause	Advertised Product	System	Game and/or Gameplay Footage Depicted?	Audio and Video Super(s) Required
8a/8d	Game system	Yes	Yes	“Game and system sold separately”; “Games not included”; or “System comes with [one] game, other games sold separately”
8d	Game	Yes	Yes	“Game and system sold separately”
8a/8d	Game	No	Yes	None

Game and game system with additional hardware:

Clause	Advertised Product	System	Game and/or Gameplay Footage Depicted?	Audio and Video Super(s) Required
8a	Game system	Yes	Yes	“Game system comes with [x] controller[s] and [x] game[s]. Additional controller[s]* and game[s] sold separately”
8a	Game system	Yes	No	“Game system comes with [x] controller[s] and [x] game[s]. Additional controller[s]* and game[s] sold separately”
8a	Game	Yes	Yes	“Game system and additional controller[s]* not included”

**refers to system’s standard controller. If a specialized controller (e.g. steering wheel, golf club, balance board, dance mat etc.) is depicted, “[specialized controller] not included” must be communicated in audio and video; if both additional standard and specialized controllers are depicted, then “additional controllers and [specialized controller] not included” is required.*

CLAUSE 8B: The cost must not be minimized as by the use of “only”, “just”, “bargain price”, “lowest price(s)”, etc.

The intent of this section is to ensure children are not enticed to purchase products by the suggestion of a low price.

Q: What is “cost minimization”?

A: Cost minimization is trivializing the price of a product or service by using descriptors such as “only”, “just”, “bargain price” or “new low price”. The *Children’s Code* prohibits cost minimization. However, it is permissible to mention the actual product price (e.g. “Available for \$20.00”).

CLAUSE 8C: The statement in audio “it has to be put together” or a similar phrase in language easily understood by children must be included when it might normally be assumed that the article would be delivered assembled.

Q: What information must I provide when products come unassembled?

A: The *Children’s Code* requires that when products come unassembled, children be informed in audio in easily understood language.

Example 1: You put it together.

Example 2: Parents put it together.

Example 3: Has to be put together.

CLAUSE 8D: When more than one toy is featured in a commercial message it must be made clear in audio and video which toys are sold separately (this includes accessories).

The intent of this clause is to ensure that children are not disappointed by a product that includes less than what they expect.

Q: How do I make certain that it is clear which toys, products or accessories are sold separately?

A: When multiple toys, or sets of toys, that are not sold together are shown in a commercial, it must be communicated clearly in both audio and video which toys or sets are sold separately.

Example 1: If a doll is not sold with the different outfits shown throughout the commercial, the commercial must clearly communicate this. The doll and outfits must be depicted separately in the final beauty shot, and the commercial must communicate, in both audio and video, “Dolls and outfits sold separately”.

Example 2: If different block sets are shown in one commercial (e.g. castle, stable, barn, etc.), these must be clearly represented as separate products. The commercial must also clearly show each individual set in the final beauty shot and state in both audio and video “Each set sold separately”.

Example 3: If three block sets are required to build the depicted “Super Castle”, the commercial must clearly communicate, in both audio and video, “Three sets needed to build Super Castle. Each set sold separately”.



CLAUSE - 9 -
COMPARISON CLAIMS

CLAUSE 9A: Commercial messages shall not make comparisons with a competitor’s product or service when the effect is to diminish the value of other products or services.

The intent of this clause is to prevent a child from feeling that the product they own is inferior, or desiring a product because it seems to be superior.

Q: How can I ensure that I do not diminish the value of competitors’ products?

A: You can highlight the benefits of your product but not at the expense of competitors’ products. Therefore, it is not permissible to use superlatives or direct comparisons to a competitor’s product, either measurable (e.g. bigger, biggest, etc.) or subjective (e.g. cuter, cutest, etc.). However, allowances may be made for nonsensical or fanciful superlatives relating to the title or story-line of a movie.

Not Acceptable	Acceptable
The fastest ever	It’s a speed machine!
It’s THE pool party of the year!	Pool party? Cool party
The year’s funniest movie	One of the funniest movies of the year
The biggest/best karate movie of the year	The karate-est movie of the year
The best movie	One of the best movies
The greatest movie	One really great movie
#1 movie in Canada	Audiences are flocking to...
The award-winning movie	One of the best movies of the year

Q: Is it acceptable to use parity claims?

A: No. It is not expected that children will be able to differentiate between claims of product superiority and claims of product parity.

Not Acceptable	Acceptable
Nothing is funnier	One of the funniest comedies
There’s no better movie	A movie like no other
Nothing drives faster	A really fast ride

Q: Is it acceptable to quote a movie critic who rates a movie as “the best of the year”?

A: No. However, it is acceptable to quote a movie critic’s praise if it is done in a non-comparative manner.

CLAUSE 9B: In the case of toys or children’s possessions, comparisons should not be made with the previous year’s model, even when the statements or claims are valid.

The intent of this clause is to ensure that the commercial does not suggest to children that their “old” toy is no longer of value because a “new” model has been introduced.

Q: What is a previous year’s model?

A: A previous year’s model is a model that was first introduced in a previous year, whether or not it is currently offered for sale or available for purchase.

Q: Can I compare my current product to one of my previous year’s models?

A: No. The *Children’s Code* prohibits comparisons with a previous year’s model even when the statement or claims are valid. It is permissible, however, to show the current year’s model together with the previous year’s model in the same commercial if both models are currently available for purchase and there is no commentary on the differences.

Example: It is acceptable to show two table-top hockey games and say “Hockey Stars and Hockey Pro-Stars Sold Separately.”

Q: How do I know if a DVD, book, video game or collectible is being compared to a “previous year’s model”?

A: To determine whether a product is a “previous year’s model” as it relates to DVDs, books and video games, it is helpful to assess the product’s story line. If the story line is essentially identical to that of the previous product, then comparisons are not permissible. If the story line is different (as in a prequel or sequel) it would not be considered a “previous year’s model” and comparisons are permissible.

Clause 9b does not apply to in-theatre movies, food products, live plays and concerts, or theme parks.

Similarly, comparisons are also permitted for collectibles (e.g. a series of model cars or collectible card games) that build on, rather than replace, existing sets.

Acceptable Example: Thorvald is back in Thorvald Returns. Scarier monsters, better magic and bigger adventure awaits! (A sequel with a different story line.)

Unacceptable Example: Thorvald, the Special Edition. With an all-new battle scene and two music videos starring Miles Nimbus! (Same movie as the regular edition with added features.)

Q: Does this prohibition apply to a reformulated food product?

A: No. It is acceptable to compare a reformulated food product with its predecessor.

Example: “With more crunchy goodness, Brand X cereal is tastier than ever.”



CLAUSE -10 - SAFETY

CLAUSE 10A: Commercial messages, except specific safety messages, must not portray adults or children in clearly unsafe acts or situations (e.g. the use of flame or fire is not permitted in children’s advertising).

CLAUSE 10B: Commercial messages must not show products being used in an unsafe or dangerous manner (e.g. tossing a food item into the air and attempting to catch it in the mouth, etc.)

The intent of these clauses is to ensure that commercials do not set poor examples by portraying adults or children in unsafe acts or situations.

Q: Is the use of fire or flame ever permitted in children’s advertising?

A: ASC Clearance Services advises advertisers to avoid the use of flame or fire in children’s advertising, and strongly recommends that they use ASC Clearance Services’ Script/Tape evaluation service if they wish to do so. Due to the sensitive nature of this issue, the Children’s Committee evaluates commercials that depict flame or fire on a case-by-case basis. The use of fire is only permitted in children’s advertising if it does not in any way depict an unsafe situation, raise any type of safety concern or encourage copy-cat behaviour.

Ensure that all proper safety equipment is visible and properly worn.

Example 1: An adult serving birthday cake with lit candles to a child may be considered acceptable.

Example 2: An adult camp counsellor sitting around a campfire with her campers may be considered acceptable.

Q: Should I take any special precautions if I am showing activities such as bicycling, rollerblading or riding in a motor vehicle?

A: Yes. You must ensure that all proper safety equipment is worn (e.g. helmets, pads, safety belts, life-jackets, etc.) and that the activity is being performed while respecting all applicable safety rules. ASC Clearance Services recommends checking with a recognized safety organization (e.g. Safe Kids Canada, the Red Cross, the War Amps, Canada Safety Council, etc.) to ensure that all safety rules are being followed.

Ensure that adults are clearly visible when activities requiring adult supervision are depicted.

Q: Should I take any special precautions if I am portraying activities that should be supervised?

A: Yes. If, for example, children are playing around water, bouncing on a trampoline or using the stove, there must clearly be adult supervision.

Q: Should I take any special precautions if I am portraying children using the Internet?

A: Yes. When children are depicted using the Internet without adult supervision, please communicate in audio or in a clearly legible super that children should ask parents' permission before going online.



CLAUSE 11 - SOCIAL VALUES

CLAUSE 11A: Children’s advertising must not encourage or portray a range of values that are inconsistent with the moral, ethical or legal standards of contemporary Canadian society.

CLAUSE 11B: Children’s advertising must not imply that possession or use of a product makes the owner superior or that without it the child will be open to ridicule or contempt. This prohibition does not apply to true statements regarding educational or health benefits.

Discretion and sensitivity are exercised by the Children’s Committee when reviewing children’s advertising, particularly with reference to issues of gender portrayal, stereotypes and violence,

Ensure that the commercial does not mock authority figures or depict socially unacceptable behaviour, such as bullying, peer pressure, or use of derogatory or hurtful language.

consistent with the principles of other broadcast industry self-regulatory codes.

Social values evolve and change. Commercials evaluated as acceptable one year may or may not be acceptable in a subsequent year, based on values at that time. Given this, renewals of previously approved commercials are not guaranteed.

Q: If I am advertising a food product, is there anything I should keep in mind?

A: Yes. Worldwide societal concern about childhood obesity has led to initiatives to strengthen and enhance the framework for regulating children’s advertising, including the addition of *Interpretation Guidelines* to augment Clause 11.

Interpretation Guidelines for Clause 11

- i. Child-directed messages for food products in broadcast advertising that are inconsistent with the pertinent provisions of the *Food and Drugs Act and Regulations*, or the Canadian Food Inspection Agency’s *Guide to Food Labelling and Advertising* shall be deemed to violate Clause 11 (Social Values) of the *Broadcast Code for Advertising to Children*. This *Interpretation Guideline* is intended, among other purposes, to ensure that advertisements representing mealtime clearly and adequately depict the role of the product within the framework of a balanced diet, and snack foods are clearly presented as such, not as substitutes for meals.
- ii. Every “child-directed message” for a product or service should encourage responsible use of the advertised product or service with a view toward the healthy development of the child.
- iii. Advertising of food products should not discourage or disparage healthy lifestyle choices or the consumption of fruits or vegetables, or other foods recommended for increased consumption in *Canada’s Food Guide*, and Health Canada’s nutrition policies and recommendations applicable to children under 12.
- iv. The amount of food product featured in a “child-directed message” should not be excessive or more than would be reasonable to acquire, use or, where applicable, consume, by a person in the situation depicted.
- v. If an advertisement depicts food being consumed by a person in the advertisement, or suggests that the food will be consumed, the quantity

of food shown should not exceed the labelled serving size on the Nutrition Facts Panel (where no such serving size is applicable, the quantity of food shown should not exceed a single serving size that would be appropriate for consumption by a person of the age depicted).

Note: These *Interpretation Guidelines* do not form part of the *Code*. They are intended to provide guidance regarding the interpretation and application of Clause 11 to food product advertising.

Q: What if I'm not advertising a food product but my commercial depicts a food product or products? Do any of the *Interpretation Guidelines* for Clause 11 apply?

A: Yes. All child-directed messages for non-food products must comply with *Interpretation Guidelines* ii, iv and v.



CLAUSE -12 - *SUBSTANTIATION REQUIRED*

CLAUSE 12: Where measurable claims are made regarding specific products – performance, safety, speed, durability, etc., the advertiser must be prepared on request to provide the Children's Advertising Section with evidence supporting such claims and/or a sample of the product.

Q: Why am I asked to submit my product to the Children's Committee for evaluation?

A: The Children's Committee evaluates the actual product to ensure that the commercial accurately depicts product features. (See also Clause 3b, page 5). It is the advertiser's responsibility to have samples delivered and picked up at their own expense. Samples that are not reclaimed within 90 days will be donated by ASC Clearance Services to a local children's charity.

1. DEFINITIONS

(a) “Children’s Advertising” refers to any paid commercial message that is carried in or immediately adjacent to a children’s program. Children’s advertising also includes any commercial message that is determined by the broadcaster as being directed to children and is carried in or immediately adjacent to any other program.

(b) Children – “Children” refers to persons under 12 years of age.

(c) A Child-directed Message – “A child-directed message” refers to a commercial message on behalf of a product or service for which children are the only users or form a substantial part of the market as users, and the message (i.e. language, selling points, visuals) is presented in a manner that is directed primarily to children.

(d) Children’s Program – A “children’s program” refers to a program that is directed to the under-12 audience, as defined by the broadcaster.

(e) Commercial Message – A “commercial message” has the same meaning as that defined in the Television Broadcasting Regulations, 1987.

(f) Premium – A “premium” is anything offered with or without additional cost, and is conditional upon the purchase of the advertiser’s regular product or service.

(g) The Code – This Code shall be known as “The Broadcast Code for Advertising to Children” and shall hereinafter be referred to as “the Code”.

2. JURISDICTION

All Children’s advertising must conform to the Code, be precleared in accordance with the procedures set out from time to time by the ASC and have the requisite ASC clearance number.

3. FACTUAL PRESENTATION

(a) No children’s advertising may employ any device or technique that attempts to transmit messages below the threshold of normal awareness.

(b) Written, sound, photographic and other visual presentations must not exaggerate service, product or premium characteristics, such as performance, speed, size, colour, durability, etc.

(c) The relative size of the product must be clearly established.

(d) When children’s advertising shows results from a drawing, construction, craft or modelling toy or kit, the results should be reasonably attainable by an average child.

(e) The words “new”, “introducing”, “introduces” or similar words may be used in the same context in any children’s advertising for a period of up to one year only.

4. PRODUCT PROHIBITIONS

(a) Products not intended for use by children advertised either directly or through promotions that are primarily child-oriented.

(b) Drugs, proprietary medicines and vitamins in any pharmaceutical form, with the exception of children’s fluoride toothpastes.

5. AVOIDING UNDUE PRESSURE

(a) Children’s advertising must not **directly** urge children to purchase or urge them to ask their parents to make inquiries or purchases.

(b) Direct response techniques that invite the audience to purchase products or services by mail or telephone are prohibited in children’s advertising.

(c) In children’s advertising which promotes premiums or contests, the product must receive at least equal emphasis. Promotion of the premium or contest must not exceed one-half of the commercial time. In promoting contests which have an age restriction that excludes children, this must be made clear orally or visually.

6. SCHEDULING

(a) The same commercial message or more than one commercial message promoting the same product cannot be aired more than once in a half-hour children’s program. In children’s programs of longer duration, the same commercial message or more than one commercial message promoting the same product must not appear more than once in any half-hour period.

(b) No station or network may carry more than four minutes of commercial messages in any one half-hour of children’s programming or more than an average of 8 minutes per hour in children’s programs of longer duration.

(c) In children’s programs, only paid commercial messages are included in the four minutes per half-hour limitation. Promotions and public service announcements may occupy the time difference between the Code limit and the CRTC regulation limit. Broadcasters will, however, consider the appropriateness of the content of public service announcements before scheduling in children’s programs.

(d) For the purposes of this section, the time devoted to the broadcasting of a children’s program includes any time devoted to a commercial message that is inserted

within the program and/or immediately adjacent to the end of the program and also includes any time devoted to a child-directed commercial message inserted between the end of the program and the beginning of the following program.

7. PROMOTION BY PROGRAM CHARACTERS, ADVERTISER-GENERATED CHARACTERS, AND PERSONAL ENDORSEMENTS

(a) Puppets, persons and characters (including cartoon characters) well-known to children and/or featured on children's programs must not be used to endorse or personally promote products, premiums or services. The mere presence of such well-known puppets, persons or characters in a commercial message does not necessarily constitute endorsement or personal promotion. (For example, film clips or animation are acceptable as a mood or theme-setting short introduction to commercial messages before presenting the subject of the commercial message itself.) These puppets, persons and characters may not handle, consume, mention or endorse in any other way the product being advertised.

(b) This prohibition does not apply to puppets, persons and characters created by an advertiser which may be used by advertisers to sell the products they were designed to sell as well as other products produced by the same advertiser or by other advertisers licensed to use these characters for promotional purposes.

(c) Professional actors, actresses or announcers who are not identified with characters in programs appealing to children may be used as spokespersons in advertising directed to children.

(d) Puppets, persons and characters well-known to children may present factual and relevant generic statements about nutrition, safety, education, etc. in children's advertising.

8. PRICE AND PURCHASE TERMS

(a) Price and purchase terms, when used, must be clear and complete. When parts or accessories that a child might reasonably suppose to be part of the normal purchase are available only at extra cost, this must be made clear in audio and video.

(b) The cost must not be minimized as by the use of "only", "just", "bargain price", "lowest price(s)", etc.

(c) The statement in audio, "it has to be put together" or a similar phrase in language easily understood by children must be included when it might normally be assumed that the article would be delivered assembled.

(d) When more than one toy is featured in a commercial message it must be made clear in audio and video, which toys are sold separately (this includes accessories).

9. COMPARISON CLAIMS

(a) Commercial messages shall not make comparisons with a competitor's product or service when the effect is to diminish the value of other products or services.

(b) In the case of toys or children's possessions, comparisons should not be made with the previous year's model, even when the statements or claims are valid.

10. SAFETY

(a) Commercial messages, except specific safety messages, must not portray adults or children in clearly unsafe acts or situations (e.g. the use of flame or fire is not permitted in children's advertising).

(b) Commercial messages must not show products being used in an unsafe or dangerous manner (e.g. tossing a food item into the air and attempting to catch it in the mouth, etc.).

11. SOCIAL VALUES

(a) Children's advertising must not encourage or portray a range of values that are inconsistent with the moral, ethical or legal standards of contemporary Canadian society.

(b) Children's advertising must not imply that possession or use of a product makes the owner superior or that without it the child will be open to ridicule or contempt. This prohibition does not apply to true statements regarding educational or health benefits.

Interpretation Guidelines for Clause 11

- i. Child-directed messages for food products in broadcast advertising that are inconsistent with the pertinent provisions of the Food and Drugs Act and Regulations or the Canadian Food Inspection Agency's Guide to Food Labelling and Advertising shall be deemed to violate Clause 11 (Social Values) of the Broadcast Code for Advertising to Children. This Interpretation Guideline is intended, among other purposes, to ensure that advertisements representing mealtime clearly and adequately depict the role of the product within the framework of a balanced diet, and snack foods are clearly presented as such, not as substitutes for meals.*

- ii. Every “child-directed message” for a product or service should encourage responsible use of the advertised product or service with a view toward the healthy development of the child.**
- iii. Advertising of food products should not discourage or disparage healthy lifestyle choices or the consumption of fruits or vegetables, or other foods recommended for increased consumption in Canada’s Food Guide, and Health Canada’s nutrition policies and recommendations applicable to children under 12.**
- iv. The amount of food product featured in a “child-directed message” should not be excessive or more than would be reasonable to acquire, use or, where applicable, consume, by a person in the situation depicted.**
- v. If an advertisement depicts food being consumed by a person in the advertisement, or suggests that the food will be consumed, the quantity of food shown should not exceed the labelled serving size on the Nutrition Facts Panel (where no such serving size is applicable, the quantity of food shown should not exceed a single serving size that would be appropriate for consumption by a person of the age depicted).**

* April 2004

** September 2007

Note: These Guidelines do not form part of the Code. They are intended to provide guidance regarding the interpretation and application of Clause 11 to food product advertising.

12. SUBSTANTIATION REQUIRED

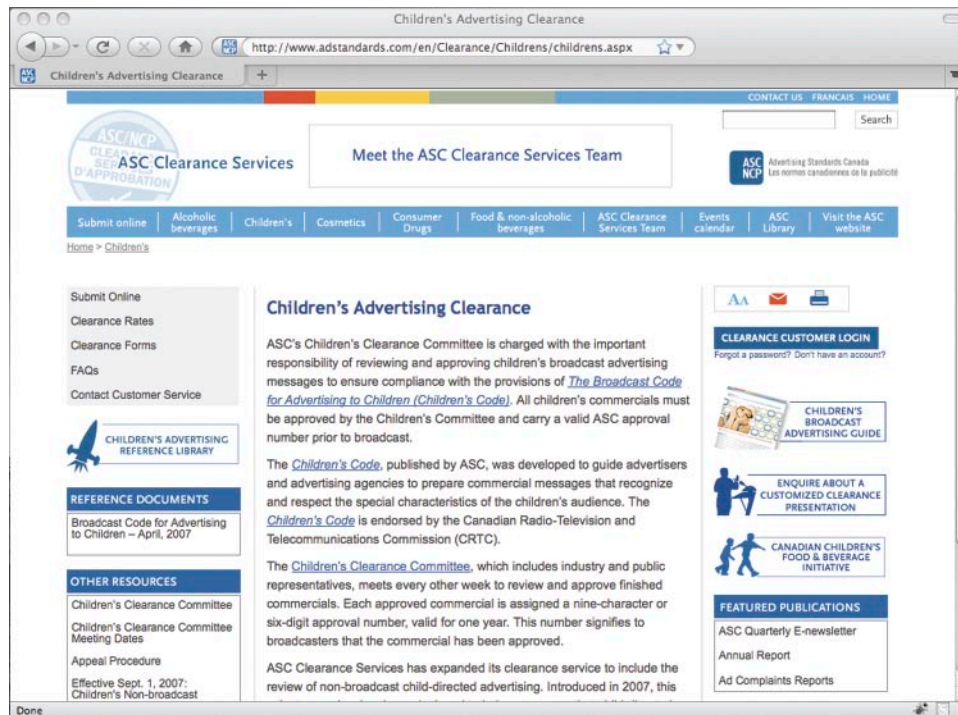
Where measurable claims are made regarding specific products - performance, safety, speed, durability, etc., the advertiser must be prepared on request to provide the Children’s Advertising Section with evidence supporting such claims, and/or a sample of the product.

13. ASSESSMENT

Each commercial message shall be judged on its individual merit.

VISIT US ONLINE

Visit the Children's Advertising Clearance section on our web site at www.adstandards.com/en/Clearance/Childrens/childrens.aspx to meet our team of analysts and to learn about developments in children's advertising clearance and ASC Clearance Services presentations and workshops.



THE CHILDREN'S BROADCAST ADVERTISING CLEARANCE GUIDE

This Guide is published by ASC Clearance Services.



Advertising Standards Canada
Les normes canadiennes de la publicité

Advertising Standards Canada is the independent advertising industry self-regulatory body committed to creating and maintaining community confidence in advertising. ASC members – leading advertisers, advertising agencies, media organizations and suppliers to the advertising industry – are committed to supporting responsible and effective advertising self-regulation.



Through ASC Clearance Services, ASC reviews advertising to facilitate compliance with specific laws and regulations in five regulated categories – alcoholic beverages, children's, consumer drugs, cosmetics, and food and non-alcoholic beverages.

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