



Clearance Services

The Children's Broadcast Advertising Clearance Guide



All You Need to Know to Broadcast Children's Commercials in Canada

About this Guide

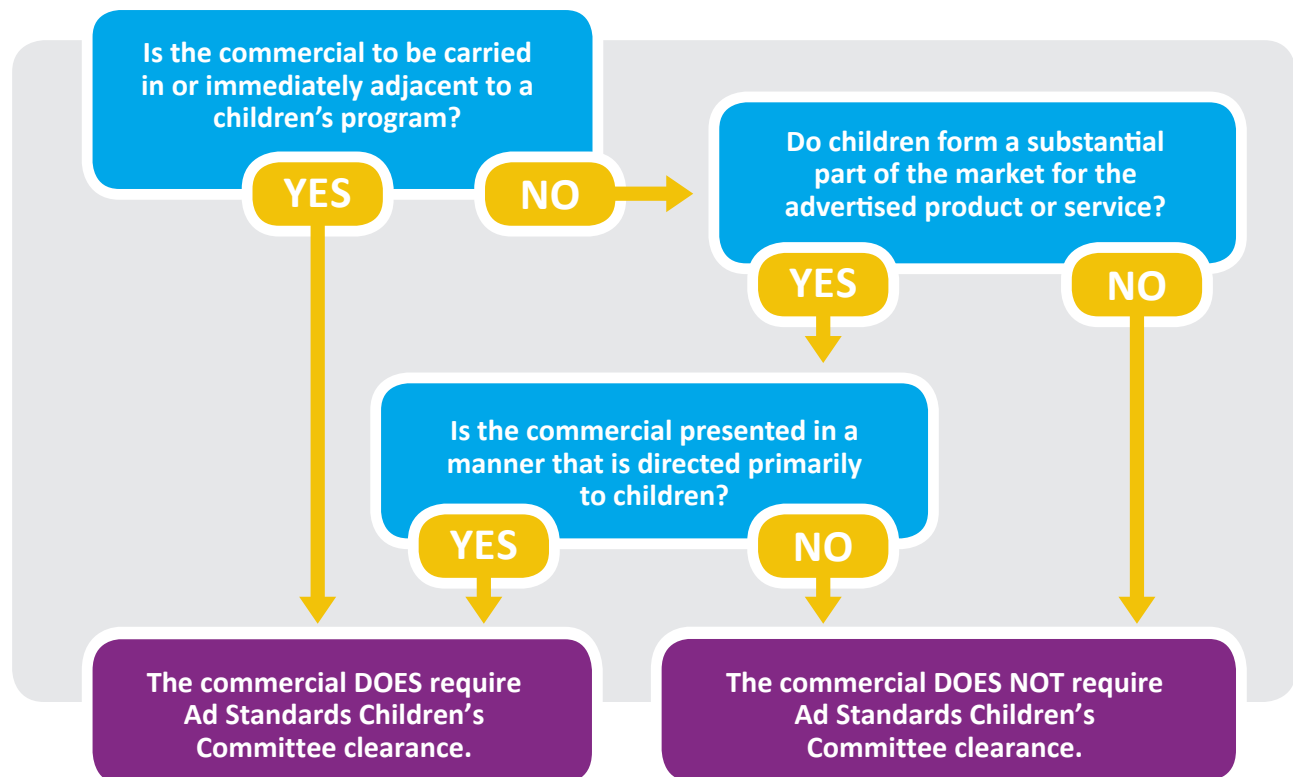
This Children's Broadcast Advertising Clearance Guide is designed to help advertisers, advertising agencies and broadcasters develop, schedule and present commercials that comply with *The Broadcast Code for Advertising to Children (Children's Code)*. The *Children's Code* was created to guide advertisers in preparing commercial messages that recognize and respect the special characteristics of the child audience. The *Children's Code* is published by Ad Standards, and 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.

Table of Contents

1. Determining Which Commercials Require Clearance	4	Excerpts From <i>The Broadcast Code for Advertising to Children</i>	32
Useful Definitions	5	1. Definitions	32
Child-Directed Public Service Announcements	5	2. Jurisdiction	32
Advertising Prohibitions	5	3. Factual Presentation	32
Product Prohibitions	6	4. Product Prohibitions	32
Additional Clearance Requirements for Food and Cosmetics	6	5. Avoiding Undue Pressure	33
Clearance of Children's Advertising in non-Broadcast Media	6	6. Scheduling	33
		7. Promotion by Program Characters, Advertiser-Generated Characters, and Personal Endorsements	33
2. Consumer Complaints about Children's Broadcast Advertising	7	8. Price and Purchase Terms	34
		9. Comparison Claims	34
3. Steps to Getting a Children's Commercial to Air	7	10. Safety	34
		11. Social Values	34
		12. Substantiation Required	35
		13. Assessment	35
4. Ad Standards Children's Clearance Services	9		
1. Committee Clearance	9		
2. Conditional Clearance	9		
Committee Clearance Requirements	10		
ASC Clearance Services Evaluation	10		
5. Frequently Asked Questions	11		
CLAUSE 3 - Factual Presentation	11		
CLAUSE 4 - Product Prohibitions	12		
CLAUSE 5 - Avoiding Undue Pressure	14		
CLAUSE 6 - Scheduling	18		
CLAUSE 7 - Promotion by Program Characters, Advertiser-Generated Characters and Personal Endorsements	19		
CLAUSE 8 - Price and Purchase Terms	22		
CLAUSE 9 - Comparison Claims	25		
CLAUSE 10 - Safety	28		
CLAUSE 11 - Social values	29		
CLAUSE 12 - Substantiation Required	31		

Determining Which Commercials Require Clearance

Your commercial will require Ad Standards 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

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

Persons under 12 years of age.

Child-directed message

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.

Children's program

A program that is directed to the under-12 audience, as defined by the broadcaster.

Ad Standards Children's Clearance Committee or Children's Committee

The body 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 Ad Standards approval number if appearing in, or adjacent to, a child-directed program.
- Advertising to children in the province of 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. See Clause 4a - on page 12 - in the Frequently Asked Questions Section.
- Drugs (this includes all vitamins and natural health products), except for children’s fluoride toothpaste.

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 Ad Standards Clearance Services. Ad Standards Clearance Services offers “Combined Children’s/Food Clearance” at a reduced rate.

Clearance of Children’s Advertising in non-Broadcast Media

Ad Standards 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 *Interpretation Guideline #2* under Clause 12 of the *Canadian Code of Advertising Standards (The Code)*.

This review is provided by Ad Standards Clearance Services on a fee basis and includes, but is not limited to, children’s advertising appearing in magazines and on the Internet.

Consumer Complaints about Children's Broadcast Advertising

If a consumer complains to Ad Standards 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 by fax. For more information on the **Procedure for Consumer Complaints about Children's Broadcast Advertising**, visit our website.

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 on regularly scheduled dates to review final commercials to ensure compliance with the provisions of the *Children's Code*. Following Committee approval, each commercial is assigned an Ad Standards Children's Clearance Number (e.g. ASC012345), valid for one year. This number signifies to broadcasters that the commercial has been approved. Commercial review is provided on a fee basis.

STEP 1

Complete Our e-Clearance Submission Form

To securely submit an advertisement to Ad Standards for review, please complete the online submission form on the **Ad Standards e-Clearance Login Page** and attach your digital media file(s). See page 9 for a complete description of Ad Standards' Children's Clearance services, including submission requirements and turnaround times.

For **Clearance Rates** and **Children's Advertising Clearance Committee Meeting Dates**, visit adstandards.com/clearance.

STEP 2

What Happens Next

Your submission will be reviewed and Ad Standards will respond to you within the turnaround time specified in Ad Standards' confirmation email.

- If you requested an advance evaluation, Ad Standards Clearance Services analysts will provide written advice as to whether or not the submission appears to be consistent with the provisions of the *Children's Code*.
- If your commercial is approved by the Children's Committee, it will receive an Ad Standards Children's Clearance Number.
- If your commercial is not approved by the Children's Committee, Ad Standards Clearance Services analysts will provide advice on how the identified *Children's Code* infraction(s) can be remedied. There will be no 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 Ad Standards Clearance Services or at adstandards.com/clearance.

STEP 3

Don't Forget thinktv!

Don't forget to obtain clearance from thinktv. All submissions to thinktv must be made online at thinktv.ca.

thinktv contact information

Phone: (416) 923-8813 x2

E-mail: info@thinktv.ca

Web: <https://thinktv.ca/>

Ad Standards Children's Clearance Services

There are two ways to get an Ad Standards Children's Clearance 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 are consistent with the provisions of the *Children's Code*. A schedule of these meetings is posted on Ad Standards' website. From early September to the end of November, Ad Standards Clearance Services conducts additional Special Holiday Meetings.

Renewal

Ad Standards Children's Clearance Numbers are valid for one year. Advertisers wishing to continue to broadcast following number expiry must resubmit their commercial to Ad Standards for re-evaluation. Commercials that remain in compliance will be assigned a new Ad Standards Children's Clearance Number.

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 Ad Standards Children's Clearance Number will be assigned to this commercial message.

For current clearance rates and the Children's Committee meeting schedule, visit adstandards.com/clearance.

2. Conditional Clearance

Ad Standards Clearance Services provides "Conditional Clearance" between Children's Committee meetings, meaning that advertisers can submit commercials for clearance in order to accommodate tight broadcast schedules.

Committee Clearance Requirements

Clearance Service	Online Submission Requirements	Turnaround
Committee Clearance*	<ul style="list-style-type: none"> • Completed online submission form • Finished commercial • Detailed script • Submit before noon on the Friday prior to the meeting 	Close of business on meeting day
Special Holiday Meeting*	<ul style="list-style-type: none"> • Completed online submission form • Finished commercial • Detailed script • Submit before noon on the Friday prior to the meeting 	Close of business on meeting day
Conditional Clearance*	<ul style="list-style-type: none"> • Completed online submission form • Finished commercial • Detailed script • Submit anytime 	Within two business days
Renewal or Split 30	<ul style="list-style-type: none"> • Completed online submission form • Finished commercial • Detailed script • Previous Ad Standards Children's Clearance Number(s) 	<ul style="list-style-type: none"> • Regular: two business days • Priority: one business day • Express: Same day, if in by noon

* To expedite clearance, please provide products/premiums for evaluation by the Children's Committee at time of submission (see Clause 3b, page 11, and Clause 12, page 31).

Ad Standards Clearance Services Evaluation

Upon request, Ad Standards 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. Please note that you may be asked to provide a sample of the product/premium (see Clause 12, page 31).



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. 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. Please also see Clause 8, page 22.

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).

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.

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

A: No. Such products or services (e.g. a video game rated T, M or A, or an activity restricted from use by those under 12 years of age) cannot be advertised during children’s programming.

Q: Can I advertise my brand's presence on social media or other online services to children?

A: This depends on whether the child needs to have an account in order to use the site/service. It also depends on the terms and conditions that govern who can hold an account, who can use the site, what constitutes "use", etc.

The following terms of use are subject to change and are current as of June 22, 2017.

- Facebook, Instagram, and Twitter prohibit children from using these services, i.e. holding an account, "liking" or "following" other users, sharing content, commenting on other users' content, etc.
- The App Store and Google Play allow children to use the service if they have parental permission.

An advertisement may include simple mention of a web service that children are not permitted to use, i.e. state "Find us on Facebook" or display the Twitter logo, but it should not encourage sign-up or use of the site, i.e. "Like us on Facebook", "Download/Sign-up to Instagram", "Follow us on Twitter", etc. Please note that these commercial messages should not state "ask your parents", as, in this context, the line would urge children to ask their parents for permission to use a site not intended for them.

If advertising a site/service that permits children to use it with parental permission, a line like "Download the free app at the App Store" would be acceptable if accompanied by "Ask your parents first" in audio and in video super.

How to Advertise Your Brand's Presence on Social Media or Other Online Services

	Facebook	Instagram	Twitter	YouTube	App Store	Google Play
Can I make a simple mention?	YES	YES	YES	YES	YES*	YES*
Can I urge viewers to Follow, Like, Subscribe, etc?	NO	NO	NO	NO	NA	NA

*Requires "ask your parents" in both audio and video.

Q: Can I invite children to sign up to a club or enter a contest online?

A: When advertising websites or web services that invite children to provide personal information, commercial messages must include the statement “Ask your parents before going online” in audio and in video super. When inviting children to go to a website that does not collect any personal information, no such statement is required.



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: “Directly urging” children is the use of imperative language that directs children to buy the product being advertised. 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 you mommy for this doll	This doll can be found at the toy 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”).

Determining if an Imperative Relates to Purchase or Play Value

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:

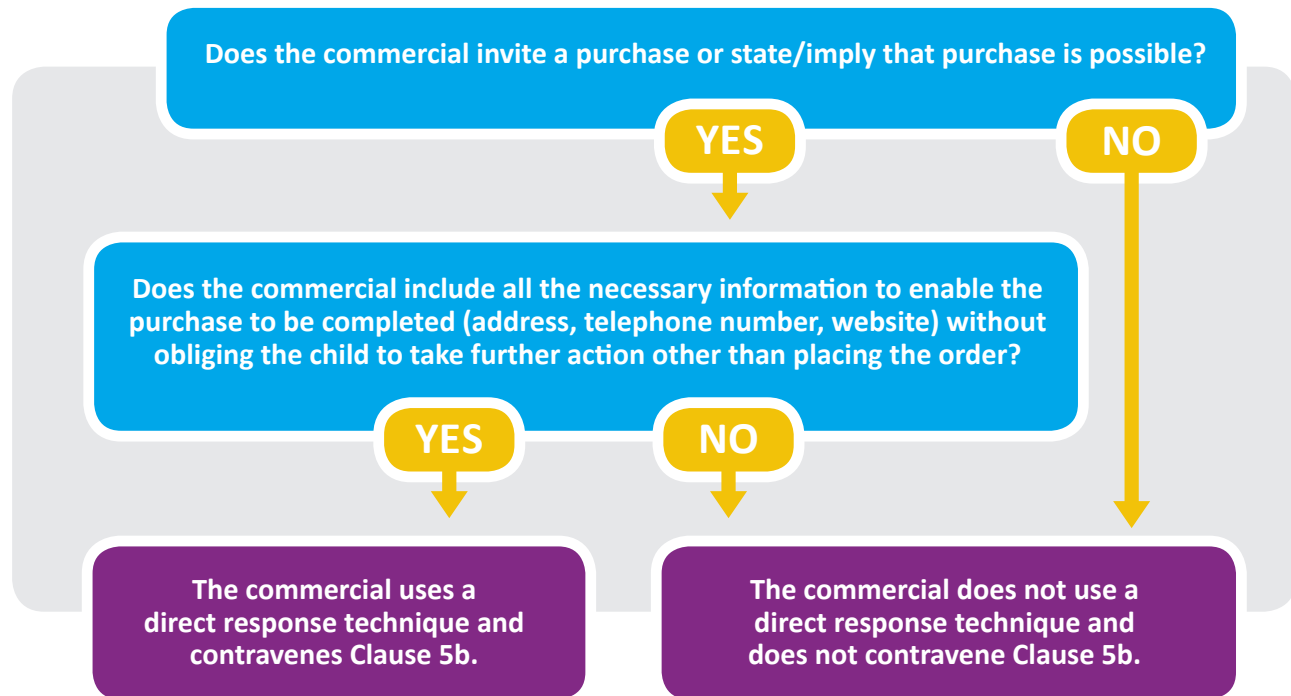
- a. There is a date associated with the imperative. This is deemed by the Children’s Committee to be a direct urge to purchase (i.e. to go see the movie on a specific date) or,
- b. The title of the movie, or the words “the movie” or statements that are synonymous with “the movie” are associated with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

Determining whether a Commercial Contravenes Clause 5b



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 or visit/go to Ticketsgal.com (phone number/URL identifies this as a ticket seller and enables purchase)	Puppies on Ice – For information call/visit/go to Ticketsgal (phone number/URL not included in the commercial)
www.buyhollerdoll.com	www.hollerdollinfo.com

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".



Any video depiction or audio mention of the premium 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:

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 Telecaster or to the station.

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", not 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. fictional characters such as Batman, SpongeBob SquarePants or Optimus Prime; and real-life celebrities such as Sidney Crosby) 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 as part of the recognizable group (e.g. My Little Pony, Transformers, Scooby Doo).



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

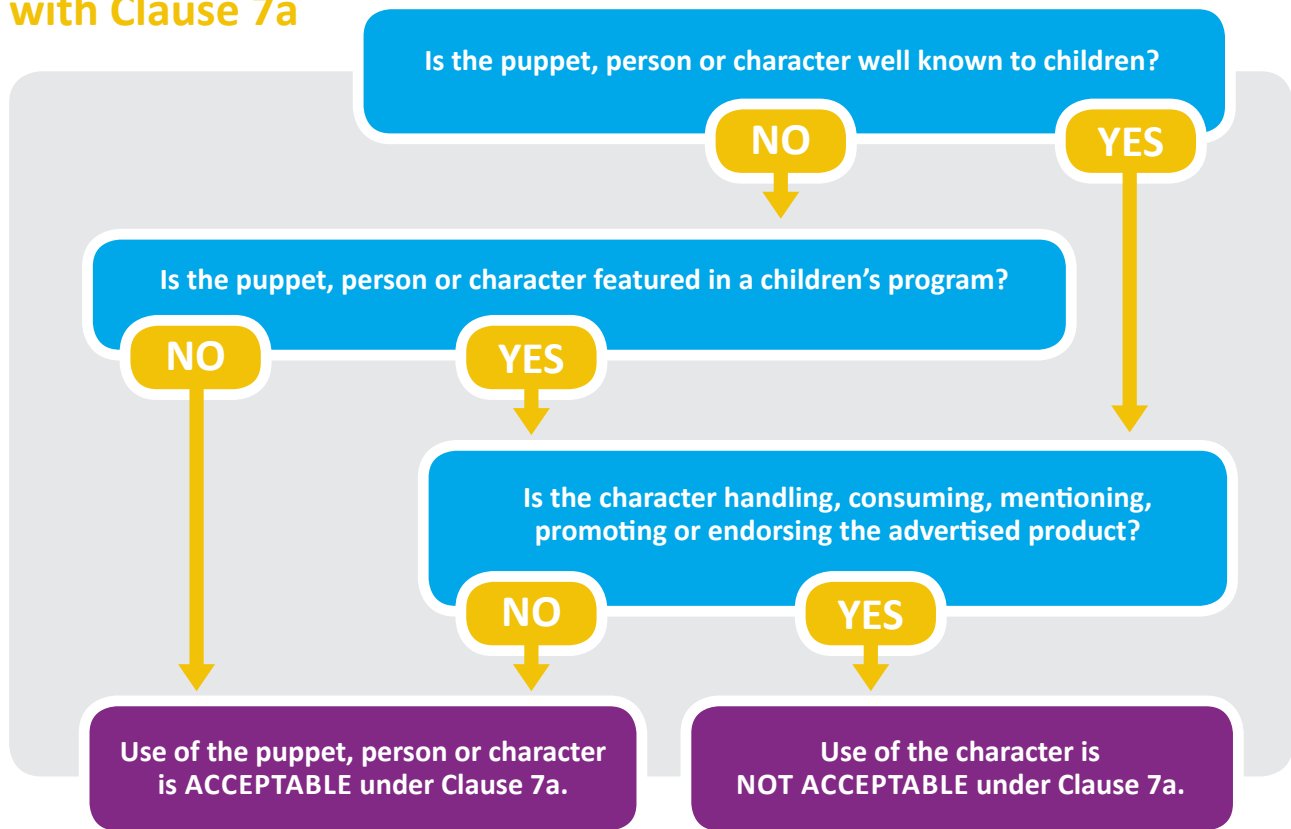
Q: What constitutes a puppet, person or character “promoting” or “endorsing” a product?

A: “Promoting” and “endorsing” are overt, positive actions on the part of the character toward the advertised product, and can be in video or audio.

Q: What constitutes a puppet, person or character “handling” a product?

A: In addition to the simple touching of the product, “handling” can also include pointing at or other gestures toward the product, or the touching, pointing at, or other handling of logos, wordmarks, titles or other promotional copy, e.g. release date, positive reviews, “in 3D”, etc.

Determining whether a Commercial Complies with Clause 7a



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 tie-in toy or product.

Unacceptable Example: A movie clip where the superhero says "Awesome" in reference to the advertised tie-in toy or product.

Unacceptable Example: An animated character from a movie holds a sign announcing the release date.

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

CLAUSE 7B

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.

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

A: The prohibition against the 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.



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” (see Clause 8d, page 24), as is appropriate, in both audio and a clearly legible super.

Q: Are there any special requirements if my commercial shows children playing a game on my website?

A: Yes. In commercials that include footage of a child playing a version of an internet game which depicts features that must be purchased, it must be communicated in audio and video that “not all site features are free.”

Caution: Clause 5b (see page 16) prohibits inviting children to make purchases by direct response; therefore, the statement “purchase required for some site features” would not be acceptable if accompanied by the website address.

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 8 or higher required”, “Internet connection required”, “Controller not included”, “USB cable sold separately”, etc.).

Q: Are there specific requirements if I am advertising a video game and/or a video gaming system?

A: Yes. Video game systems often include only one controller with purchase, and do not always include a game. The following chart will help you understand which additional statements may be required.

Shown in Commercial	Required Audio and Video Statements
Game and system (not bundled)	Game and system sold separately
Game and system (bundled)	No additional statements required
Game, system and additional controllers	Game, system and additional controllers sold separately
Game and multiple controllers, no system	No additional statements required

Please also see Clause 3b (page 11), for other requirements related to advertising video games.

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 include 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. If using a final island/beauty shot, doll and outfits must be depicted separately, 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 year's funniest movies
The perfect holiday gift	A perfect holiday gift
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 statements are not comparative.

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: I have a new version of a previous product. How can I advertise it?

A: While making positive statements about the product is permitted, statements that compare the new improved version to a previous version or model are prohibited. The commercial should not suggest that a previous version exists. For example, the line "Megacracosaur now roars" suggests that the previous Megacracosaur did not. It is acceptable to say "Megacracosaur roars".

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.

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*, now on DVD. Scarier monsters, better magic and bigger adventure awaits! (A sequel with a different story line.)

Unacceptable Example: *Thorvald*, the new Special Edition DVD, has more deleted scenes and two new music videos starring Miles Nimbus! (Same movie as the regular edition DVD, 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 9b does not apply to in-theatre movies, food products, plays, concerts or theme parks.



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).

The intent of Clause 10 is to ensure that commercials do not set poor examples by portraying adults or children in unsafe acts or situations.

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.)

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

A: Ad Standards Clearance Services advises advertisers to avoid the use of flame or fire in children's advertising, and strongly recommends that they use Ad Standards Clearance Services' Script 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.

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. Ad Standards Clearance Services recommends checking with a recognized safety organization (e.g. Parachute, the Red Cross, the War Amps, Canada Safety Council, etc.) to ensure that all safety rules are being followed.



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

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 or using toys that plug in or appliances, there must be clear adult supervision.



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

Q: What special precautions are required for children's commercials that include a website address or depict children using the internet?

A: When the advertised website or any of its features permits visitors to submit personal information, you must communicate in audio and video that children should ask their parents' permission before going online. See Clause 4, page 12, for information specific to social media and apps.



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.

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, 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.



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.

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

A: Yes. Worldwide concern about childhood obesity has led to initiatives to strengthen and enhance the framework for regulating children's advertising for food and beverage products. All advertising must comply with the *Code for the Responsible Advertising of Food and Beverage Products to Children* and with the *Interpretation Guideline to Clause 11*.

Q: What if I'm not advertising a food product but my commercial depicts a food product or products? Does *Interpretation Guideline* for Clause 11 apply?

A: Yes. All child-directed messages for non-food products must comply with *Interpretation Guideline to Clause 11*.



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 11). It is the advertiser’s responsibility to have samples delivered and picked up at its own expense. Once the Children’s Committee no longer requires the sample, the submitter will be notified. Samples that are not reclaimed within 10 business days will be donated by Ad Standards Clearance Services to a children’s charity.

Excerpts From *The Broadcast Code for Advertising to Children*

1. Definitions

- (a) Children's Advertising – "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 *Children's Code*."

2. Jurisdiction

All Children's advertising must conform to the *Children's Code*, be precleared in accordance with the procedures set out from time to time by 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 eight 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.

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.



Ad Standards is the self-regulatory body for Canada's advertising industry. Through member support and cooperative industry initiatives, we build public confidence in advertising by helping ensure ads, in all media, are truthful, fair and accurate. We administer the Canadian Code of Advertising Standards, which sets criteria for acceptable advertising, and provide a mechanism for adjudicating and resolving consumer complaints and competitive disputes. We also review advertising creative and offer consultative services to help ensure compliance with relevant laws and regulatory guidelines. Our collaborative relationships with Canadian regulators and global self-regulatory organizations provide a diversity of valuable insights, which inform our initiatives and goals.

www.adstandards.ca

info@adstandards.ca