



Digital Guidelines for Non-Regulated and Regulated Categories (In Coordination with IMMAP)

January 31, and February 1-3, 7-10, 13

Objective of this Session

For participants to have a better understanding of the Digital Guidelines for Non-Regulated and Regulated Categories

**Protect consumers from
misleading, fraudulent,
and offensive advertising**

The ASC is guided by the following:

- 1. The Laws of the Land**
 - a. The Philippine Constitution**
 - b. Republic Act No. 7394 (Consumer Act of the Phils.)**
 - c. DOH-FDA**
 - d. DTI**
 - e. NTC and other government agencies**
 - f. The Milk Code**
 - g. The Magna Carta for Women, etc.**
- 2. The ASC Code of Ethics & Manual of Procedures**
- 3. AdBoard and ASC Precedent Decisions**

Digital Materials

Regulated Categories:

- Alcohol Beverages
- Over-The-Counter (OTC) Drugs
- Health/Food/Dietary Supplements
- Products under the Milk Code
- Airline & Other Carriers Promo Fares

Non – Regulated Categories:

- All other products

Digital Materials Covered

PAID

- An advertising or communication material that is commissioned by an Advertiser/Agency and is paid for a commercial purpose or goal, and **placed on a 3rd party site**. Payment may be in cash or kind, direct or indirect

Examples: ads in Google Adwords, FB banners, etc.

Digital Materials Covered

OWNED

- An advertising or communication material created for/by the advertiser and posted on a site that is **owned by the brand or advertiser**

Examples: company websites, eBooks, free whitepapers, blog posts, other social media sites

- Refers to materials directed to a general audience or public and not to specific trade or professional group

Digital Materials Covered

- **USER /3rd PARTY GENERATED CONTENT**
(e.g. ABS-CBN, Coconuts, Rappler, FB posts by consumers)
- **KEY ONLINE INFLUENCERS (KOL)**
(Bloggers, publicists)

Materials Not Covered

1. Political Ads
2. Ads from religious orgs except concerts, shows, special events not directly related to the org's essence
3. Emergency public service announcements
4. National, line agencies, and LGUs ads coursed through PIA
5. Movie trailers, station IDs & network plugs
6. Non-profit orgs, NGOs and foundations that do not have sponsors/advertisers

Non-Regulated Categories

**Non-Regulated Categories
are generally post-screened**

Post-Screening of Digital Materials

For Non-Regulated Categories

1. Consumer promotions in digital media do not require pre-screening

Promotions without DTI/FDA promo permit	No need to clear
Promotions with DTI/FDA promo permit	<p>Post screened;</p> <p>However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI for review and appropriate action. (Rule V, Sec 1 & Rule VII, Sec 2.2.4)</p>

Post-Screening of Digital Materials

Notes on Post-Screening of Ads:

- a. There is no prescription period for complaints on post-screened ads.
- b. The post-screening panel can question claim/s or element/s of the ad outside of those complained on.
- c. If in the process of post-screening, the material was found to be in violation, a **CDO** will be issued.
If the material should have been pre-screened but was not cleared with ASC, **corresponding penalty** will be imposed (Refer to Annex 5 ASC Penalties).

Penalty for Pre-Screening Violation

Offense	Penalty
<p data-bbox="28 207 511 442">Airing/publication/ installation or display without proper ASC clearance</p> <p data-bbox="28 535 656 771">Refer to Manual of Procedures Rule I, Section 3 for materials covered by the ASC rules.</p>	<p data-bbox="772 207 1284 249">1st Offense – P100,000</p> <p data-bbox="772 335 1883 635">2nd Offense – P200,000 plus non-screening of advertising materials of the product concerned for three (3) months. The guilty party may opt to pay P500,000 in lieu of non-screening for three (3) months, thus the total to be paid is P700, 000.</p> <p data-bbox="772 721 1883 1021">3rd Offense – P300,000 plus non-screening of advertising materials of the product concerned for one (1) year. The guilty party may opt to pay P1,500,000 in lieu of non-screening for one (1) year, thus the total to be paid is P1,800,000.</p> <ul data-bbox="763 1099 1738 1263" style="list-style-type: none">• Non-payment of penalties shall result to non-screening of materials of the product concerned. <p data-bbox="763 1263 1845 1406">Or Pay P550.00 ONLY!</p>

Post-Screening of Digital Materials

Notes on Post-Screening of Ads:

- d. The Advertiser has the ultimate and final responsibility as well as ownership of the material in question
- e. Complaint can be filed on a digital advertising material by a direct or indirect competitor or any party of interest, including ASC (motu proprio). A party of interest should be individuals who do not have direct dealings with or business interest in the brand.

Post-Screening of Digital Materials

For Non-Regulated Categories

2. User-generated Content

a. Facebook posts by consumers (with or without claims)

- No need to clear with ASC if:

a. Shared by Brand **AS IS**, with the name of the consumer who made the comment shown.

b. Copied and pasted on the brand/company website **AS IS**, with the name of the consumer who made the comment shown

- Needs to clear with ASC if:

a. Comment/post is turned into an ad by the brand

b. Boosted by the brand

Post-Screening of Digital Materials

For Non-Regulated Categories

2. User-generated Content

b. Bloggers

- **Note:** It is the responsibility of the Brand Group/
Ad Agency to:
 - a) provide bloggers with truthful facts about the brand, which include claims that are substantiated.
 - b) forewarn the bloggers from writing exaggerated claims about the brand.

Post-Screening of Digital Materials

For Non-Regulated Categories

2. User-generated Content

b. Bloggers

-Blogs are post-screened. However, competitors, concerned citizens, the ASC and respective government regulatory body, under which the brand falls, can complain about the post.

For complaints lodged by competitors, concerned citizens and by ASC, a post-screen hearing will be conducted. If found in violation, a CDO will be issued and appropriate penalty will be imposed.

Post-Screening of Digital Materials

For Non-Regulated Categories

2. User-generated Content

b. Bloggers

-Blogs are post-screened.

For complaints raised by the respective government regulatory body, and a CDO is issued by said body, ASC will automatically issue a CDO for the material without the benefit of a hearing and appropriate penalty will be imposed.

Post-Screening of Digital Materials

Notes on Post-Screening of Ads:

- a. There is no prescription period for complaints on post-screened ads.
- b. The post-screening panel can question claim/s or element/s of the ad outside of those complained on.
- c. If in the process of post-screening, the material was found to be in violation, a **CDO** will be issued. If the material should have been pre-screened but was not cleared with ASC, **corresponding penalty** will be imposed (Refer to Annex 5 ASC Penalties).

Penalty for Pre-Screening Violation

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Post-Screening of Digital Materials

Notes on Post-Screening of Ads:

- d. Article V Section 4-g: “Testimonials based solely on subjective judgement are allowed provided they are not presented as statements of fact. When such testimonials include specific claims regarding product or service performance, the ad must be pre-screened and the claims must be supported with independent evidence on the accuracy of, or consistent with, the actual product or service performance.”
- e. Article V Section 4-h.2: “Testimonials shall not be used to circumvent the requirement for substantiation other than the testimony itself.”

Required Pre-Screening of Digital Materials

B. For Non-Regulated Categories

(also applies to Regulated Categories)

a. With No. 1 claim

(Volume and corresponding peso value based on immediate past 12 months' cumulative data)

b. With the following product or service claim/s that need/s to be substantiated:

- i. With exclusivity claim
- ii. With comparative claim
- iii. With superiority claim
- iv. With absolute claim

Required Pre-Screening of Digital Materials

For Non-regulated Categories

(also applies to Regulated Categories)

- i. With **exclusivity claim** - is a claim wherein the product or service is the only one able to provide or deliver said attribute/ property/ feature.
- ii. With **comparative claim** - is claiming advantage over another brand or service, previous formulation/ properties or set of products. This claim must always be properly qualified as to what it compares itself against.

Required Pre-Screening of Digital Materials

For Non-regulated Categories

(also applies to Regulated Categories)

- iii. With **superiority claim** - means a product or service is above and better than ALL other competitors in the category in all material respects, mainly when it comes to product performance or service delivery.
- iv. With **absolute claim** - is a claim that promises a guarantee of full delivery in product performance at all times

Examples:

- Tiyak na masarap
- Sure win
- No wetness guaranteed
- Sigurado ang balik ng pera mo!

Required Pre-Screening of Digital Materials

For Non-Regulated Categories

(also applies to Regulated Categories)

- c. **With direct/ brand-identified comparison on categories where such comparison is allowed:**
 - i. Automotive vehicles
 - ii. Consumer durables such as but are not limited to appliances, audio-visual equipment, electronic gadgets
 - iii. Airline and Shipping Lines
 - iv. Musical instruments, entertainment equipment
 - v. Mobile products like cellular handsets, tablets, laptops and netbooks

Required Pre-Screening of Digital Materials

For Non-Regulated Categories

(applies also to Regulated Categories)

- d. **With sexy tones, exposure of human body/ parts, similar subject or execution**
(Annex 3 Technical Guidelines, Art. 1, Sec. 4)

- e. **With tones of violence or similar subject or execution such as but are not limited to explosives and other dangerous products**
(Art. 1, Sec. 5)

Penalty for Pre-Screening Violation

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Regulated Categories

**Regulated Categories
are subject to
pre-screening, therefore
ASC Clearance is a must.**

Regulated Categories

1. Alcohol Beverages
2. Over-The-Counter (OTC) Drugs
3. Health/Food/Dietary Supplements
4. Products under the Milk Code
5. Airline & Other Carriers Promo Fares

Required Pre-Screening of Digital Materials

B. For Regulated Categories

(also applies to Non-regulated Categories)

a. With No. 1 claim

(Volume and corresponding peso value based on immediate past 12 months' cumulative data)

b. With the following product or service claim/s that need/s to be substantiated:

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- c. **With direct/ brand-identified comparison on categories where such comparison is allowed:**
 - i. Automotive vehicles
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 - v. Mobile products like cellular handsets, tablets, laptops and netbooks

Required Pre-Screening of Digital Materials

For Regulated Categories

(also applies to Non-regulated Categories)

- d. **With sexy tones, exposure of human body/ parts,**
similar subject or execution (refer to Annex 3
Technical Guidelines, Art. 1, Sec. 4)
- e. **With tones of violence or similar subject or execution**
such as but are not limited to explosives and other
dangerous products (Art. 1, Sec. 5)

ADDITIONAL Required Pre-Screening of Digital Materials for Regulated Categories

- f. **With product or service performance claims** (ingredient, action, benefit/ promise)
- g. **Promotions**

With DTI/FDA/CAB promo permit	Need to clear with ASC
Without DTI/FDA promo permit	Post screened; However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI for review and appropriate action (Rule V, Sec 1 & Rule VII, Sec 2.2.4)

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Post-Screening of Digital Materials

For Regulated Categories

PAID OR OWNED

1. Greetings with brand mention provided these follow/
are compliant with government regulations and have
no product claims
2. Countdowns and time checks with brand mention
provided these follow /are compliant with government
regulations and have no product claims

For Regulated Categories

PAID OR OWNED

3. Announcements of concerts or special events with brand mention provided these follow/are compliant with government regulations and have no claims.

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- e. Article V Section 4-h.2: “Testimonials shall not be used to circumvent the requirement for substantiation other than the testimony itself.”

Updated Rule on Multi-Media Use

Above-the-line (ATL) materials like TV, radio, print and non-broadcast materials like outdoor and cinema ads which have been given clearance to air/publish/display can be used in the digital space and will not require separate application/ clearance, under the following conditions:

1. The **identical** material is posted or used on digital media;
2. The posting of the approved ATL material in digital media is **within the ATL material's validity period.**
3. The ATL's **Reference Number is included in the digital post** (either in caption or description box)
4. For static digital material which is not identical to original ATL material in terms of lay-out but makes use of copy and visuals of said previously-approved print/OOH/collateral material, and the new static digital material does not contain any other new claims that require pre-screening.

Updated Rules as Digital Orientation Progresses

Advertiser may archive all of its ad materials in its own digital portal, e.g., website or fb page provided:

1. CDO'ed materials **SHOULD NOT** be included in the archive, otherwise this may be subject to a CDO violation complaint by competitor
2. Archived materials **SHOULD** indicate original airing/ approval period **WITHIN** the material.
3. If the advertiser will re-share, re-post, boost etc. an archived material which has any of the 5 claims that need pre-clearance, then the advertiser needs to re-apply with the ASC and provide updated data/substantiation for said claims.

ASC Digital Rates

Type of Material	Length	Member	Non-Member
Digital Static Ads/ Display Ads/Banner Ads/Search Ads/ Electronic Direct Mail	All sizes	550.00	660.00
Digital/Internet/Mobile Video Ads	5s - 30s	1,430.00	1,650.00
	31s - 60s	2,750.00	3,300.00
	Above 1 min. but not more than 5 min.	4,125.00	4,950.00
	Above 5 min.	7,150.00	8,250.00
"Native Ads"		550.00	660.00
Sponsored or "Paid" Blog Posts		550.00	660.00
Multiple Digital Usage of Claims/Lines/Visuals in A Single Application	1 – 10 lines	550.00/ claim	660.00/ claim
	11 lines or more	450.00/ claim	550.00/ claim

Reminders on Promotions

Non-regulated categories	Without FDA/DTI promo permit	No need to pre-screen with ASC
	With FDA/DTI promo permit	Post screened However, if there is a complaint, ASC will refer case to DTI for review and appropriate action
Regulated Categories	Without FDA/DTI promo permit	Post screened However, if there is a complaint, ASC will refer case to DTI for review and appropriate action
	With FDA/DTI/CAB promo permit	Need ASC Clearance

Reminders

- 1. It is the client/advertiser's responsibility to ensure that all communication materials are compliant with the Code of Ethics and Manual of Procedures**
 - claims must be supported**
 - ASC procedures are strictly followed**
- 2. Be ethical and thorough in everything that you do. Too much is at stake – your brand's reputation and your company's LTO maybe revoked by FDA or DTI**
- 3. Please read and understand the ASC Code of Ethics and Manual of Procedures**

Digital Guidelines for Non-Regulated Categories and Regulated Categories (Revised Version - February 15, 2017)

	Non-Regulated Categories		Regulated Categories (5 Categories: Alcohol Beverages, OTC medicines, Food/Health Supplements, products under the Milk Code, Airline & other carriers promo fares)	
	Post-Screened	Pre-Screened	Post-Screened	Pre-Screened
<p>PAID - An advertising or communication material that is commissioned by an Advertiser/ Agency and is paid for a commercial purpose or goal, and placed on a 3rd party site. Payment may be in cash or kind, direct or indirect.</p> <p>Examples: ads paid in Google Adwords, FB banners, etc</p>	<p>Digital ads are generally post screened</p> <p>Digital ads for consumer promotions do not require pre-screening.</p> <ul style="list-style-type: none"> • Promotions without DTI/FDA permit – no need to clear • Promotions with DTI/FDA permit – post screened. <p>However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI/FDA for review and appropriate action. (Rule V, Sec 1 & Rule VII, Sec 2.2.4)</p> <p>Notes on Post-Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question any claim/s or element/s outside of those complained on. 3. If in the process of post- 	<ol style="list-style-type: none"> a. With No. 1 claim (volume/value based on immediate past 12 months' cumulative data) b. With the following product or service claim/s that need/s to be substantiated: <ol style="list-style-type: none"> i. With exclusivity claim ii. With comparative claim iii. With superiority claim iv. With absolute claim c. With direct/ brand-identified comparison on categories where such comparison is allowed: <ol style="list-style-type: none"> i. Automotive vehicles ii. Consumer durables such as but are not limited to appliances, audio-visual equipment, electronic gadgets iii. Airline and Shipping Lines iv. Musical instruments, entertainment equipment v. Mobile products like cellular handsets, tablets, laptops and netbooks d. With sexy tones, exposure of human body/ parts, similar subject or execution (refer to Annex 3 Technical Guidelines, Art. I, Sec. 4) e. With tones of violence or similar subject or execution such as but 	<ol style="list-style-type: none"> 1. Greetings with brand mention provided these follow /are compliant with government regulations and have no product claims 2. Countdowns and time checks with brand mention provided these follow /are compliant with government regulations and have no product claims 3. Announcements of concerts or special events with brand mention provided these follow/are compliant with government regulations and have no product claims 4. Promotions without DTI/FDA permit – post screened. However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI/FDA for review and appropriate action (Rule V, Sec 1 & Rule VII, Sec 2.2.4) 	<ol style="list-style-type: none"> a. With No. 1 claim (volume/value based on immediate past 12 months' cumulative data) b. With the following product or service claim/s that need/s to be substantiated: <ol style="list-style-type: none"> i. With exclusivity claim ii. With comparative claim iii. With superiority claim iv. With absolute claim c. With direct/ brand-identified comparison on categories where such comparison is allowed: <ol style="list-style-type: none"> i. Automotive Vehicles ii. Consumer durables such as but are not limited to appliances, audio-visual equipment, electronic gadgets iii. Airline and Shipping Lines iv. Musical instruments, Entertainment Equipment v. Mobile products like Cellular handsets, Tablets, Laptops and Netbooks d. With sexy tones, exposure of human body/ parts, similar subject or execution (refer to Annex 3 Technical Guidelines; Art. I, Sec. 4) e. With tones of violence or similar subject or execution such as but

Digital Guidelines for Non-Regulated Categories and Regulated Categories (Revised Version - February 15, 2017)

	<p>screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties)</p> <p>4. The Advertiser has the ultimate and final responsibility, as well as ownership of the material in question</p> <p>5. Complaint can be filed on a digital advertising material by a direct or indirect competitor or any party of interest, including ASC (motu proprio). A party of interest should be individuals who do not have direct dealings with or business interest in the brand</p>	<p>are not limited to explosives and other dangerous products (Art. I, Sec. 5)</p> <p>Above-the-line (ATL) materials like TV, radio, print and non-broadcast materials as outdoor, cinema ads which have been given clearance to air/publish/display can be used in the digital space and will not require separate application/ clearance, under the following conditions:</p> <ol style="list-style-type: none"> 1. The identical material is posted or used on digital media; 2. The posting of the approved ATL material in digital media is within the ATL material's validity period. 3. The ATL's ASC Reference Number is included in the digital post (either in caption or description box) 4. For static digital material which is not identical to original ATL material in terms of lay-out, but makes use of copy and visuals of said previously-approved print/OOH/collateral material, and the new static digital material does not contain any other new claims that require pre-screening 	<p>Notes on Post Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question any claim/s or element/s outside of those complained on. 3. If in the process of post-screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties). 4. The Advertiser has the ultimate and final responsibility, as well as ownership of the material in question 5. Complaint can be filed on a digital advertising material by a direct or indirect competitor or any party of interest, including ASC (motu proprio). A party of interest should be individuals who do not have direct dealings with or business interest in the brand 	<p>are not limited to explosives and other dangerous products (Art. I, Sec. 5)</p> <p>f. With product or service performance claims (ingredient, action, benefit/ promise)</p> <p>g. Promotions with DTI/FDA/CAB permit have to be cleared with ASC</p> <p>Above-the-line (ATL) materials like TV, radio, print and non-broadcast materials as outdoor, cinema ads which have been given clearance to air/publish/display can be used in the digital space and will not require separate application/clearance, under the following conditions:</p> <ol style="list-style-type: none"> 1. The identical material is posted or used on digital media; 2. The posting of the approved ATL material in digital media is within the ATL material's validity period. 3. The ATL's ASC Reference Number is included in the digital post (either in caption or description box) 4. For static digital material which is not identical to original ATL material in terms of lay-out but makes use of copy and visuals of said previously-approved print/OOH/collateral material, and the new static digital material does not contain any other new claims that require pre-screening
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	Non-Regulated Categories		Regulated Categories (5 Categories: Alcohol Beverages, OTC medicines, Food/Health Supplements, products under the Milk Code, Airline & other carriers promo fares)	
	Post-Screened	Pre-Screened	Post-Screened	Pre-Screened
<p>OWNED An advertising or communication material created for/by the advertiser and posted on a site that is owned by the brand or advertiser. Examples: company websites - eBooks, free whitepapers, blog posts, other social media sites.</p> <p>Refers to materials directed to general audience or public and not to specific trade or professional group.</p>	<p>Digital ads are generally post-screened</p> <p>Digital ads for consumer promotions do not require pre-screening.</p> <ul style="list-style-type: none"> • Promotions without DTI/FDA permit – no need to clear • Promotions with DTI/FDA permit – post screened. However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI/FDA for review and appropriate action. (Refer to Rule V, Sec 1 & Rule VII, Sec 2.2.4) <p>Notes on Post Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question any claim/s or element/s outside of those complained on. 	<ol style="list-style-type: none"> a. With No. 1 claim (volume/value) b. With the following product or service claim/s that need/s to be substantiated: <ol style="list-style-type: none"> i. With exclusivity claim ii. With comparative claim iii. With superiority claim iv. With absolute claim c. With direct/ brand-identified comparison on categories where such comparison is allowed: <ol style="list-style-type: none"> i. Automotive vehicles ii. Consumer durables such as but are not limited to Appliances, Audio-visual Equipment, Electronic Gadgets iii. Airline and Shipping Lines iv. Musical instruments, Entertainment Equipment v. Mobile products like Cellular handsets, tablets, laptops and netbooks d. With sexy tones, exposure of human body/ parts, similar subject or execution (refer to Annex 3 Technical Guidelines, Art. I, Sec. 4) e. With tones of violence or similar subject or execution such as but are not limited to explosives and 	<ol style="list-style-type: none"> 1. Greetings with brand mention provided these follow /are compliant with government regulations and have no product claims 2. Countdowns and time checks with brand mention provided these follow /are compliant with government regulations and have no product claims 3. Announcements of Concerts or Special Events with Brand Mention provided these follow /are compliant with government regulations and have no product claims 4. Promotions without DTI/FDA permit – post screened. However, if a complaint is filed against said promo ad material or if the material is monitored by ASC (motu proprio), then ASC will refer complaint to DTI/FDA for review and appropriate action (Rule V, Sec 1 & Rule VII, Sec 2.2.4) 	<ol style="list-style-type: none"> a. With No. 1 claim (volume/value) b. With the following product or service claim/s that need/s to be substantiated: <ol style="list-style-type: none"> i. With exclusivity claim ii. With comparative claim iii. With superiority claim iv. With absolute claim c. With direct/ brand-identified comparison on categories where such comparison is allowed: <ol style="list-style-type: none"> i. Automotive Vehicles ii. Consumer durables such as but are not limited to Appliances, Audio-Visual Equipment, Electronic Gadgets iii. Airline and Shipping Lines iv. Musical instruments, Entertainment Equipment v. Mobile products like Cellular handsets, Tablets, Laptops and Netbooks d. With sexy tones, exposure of human body/ parts, similar subject or execution (refer to Annex 3 Technical Guidelines; Art. I, Sec. 4) e. With tones of violence or similar subject or execution such as but are not limited to explosives and

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	<p>3. If in the process of post-screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties)</p> <p>4. The Advertiser has the ultimate and final responsibility, as well as ownership of the material in question</p> <p>5. Complaint can be filed on a digital advertising material by a direct or indirect competitor or any party of interest, including ASC (motu proprio). A party of interest should be individuals who do not have direct dealings with or business interest in the brand</p>	<p>other dangerous products (Art. I, Sec. 5)</p> <p>Above-the-line (ATL) /broadcast materials like TV, radio, print and non-broadcast materials like outdoor and cinema ads that have been previously given clearance to air/publish/display can be used in digital media and will not require separate application/clearance, under the following conditions:</p> <ol style="list-style-type: none"> 1. The identical advertising material is posted on digital media; 2. The posting of the approved ATL material in digital media is within the ATL material's validity period. 3. The ATL's ASC Reference Number is included in the digital post (either in caption or description box) 4. For static digital material which is not identical to original ATL material in terms of lay-out but makes use of copy and visuals of said previously-approved print/OOH/collateral material, and the new static digital material does not contain any other new claims that require pre-screening 	<p>Notes on Post Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question any claim outside of those complained on. 3. If in the process of post screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties). 4. The Advertiser has the ultimate and final responsibility and ownership of the material in question 5. Complaint can be filed on a digital advertising material by a direct or indirect competitor or any party of interest, including ASC (motu proprio). A party of interest should be individuals who do not have direct dealings with or business interest in the brand 	<p>other dangerous products (Art. I, Sec. 5)</p> <p>f. With product performance claims (ingredient, action, benefit/ promise)</p> <p>g. Promotions with DTI/FDA/CAB permit have to be cleared with ASC</p> <p>Above-the-line (ATL)/broadcast materials like TV, radio, print and non-broadcast materials like outdoor and cinema ads which have been previously given clearance to air/publish/display can be used in digital media and will not require separate application/clearance, under the following conditions:</p> <ol style="list-style-type: none"> 1. The identical advertising material is posted on digital media; 2. The posting of the approved ATL material in digital media is within the ATL material's validity period. 3. The ATL's ASC Reference Number is included in the digital post (either in caption or description box) 4. For static digital material which is not identical to original ATL material in terms of lay-out but makes use of copy and visuals of said previously-approved print/OOH/collateral material, and the new static digital material does not contain any other new claims that require pre-screening
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	Non-Regulated Categories		Regulated Categories (5 Categories: Alcohol Beverages, OTC medicines, Food/Health Supplements, products under the Milk Code, Airline & other carriers promo fares)	
	Post-Screened	Pre-Screened	Post-Screened	Pre-Screened
USER /3rd PARTY GENERATED CONTENT (e.g. ABS-CBN, Coconuts, Rappler), FB posts by consumers/ KEY ONLINE INFLUENCERS (KOL)	<p>UGC's do not require pre-screening.</p> <p>I. Facebook posts by consumers (with or without claims)</p> <ul style="list-style-type: none"> - No need to clear with ASC if: <ul style="list-style-type: none"> a. Shared by Brand AS IS, with the name of the consumer who made the comment shown. b. Copied and pasted on the brand/company website AS IS, with the name of the consumer who made the comment shown - Needs to clear with ASC if: <ul style="list-style-type: none"> a. Comment/post is turned into an ad by the brand b. Boosted by the brand <p>II. Bloggers</p> <ul style="list-style-type: none"> - Note: It is the responsibility of the Brand Group/ Ad Agency to: <ul style="list-style-type: none"> a. Provide bloggers with truthful facts about the brand, which include claims that are substantiated. b. Forewarn the bloggers from writing exaggerated claims about the brand. 		<p>UGC's do not require pre-screening.</p> <p>I. Facebook posts by consumers (with or without claims)</p> <ul style="list-style-type: none"> - No need to clear with ASC if: <ul style="list-style-type: none"> a. Shared by Brand AS IS, with the name of the consumer who made the comment shown. b. Copied and pasted on the brand/company website AS IS, with the name of the consumer who made the comment shown - Needs to clear with ASC if: <ul style="list-style-type: none"> a. Comment/post is turned into an ad by the brand b. Boosted by the brand <p>II. Bloggers</p> <ul style="list-style-type: none"> - Note: It is the responsibility of the Brand Group/ Ad Agency to: <ul style="list-style-type: none"> a. Provide bloggers with truthful facts about the brand, which include claims that are substantiated. b. Forewarn the bloggers from writing exaggerated claims about the brand. 	

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	<p>- Blogs are post-screened. However, competitors, concerned citizens, the ASC and respective government regulatory body under which the brand falls, can complain about the post.</p> <p>For complaints lodged by competitors, concerned citizens and by ASC, a post-screen hearing will be conducted. If found in violation, a CDO will be issued and appropriate penalty will be imposed.</p> <p>For complaints raised by the respective government regulatory body, and a CDO is issued by said body, ASC will automatically issue a CDO for the material without the benefit of a hearing and appropriate penalty will be imposed. (Refer to Rule V, Sec 1 & Rule VII, Sec 2.2.4)</p> <p>Notes on Post Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question claim/s or element/s outside of those complained on. 		<p>- Blogs are post-screened. However, competitors, concerned citizens, the ASC and respective government regulatory body, under which the brand falls, can complain about the post.</p> <p>For complaints lodged by competitors, concerned citizens and by ASC, a post-screen hearing will be conducted. If found in violation, a CDO will be issued and appropriate penalty will be imposed.</p> <p>For complaints raised by the respective government regulatory body, and a CDO is issued by said body, ASC will automatically issue a CDO for the material without the benefit of a hearing and appropriate penalty will be imposed. (Refer to Rule V, Sec 1 & Rule VII, Sec 2.2.4)</p> <p>Notes on Post Screening of Ads:</p> <ol style="list-style-type: none"> 1. There is no prescription period for complaints on post-screened ads. 2. The post-screening panel can question any claim/s or element/s outside of those complained on. 	
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	<p>3. If in the process of post-screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties)</p> <p>4. Article V Section 4-g: <i>“Testimonials based solely on subjective judgement are allowed provided that they are not presented as statements of fact. When such testimonials include specific claims regarding product or service performance, these claims should be supported with independent evidence on the accuracy of, or consistent with, the actual product or service performance.”</i></p> <p>5. Article V Section 4-h.2 “Testimonials shall not be used to circumvent the requirement for substantiation other than the testimony itself.”</p>		<p>3. If in the process of post-screening, the material was found to be in violation, a CDO will be issued. If the material should have been pre-screened but was <u>not</u> cleared with ASC, corresponding penalty will be imposed (refer to Annex 5 ASC Penalties)</p> <p>4. Article V Section 4-g: <i>“Testimonials based solely on subjective judgement are allowed provided that they are not presented as statements of fact. When such testimonials include specific claims regarding product or service performance, these claims should be supported with independent evidence on the accuracy of, or consistent with, the actual product or service performance.”</i></p> <p>5. Article V Section 4-h.2 “Testimonials shall not be used to circumvent the requirement for substantiation other than the testimony itself.”</p>	
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DEFINITION OF TERMS:

EXCLUSIVITY CLAIM is a claim to be the only product or service to provide or deliver said attribute/ property/ feature

COMPARATIVE CLAIM is claiming advantage over another brand or service, previous formulation/properties or set of products. This claim must always be properly qualified as to what it compares itself against.

SUPERIORITY CLAIM means a product or service is above and better than ALL other competitors in the category in all material respects, mainly when it comes to product performance or service delivery.

ABSOLUTE CLAIM is a claim that promises a guarantee of full delivery in product performance at all times

Examples

- Tiyak na masarap
- Sure win
- No wetness guaranteed
- Sigurado ang balik ng pera mo!

PRODUCT CLAIM is as a word, phrase, statement or visual presentation that refers to an action, performance, quality or benefit to be gained from a product or service. This can be mention of ingredients, pricing, origin, etc.

ARCHIVING OF MATERIALS IN ADVERTISER'S OWN DIGITAL PORTAL:

Advertisers may archive all of its ad materials in its own digital portal, e.g., website or FB page provided:

1. CDO'ed materials **SHOULD NOT** be included in the archive, otherwise this may be subject to a CDO violation complaint by competitor
2. Archived materials **SHOULD** indicate original airing/ approval period **WITHIN** the material.
3. If the advertiser will re-share, re-post, boost etc. an archived material which has any of the 5 claims that need pre-clearance, then the advertiser needs to re-apply with the ASC and provide updated data/substantiation for said claims.

Penalty for Pre-Screening Violation

Offense	Penalty
<p>Airing/publication/ installation or display without proper ASC clearance</p> <p>Refer to Manual of Procedures Rule I, Section 3 for materials covered by the ASC rules.</p>	<p>1st Offense – P100,000</p> <p>2nd Offense – P200,000 plus non-screening of advertising materials of the product concerned for three (3) months. The guilty party may opt to pay P500,000 in lieu of non-screening for three (3) months, thus the total to be paid is P700,000.</p> <p>3rd Offense – P300,000 plus non-screening of advertising materials of the product concerned for one (1) year. The guilty party may opt to pay P1,500,000 in lieu of non-screening for one (1) year, thus the total to be paid is P1,800,000.</p> <ul style="list-style-type: none">Non-payment of penalties shall result to non-screening of materials of the product concerned. <p>Or Pay P550.00 ONLY!</p>



Thank you!