Ad Standards Council
For Responsible Advertising

ASC CODE OF ETHICS & STANDARD MANUAL OF PROCEDURES

AD STANDARDS COUNCIL | 4th & 6th Floor LTA Building 118 Perea St., Legaspi Village, Makati City

EFFECTIVE APRIL 29, 2024

ARTICLE I – GENERAL STANDARDS OF PRESENTATION

Section 1: RESPECT FOR COUNTRY & THE LAW

PROVISION	IRR
a. Advertisements shall conform to the laws of the Republic of the Philippines.	
b. Advertisements shall not be harmful to the image and reputation of the Philippines and its people.	
c. Advertisements shall undermine the public's regard for the Philippine government, law, and duly constituted authority	

Section 2: PHILIPPINE STANDARDS AND SYMBOLS

PROVISION	IRR
a. The use of the Philippine National Flag, Anthem, Motto, Coat of Arms, and Other Heraldic Items and Devices shall be in accordance with Republic Act 8491	In case of complaints, the ASC will conduct a post screening or hearing on the material unless the complaint is from any government agency of LGU, in which case, the ASC shall issue a Cease-and-Desist Order (CDO) until the material is revised to be compliant with the law. Any certification or authorization issued by the NHCP shall be signed by its responsible officer.
b. The Philippine Flag or any of its earlier versions, the Seas of the Republic, historical or national events, national heroes, national shrines, and landmarks shall be used only in a positive and respectful manner.	Seals of the Republic include: The **Great Seal of the Philippines** used to authenticate official documents of the Philippine government, Coat of Arms of the Philippines, Seal of the Philippine President and Vice-President, Seals of various government agencies
c. The representation of the Philippine Currency in advertisements shall be governed by the rules promulgated by the Bangko Sentral ng Pilipinas Circular No. 61 s.1995 or any amendments or issuances.	

d. The use of government entity's campaign slogan in advertisements is prohibited unless approved by the relevant government authority. Example is "It's More Fun in The Philippines" of the Department of Tourism	

Section 3: RESPECT FOR RELIGION, FILIPINO CULTURE, VALUES & TRADITIONS

PROVISION	IRR
a. Advertisements shall endeavor to promote the improvement of the quality of life of Filipinos, positive Filipino values, customs, and traditions.	Positive Filipino values is defined to mean standards, not contrary to law, morals, good custom, public order, or public policy.
b. Advertisements shall respect religious beliefs, be sensitive to the diverse religions or secular beliefs, mores, culture, traditions, characteristics, historical background, and identity of the various Filipino communities. It shall also respect and uphold traditional Filipino family and social values.	
c. Advertisements shall be ethical, should not offend against generally prevailing standards of taste and decency, or otherwise offend human dignity.	
d. Advertisements shall respect and observe societal sensitivities such as, but not limited to gender orientation, physical appearance, mental and emotional state, differently-abled persons, issues on women and children, marital state, legal status, diversity and inclusivity	Diversity and inclusivity shall include, but not limited to, age, race, regional identities. In general, advertisements should not show denigration, insulting, or offending based on the societal sensitivities mentioned.

Section 4: PROFANITY, OBSCENITY, VULGARITY, EXPOSURE OF HUMAN BODY/PARTS, SEXY TONES, SIMILAR SUBJECT, OR EXECUTION

PROVISION	IRR
The primordial principle is that advertisements shall not be offensive to the public based on contemporary and generally accepted standards of decency.	
Advertisement approval can vary from medium to medium.	
The application of this rule shall be moderated for media catering to specific or specialized audiences, e.g., lingerie ads in women's magazines, men's undergarments in men's magazines, etc.	Moderated means the medium is specific to a specific audience, therefore, not being seen by the general public. Example: FHM, Men's Health, Smart Parenting
a. Presentation and acts of profanity, obscenity, vulgarity, or those that are offensive or indecent shall not be allowed	An advertising material is obscene when the pose, facial expression, situation, props, copy, or other aspects of the presentation is vulgar or sexually suggestive or generally denigrating or derogatory to anyone including men, women, children, or any other person

b. Indecent exposure of the human body, or any of its parts, and even partial nudity, shall not be allowed. Some exposure of the human body may be allowed in advertisements when relevant to the product or service being advertised or the situation being portrayed. Also, suggestive portrayals are not allowed	• While total nudity, whether explicit or implied, is not allowed, an infant without clothes can be allowed as long as the genital areas are not shown and shall not be derogatory to the infant.
	• Partially nude shall include:
	  • Attired in indecent skimpy clothing
	  • Attired in transparent material or when presented in a haze to circumvent the prohibition on nudity
	  • Attired in clothing that shows excessive voluptuousness, e.g., indecent breast exposures, buttocks, and bulging crotch
	  • In a suggestive sexual or physical contact with each other

c. Advertisements shall not depict or exploit persons as sex objects.	

d. Advertisements shall not contain offensive, obscene, blasphemous, profane, or vulgar words, phrases, visuals or any ambiguity with sexually suggestive meaning.	
e. Sex and related subjects contained in an advertising material shall be treated with caution and conform to what is generally accepted as decent and proper.	
f. Salacious, explicitly sexual, indecent themes, sexual innuendo, insinuation, or stereotyping that are likely to cause serious or general offense shall not be allowed.	
g. Explicit depiction or graphic descriptions of sexual organs and other sensitive parts of the body shall be prohibited in all advertising materials.	
h. Advertising materials shall neither condone nor justify pre-marital sex or extra-marital sex.	Visuals that may help suggest that the couple is married are showing of: • Wedding ring • Wedding picture in the background • Copy identification (mention that they are married, having their wedding anniversary, etc.)
i. The depiction of violence and use of threatening or menacing copy or visuals shall not be allowed.	
j. Models shown simulating sexual intercourse, even if fully clothed, shall not be allowed.	

Section 5: CRIME, VIOLENCE & MORBIDITY

PROVISION	IRR
a. Advertisements should not exploit or tend to promote physical, verbal, or psychological violence or the use of deadly weapons, whether shown through real or fictional characters or situations.	Advertisements showing gaming programs such as, but not limited to, Call of Duty, Counter Strike, Killzone shall always have a warning statement at

	the beginning of the advertisement that what is being shown is only a game and shall not be imitated in real life.
b. Advertisements showing or depicting crime, violence, satanism, and other acts of wrongdoing shall not present the behavior as good, attractive, beyond retribution, correction or reformation.	These advertisements shall not appear to condone, incite, encourage violence, or encourage unlawful or anti-social behavior. Morbid and gory details are prohibited.
c. Criminals or violence shall not be glorified and the depiction of crime shall always be condemned.	When depicting crimes or violence in advertisements, it shall always be presented with a positive end.
d. Advertisements that is likely to incite a person to violence, anti-social behavior or commit a wrong or crime is prohibited.	
e. Issues such as, but not limited to, physical or mental disabilities, ailments, distress or morbid situations shall not be depicted in a negative or offensive manner.	

ARTICLE II – STANDARDS OF PRESENTATION FOR CONSUMER PROTECTION & SAFETY

Section 1: GENERAL PROVISIONS

PROVISION	IRR
a. Advertisements shall follow and uphold Philippine laws, rules and regulations.	
b. Advertisements shall be honest, truthful, and accurate.	
c. Advertisements shall not be deceptive or misleading.	
d. Advertisements shall not tend to mislead or confuse the consumer as to the content, origin, utility, or function of any product or service.	
e. Advertisements shall not use news format, terms, phrases, graphics, or expressions reserved for important news and public service announcements, e.g., newsflash, breaking news, etc.	

f. Advertisements shall not capitalize on fear or sow panic.	
g. Advertisements shall not create confusion as to the identity of the Advertiser, or the source, or the identity of a product or service.	
h. Advertisements shall not contain features, elements, or visual or aural presentations that are unique to the advertising of another brand regardless of category.	Ownership and uniqueness can also be established by: • Way of first use (pre-emptive rights) • If the consumers identify it as being unique to the brand. This can be proven by a consumer study establishing association of the element to a particular brand.
i. Advertisements shall not use humor to demean or ridicule persons regardless of age, gender, social or economic class, religion, ethnicity, race or nationality.	

Section 2: CLAIMS OF PRODUCT, SERVICE PROPERTIES OR CHARACTERISTICS

PROVISION	IRR
• Claims of product and service properties or their intended usage shall be clearly presented and shall not mislead consumers by sweeping generalization, inaccuracy, ambiguity, exaggeration, or omission.	
• The use or incorporation of a test or demonstration of a product or service property or characteristics shall clearly, fairly, factually, accurately present, or logically prove the claimed product or service property or characteristic and be supported with proper documentation.	These support documents include but are not limited to: • Third Party Quantitative Consumer Research (Qualitative research not acceptable as support for claims as these are only indicative) • Peer reviewed printed or digital based published medical journals • Clinical, scientific, product or laboratory tests • Company or authority certification signed by a high ranking official from the Advertiser • Signed and Notarized Endorsements • Product Information Leaflet (PIL) for Over the Counter (OTC) Drugs or Home Remedy (HR) products

	• Packaging for food supplements or food products Downloaded articles from the internet are generally accepted as substantiation provided these have been published.

Section 3: HEALTH AND SAFETY

PROVISION	IRR
c. Advertisements depicting dangerous practices, showing or referring to dangerous acts that encourage disregard for safety are generally not allowed.	Where allowed, the presentation shall have a clear warning and conform to the safety standards of the activity via a qualifier.
d. When a product or service, has potentially dangerous qualities, the advertisement shall have a clear warning to consumers regarding usage of product or service.	Where allowed, the presentation shall have a clear warning and conform to the safety standards of the product or service via a qualifier.
e. Advertisement should not encourage excessive eating, gluttony, or excessive drinking.	

ARTICLE III – STANDARDS FOR PROTECTION OF CHILDREN

INTERPRETATION OF THE PROVISIONS ON CHILDREN WILL ALWAYS BE BASED ON THE ULTIMATE INTEREST AND WELFARE OF THE CHILDREN

Section 1: PRESENTATION

PROVISION	IRR
• **Use or Portrayal of Children in Advertisements**	
• Advertisements involving children shall comply with all pertinent laws, rules, and regulations as applied in the Philippines.	

• Advertisements shall not present children as being in contact with, or demonstrating, a product recognized as potentially dangerous to them without adult supervision.	
• Advertisements shall not portray children alone in activities that clearly require adult supervision.	
• Advertisements showing gambling, gaming institutions, games of chance, alcohol beverages, or cigarette, tobacco products, e-cigarette products, electronic nicotine and non-nicotine delivery systems, heated tobacco products or other novel tobacco products shall not inappropriately use, depict or exploit children.	
• Advertisements shall not portray children to be indulging in excessive eating, gluttony and excessive drinking of non-alcohol beverages.	
• Advertising materials shall avoid sensationalizing, stereotyping, prejudging, or exploiting differently-abled, marginalized, or vulnerable children.	
• Advertisements shall not depict children performing acts, using language, or attired in a manner that is vulgar, obscene, indecent, or inappropriate for their age.	
• Advertisements shall not portray the child engaging in hazardous or dangerous activities that disregard safety.	
• Advertisements shall not encourage children to take drugs or medicines without supervision of a responsible adult.	
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• **Advertisements on Potential Effects on Children's Development and Behavior**	

• Advertisements meant for children shall not contain insensitive references to infirmities, or scenes depicting physical or mental cruelty.	
• Advertisements for children shall not show irresponsible, violent, or reprehensible acts or practices in a manner that may lead children to interpret or adopt them as normal or acceptable behavior.	
• Advertisements directed at children shall not foster violence as a desirable way or a means of resolving conflicts and problems.	
• Advertisements directed at children shall not depict sexual subjects or actions inappropriate for children.	
• Advertisements directed at children shall not encourage the use of speech and expressions that may hinder the children's integral human development (intellectual, emotional, social, psychological, cultural).	
• Advertisements shall encourage active and, if possible, outdoor play, versus a sedentary lifestyle among children.	

ARTICLE IV – OTHER STANDARDS OF PRESENTATION

Section 1: DISPARAGEMENT

PROVISION	IRR
a. Advertisements shall not directly or indirectly disparage, ridicule, criticize, or attack any natural or juridical person, groups of persons, or any sector of society based on gender, social, cultural or economic status, religion, ethnicity, physical, intellectual and psychological state or appearance, age, race, or nationality.	

b. Advertisements that show people with physical or sensory impairment, speech deformities, are differently-abled, or who are intellectually or mentally-challenged, shall not be presented as demeaned or ridiculed.	
c. Advertisements shall not denigrate, ridicule or unfairly attack or portray religion, culture, customs, lifestyle, habits, and traditions.	
d. Advertisements with references to religious themes or political beliefs shall not be offensive, belittling or hurtful.	
e. Advertisements with references to minority groups shall not be stereotypical, malicious, insensitive, or hurtful.	Examples of minority groups are: • LGBTQIA+ • Indigenous people like the Aetas • Differently-abled persons
f. Advertisements should not directly or indirectly disparage, ridicule, or unfairly attack competitors or non-competitors, competing or non-competing products, or services, including distinguishing features or elements of their advertising campaigns such as, but are not limited to, specific layout, copy, slogan, visual presentation, music, jingle, or sound effects and other elements.	
g. Advertisements shall not make any presentation that brings advertising into disrepute both as a profession and as a business activity.	
h. Advertisements using humor that disparages another brand, product or service is not allowed.	

Section 2: SUGGESTIVE BRAND NAME ADVERTISING

PROVISION	IRR
A suggestive brand name cannot be used as a product claim or attribute in advertisements unless substantiated or verified by evidence other than the brand name itself.	Examples include but are not limited to: • "Real Juice" • "True-Milk" • "Clean-All Detergent"

Section 3: CULTURAL BELIEFS

PROVISION	IRR
• Advertisements related to or presenting superstition, pseudo-scientific beliefs, and related practices, shall not exploit public credulity or naiveté. • Advertisements showing cultural beliefs shall not be presented in a negative, fearful, and insensitive manner.	

Section 4: PRE-EMPTIVE RIGHTS AND PLAGIARISM

PROVISION	IRR
Advertisements shall not violate established pre-emptive rights.	**Pre-emptive Rights** to advertisements that have materially the same execution are established by the date of first publication, installation, posting or upload, or airing anywhere in the world and not by approval of the storyboard, script or layout. Advertisements duly registered with the Philippine IPO shall be given recognition regardless of first use in another country. The ruling on Pre-emptive Rights applies to all product categories, i.e., if it was established that Brand A has pre-emptive rights on a particular

	slogan, Brand B may not use the same slogan in its advertisement for any of its products. The prescription period for Pre-emptive Rights or use of general layout, copy, slogan, visual presentation, music, or sound effects are the following: • For non-competitive products or different product categories, two (2) years since last airing, local publication, installation or posting, upload of broadcast, print, out-of-home, or digital advertisement. • For competitive products or same product categories, five (5) years since last airing, local publication, installation or posting/upload of broadcast, print, out-of-home, or digital advertisement. The prescription period for Pre-emptive Rights does not apply to copyrights, IPO-registered trademarks, and other non-advertising issues which are outside the scope of the ASC. ***Please refer to Article V Section 12 on IPO in advertisements.***
Plagiarism is not allowed in advertisements.	**Plagiarism** means an instance where a material is found substantially or materially imitating distinguishing features of other advertisements in any part of the world without permission from the owner. Advertising materials shall not contain features, elements, visual or auditory presentations that are unique to the advertising of or owned by another brand regardless of category. If an ad is proven to be plagiarizing another ad, a CDO shall be issued against it, effective immediately. Additional sanctions such as penalties determined by the Tech Com may be applied.

	The provision on Plagiarism overturns the ruling on Pre-emptive Rights, provided that the Complainant presents third party evidence of the original broadcast, publication, installation, posting of material within or outside the Philippines. When relevant, the prescription period for Pre-emptive Rights applies, namely two (2) years for non-competitive products and five (5) years for competitive products.

ARTICLE V – PRODUCT OR SERVICE CLAIMS

Section 1: CLAIMS ON INGREDIENTS AND USE OF HASHTAGS IN ADS

PROVISION	IRR
a. Advertisements shall not contain any reference to an ingredient unless the ingredient's quantities and properties are verified and are in accordance with applicable laws, rules, regulations, and practices.	Product action, performance, or benefit claims can only be made when these claims can be delivered by the whole product and not solely because of the active ingredients. Few examples are: • Brand A contains X ingredient to help remove dandruff. • Brand S has Ingredient C that helps get rid of phlegm.
b. Advertisements should not imply that a certain benefit is due to a specific ingredient unless a verifiable cause and effect relationship exists.	
• When the hashtags are not branded and are not implemented together with any branded post, brand devices or assets, these do not have to be pre-screened with the ASC.	
• When hashtags contain a must-screen claim (#1/Leadership, Absolute, Comparative, Exclusivity and Superiority), these have to be pre-screened with the ASC.	When brand ads are submitted to the ASC for screening and these ads include hashtags which also contain product claims, the claims in the hashtags have to be substantiated also."

Section 2: NO. 1/LEADERSHIP CLAIM

PROVISION	IRR
a. A "No. 1" claim, refers to both retail sales volume and its corresponding monetary value. This may mean leadership in the total product category or a generally-accepted segment or pre-defined segment within the product category.	
b. The substantiation of a "No. 1" claim shall cover, at least, the immediately preceding 12-month cumulative data, both retail volume and monetary value, from an independent source acceptable to the Ad Standards Council. In the absence of data pertaining to the last 12-month period, the substantiation may be based on the latest available, reliable, and bona fide figures provided these are shown to be reasonably current to the satisfaction of the Ad Standards Council.	The Ad Standards Council can issue a Cease-and-Desist Order (CDO) to a previously-approved "No. 1" claim if it is proven by a competitor that its volume and value data in the immediately preceding cumulative 6-month period puts it ahead of the leading brand. However, for the challenger brand to earn the right to claim "No. 1", a 12-month data, both volume and value, are still needed. For a No. 1 national claim, the following area coverage shall be followed: • At least two (2) provinces for each of the following regions: North and Central Luzon, South Luzon, Visayas, and Mindanao • One key city representing North, South, East, and West areas of Metro Manila
c. No product or service without a competitor may make a "No. 1" claim.	
d. A claim to be "No. 1" in sales relating only to a specific areas or areas shall prominently specify the area or areas covered.	
• The Ad Standards Council can issue a Cease-and-Desist Order (CDO) to a previously approved "No. 1" claim if it is proven by a competitor that its cumulative volume and value data in the immediately preceding 6-month period put it ahead of the leading brand. However, for the challenger brand to earn the	

rught to claim "No. 1", a 12-month cumulative data, both volume and value, are still needed.	
• If data on sales volume and value is not available for a "No. 1" claim, industry acceptable support may be used subject to ASC's validation.	A certification signed by a high ranking official from the Advertiser (Example: VP, Director, and up) shall be submitted to explain the nature of the category and why there is no available volume and value reading. Such industries include: • Paints – tint importation data from Bureau of Customs. • Global data on Hard Liquor – value only reading from the Millionaire's Club.
• A leadership claim will be allowed for service categories not measurable by volume and value using category-accepted standards.	

Section 3: ABSOLUTE CLAIM

PROVISION	IRR
Absolute claims must be substantiated by, at least, three (3) separate but identical tests conducted by an independent, 3rd party testing agency following the same methodology within a period of 12 months to establish consistency of result.	The three separate studies may be done by the same 3rd party testing agency or by three different 3rd party testing agencies. In any case, the 3rd party testing agency or agencies shall follow the same methodology and testing protocols. Should the same 3rd party testing agency be used to do the three studies, each study shall have, at least, a one (1) month interval between each study. Should three different testing agencies be used to do the three studies, these studies can be done simultaneously. Examples of absolute claims include: • Guaranteed to clean clothes • Sure win • 100% germ-free • Always available

	The word "helps" or its equivalent cannot be used to circumvent an absolute claim.

Section 4: COMPARATIVE CLAIM

PROVISION	IRR
A comparison of direct or indirect competitive products or services shall provide clear, substantiated, and verifiable bases from an independent, 3rd party source.	This claim must always be properly qualified as to what the product or service compares itself against. Examples of comparative claims include: • Better in sun damage protection vs. lotion only • Makes clothes whiter than the leading powder detergent • Brand X provides a higher level of Vitamin D compared to sunshine
a. **INDIRECT COMPARISON**	
• Indirect or unbranded comparison of competitive products or services is allowed provided it does not use features or elements that may be identified or directly associated with competitive brands such as, but are not limited to, visual or auditory cues, colors, symbols, slogans, titles, or statements.	When proving identification or direct association of the other brand in an indirect comparison, an independent, 3rd party consumer study shall be submitted.
• Indirect or unbranded comparison, communicating an advantage on product performance within the same category such as, but not limited to, product action, benefit delivery or consumer takeaway compared to another product's previous formulation, is allowed provided the claim is supported by technical data from 3rd party laboratory tests, clinical studies, or 3rd party consumer studies following industry-accepted research protocols.	When making a comparative claim, the claim shall be properly qualified as to what the product's claim is being compared. Examples of qualifiers are: • vs another brand • vs previous formulation
b. **DIRECT OR BRANDED COMPARISONS**	

• Direct comparison advertising is allowed only in product categories that have clear, definite, and accepted technology benchmarks which are measurable such as, but not limited to, product dimensions, output, speed, etc.	Direct comparison advertising shall be allowed only in the following product categories: • Automotive vehicles excluding automotive products such as lubricants, • Consumer durables (Appliances, Audio-visual Equipment, Electronic gadgets • Airlines' Aircrafts and Shipping Lines' Ships • Musical instruments, Entertainment devices, or equipment • Mobile products, e.g., cellular handsets, tablets, laptops, and netbook Example: Kooler Aircon cools faster than Kull Aircon
• Products or services in direct comparisons shall be clearly identified without disparaging or degrading the competitor's logo, slogan or registered marks.	
• "Before (Antecedent)" and "After (Subsequent)" Comparisons shall be truthful and factual, and shall not be exaggerated or misleading.	Advertisements comparing "Before (Antecedent)" and "After (Subsequent)" situations shall cite with prominence the specific time or period elapsed between the two situations.
c. **USE OF SPECIFIC QUALIFIERS**	
• When claims in advertisements on product or service benefit or action are compared with non-usage of the product or service, there is no need to use the qualifier "vs. Non-Use".	Categories with high penetration levels, defined as ever tried, shall not be allowed to use "vs Non-Use".
• Use of "vs. Previous Formulation" is allowed for a period of one year from the introduction of the last formulation change.	
• Use of "Serving Suggestion" as qualifier is only required when a presentation of the product is shown with enhancements compared to what the actual product contains as packed.	Examples include: • Addition of vegetables when presenting instant noodles as prepared in a bowl • Showing of packaged meat products with additional trimmings • Showing cassava cake when condensed milk is added

• Creative Visualization is required when showing product action is not obvious to the naked eye.	Example is molecule or atom action of product ingredients.

Section 5: EXCLUSIVITY CLAIM

PROVISION	IRR
An exclusivity claim of a product or service shall provide clear, substantiated, and verifiable bases from a third-party source.	Examples of Exclusivity Claims include: • The **only** shampoo and conditioner with Ilang-ilang fragrance • **No other brand** has ingredient X that helps lower fever in as fast as five (5) minutes.

Section 6: PARITY CLAIM

PROVISION	IRR
A parity claim, while not communicating an advantage over another product or service, shall be substantiated and qualified as needed.	Examples of Parity Claims are: • Sa sustansya't lasa, wala pa ring tatalo sa Brand A. • Nothing beats Brand L. • Wala nang sasarap pa sa Brand C. • In taste and price, no other brand surpasses Brand D.

Section 7: SUPERIORITY CLAIM

PROVISION	IRR
a. An unqualified, sweeping, or superiority claim may be permitted only if proven to be true in all of or specific products or service's aspects, whether competitive or non- competitive through independent, 3rd party data.	Examples of Superiority Claims are: • Most trusted by Moms in toy safety for their Toddlers. • Our biggest prize money to be given away.

b. Claims such as, but not limited to, "Most Preferred" or "Most Recommended" shall be substantiated by an independent, 3rd party quantitative consumer research test.	

Section 8: USE OF "NEW" or "IMPROVED"

PROVISION	IRR
• Use of words such as, but not limited to, new, introducing or other words that denote an "introduction" of a products or service's basic utility function in advertisements shall be used only for a period of one (1) year from date of launch.	• This excludes a test market period of a maximum of six (6) months. • When the claim does not relate to the product's basic utility or function but to one of its other features such as, but not limited to, appearance, fragrance, color, or packaging, the word "new" may be used only if clearly limited to the specific change, e.g., "new fresh fragrance" or "new packaging or bottle" and shall be covered by the one (1) year allowable period of use. • Time-bound claims shall be supported by a 3rd party study and can only be used for a maximum period of one year. Should the Advertiser or Agency decide to continue use of time-bound claims after its validity, updated data shall be submitted.
• The use of the claim "improved" may be used only if clearly limited to the specific change, "improved taste" and shall be covered by a two (2) year allowable period of use	

Section 9: TESTIMONIALS

PROVISION	IRR
• **BASIC PRINCIPLES**	
a. Testimonial claims shall be genuine and truthful. Fictitious testimonials are not allowed.	

b. Testimonials shall only be used with the written permission of those giving them. If the testimonial is taken from a published source, it must be clearly quoted with proper attribution to the source.	The Advertiser or Agency shall substantiate a testimonial by submitting the original written, dated, and signed testimony, duly subscribed and notarized, supporting the endorsement.
c. Testimonials shall be categorically stated as a personal experience or opinion of the endorser and shall be clearly presented as part of a testimonial statement.	The testimonial shall use qualifiers, e.g., “In my opinion”, “Para sa akin”, “In my experience”, etc.
d. Testimonials shall not be used to circumvent:	
○ a prohibited claim even if said testimony is properly attributed to an attestant.	
○ the requirement for substantiation other than the testimonial affidavit itself.	
○ regulations of government bodies pertaining to the use of claims on the product or service.	
e. An actual testimonial portrayed by a talent shall be supported by a signed and notarized certification allowing the portrayal of the supposed endorser.	
f. Advertisements shall not make any reference to approvals given by the Ad Standards Council or imply endorsement by the Ad Standards Council.	
• **TESTIMONIALS NOT BASED ON PRODUCT PERFORMANCE**	
Testimonials, based solely on subjective judgment, are allowed provided they are not presented as fact. When such testimonials include specific claims regarding product or service performance, these claims shall be supported with an independent 3rd party study regarding the accuracy of the actual product or service performance.	

• **TESTIMONIALS NOT BASED ON PRODUCT PERFORMANCE**	
These testimonials are usually expressions of personal preference and shall be clearly presented as a testimonial statement. This shall be supported by an Endorser's Certification.	Examples include: • "This is the best washing machine for me." • "To me, the most efficient cars are those made in Japan."
• **TESTIMONIALS THAT QUOTE A SOURCE**	
a. If the testimony quotes a published source, a copy of the publication shall be submitted. Such testimonials shall not be used to circumvent a prohibited claim even if said testimony is properly attributed to the source.	Examples include: • "Eat more protein rich foods because according to **Article X published in X Magazine**, 80% of children aged eight to 12 in the Philippines, are under-nourished. • "**Source X** reveals that Ingredient A helps lower bad cholesterol. That's why I always take Brand A.
b. If the testimony is quoting another person, a notarized written permission shall be submitted from the quoted source. Such testimonials shall not be used to circumvent a prohibited claim even if said testimony is properly attributed to the person being quoted.	Examples include: • "**According to Prof. X**, buy paint that breathes so you do not inhale fumes. I always buy Brand B." • "**Dr. D** said vitamin E is best ingested rather than applied on the face so I shy away from lotions."
c. Testimonials of professionals or groups of professionals shall observe the Code of Ethics of the profession and should not violate regulations of the government bodies or institutions regulating that profession.	Examples include: • "Doctors in Hospital X swear by the efficacy of Brand Y." • "Bikers' Club PH uses only Brand X as brake fluid."
• **ENDORSEMENTS BY AN INDIVIDUAL OR GROUP**	
a. When an individual person endorsing a product or service in an advertisement is presented as an expert, appropriate credentials shall be submitted. Such endorsement shall not be used to circumvent a prohibited claim even if said endorsement is properly attributed to the source. When applicable, endorsements shall be in accordance with applicable Code of Ethics covering the profession like doctors	Examples include: • "Mr. X, who has been raising chickens for the past x years recommends Brand E because it has the highest level of immunity-giving vitamins for foals." • "Mr. Y, considered an expert in the field of natural healing, says synthetic drugs are not good for the body." • Refer to PMA Code of Ethics in Annex

b. An endorsement by an organization is deemed as the judgment of a group who's collective experience or expertise outweighs that of an individual member. The Advertiser shall support this testimonial with a written document signed by the group's authorized representative. Such endorsement shall not be used to circumvent a prohibited claim even if said endorsement is properly attributed to the source.	All advertisements whether moving, static or audio that use individuals or groups, shall indicate the names of the persons or group and line of specialization.

Section 10: TESTIMONIALS OR ENDORSEMENTS OF INFLUENCERS

PROVISION	IRR
• Testimonial claims of product advertisements under the five must screen categories or that are under the five must screen claims, made by influencers who are under contract with an Advertiser, shall be supported by 3rd party studies. A signed and notarized testimonial shall not be used to circumvent the need to substantiate the claims.	
• Testimonials claims made by influencers, whose contracts with the advertiser have already expired, shall not be the responsibility of the advertiser anymore.	
• Testimonial claims of product advertisements made by influencers who do not have or never had any formal contract with an Advertiser shall not be the responsibility of the advertiser.	Should the Advertiser declare that there is no relationship with the influencer and later proven to be untrue, the Advertiser may be subjected to the penalties akin to Blatant Disregard of ASC Rules.
• When brand posts with claims are done through a concerted, organized and consistent effort by the company, groups within the company, or management or employees of the company and the settings of the one posting is public, such posts can be the subject of a complaint to the ASC.	

Section 11: QUOTATIONS FROM FAMOUS PERSONALITIES

PROVISION	IRR
• Quotations of famous personalities, when used in an advertisement, shall indicate the source to serve as qualifier.	Example is, "A quotation from President X's first inaugural address, year XXXX".
• Quotations shall not be used to circumvent a prohibited claim.	
• The Advertiser or Agency shall submit a copy of the quotation and where it was sourced.	
• In the event the quotation is copyrighted, or registered, or has prior-used trademark of another, the Advertiser or Agency shall secure the necessary written consent from the quotation's copyright or trademark owner to prevent any violation of Intellectual Property Rights. At all times, the Advertiser or Agency is duty-bound to respect the intellectual property rights of others.	

Section 12: SCIENTIFIC OR TECHNICAL CLAIMS

PROVISION	IRR
• All references to laboratory data, statistics, and scientific terms used shall be presented fairly and in their correct context and shall not be presented as to create an impression other than that originally intended by the source.	
• Visual representation of laboratory settings may be employed, provided it bears a direct relationship to and accurately reflects the bona fide research conducted for the advertised product or service.	

• In case of references to tests by professionals or institutions such as, but not limited to, scientists, engineers, or research foundations, documented and authoritative evidence shall be submitted to substantiate such tests and the claims mentioned in the advertisement.	

Section 13: NUTRITION AND HEALTH CLAIMS

PROVISION	IRR
Health and nutrition claims shall be consistent with the national health and nutrition policies of the, DOH-FDA, FNRI, DOST, etc., such as Codex Alimentarius. Health and nutrition claims should be supported by a sound and sufficient body of scientific evidence to substantiate claims, provide truthful and non-misleading information to aid consumers in choosing healthful diets and be supported by specific consumer education. *Please refer to ANNEX 2 for a copy of the Guidelines For Use of Nutrition and Health Claims.*	

Section 14: SUBSTANTIATION

PROVISION	IRR
When submitting 3rd party research studies, clinical, scientific, laboratory data, or consumer studies, the following shall be submitted to ASC: • Executive Summary • Entire research protocol (i.e., research design, methodology, questionnaire)	Examples of acceptable substantiations are: • Volume and Value Retail or Home Panel audit data (for No. 1 or Leadership claim) • Quantitative Consumer research (Qualitative research is not accepted) • Clinical or laboratory tests • Company certification signed by a VP level or higher • Published journals • Notarized Endorsements • Product Information Leaflet (PIL) for OTC

	• Packaging for food supplements and other CFRR-registered products Downloaded articles from the internet are generally accepted as substantiation **provided** these have been published.

Section 15: INTELLECTUAL PROPERTY OFFICE (IPO) REGISTRATION OR NATIONAL LIBRARY FOR COPYRIGHT

PROVISION	IRR
• The Advertiser or Agency can claim exclusive ownership over a mark and all of its elements as registered creative materials like posters, scripts, boards, and the like. This means it has obtained valid and existing registration with the Intellectual Property Office (IPO) or the National Library.	
• The IPO Certificate of Registration or the National Library Copyright shall not be used to support any product claim since the mark registration is only prima facie evidence of the validity of the mark, the registrant's ownership of the mark, and its consequent right to the exclusive use.	
• Ownership of the mark is different from truthfulness of the claim (mark) or the message that the claim (mark) communicates. The Advertiser or Agency shall still substantiate the copy, visual, or elements lifted from the registered mark. The ownership of the mark by the registrant and its exclusive right to use the mark have nothing to do with the veracity of the claim as embodied in the mark.	
• Rendition of the mark in the advertisements shall strictly adhere to the valid and existing registration with the IPO/National Library.	

ARTICLE VI. ENVIRONMENTAL CLAIMS

Section 1: PRESENTATION OF ENVIRONMENTAL ADS

PROVISION	IRR
• Advertisements shall be so framed so as not to abuse consumers' concern for the environment, or exploit their possible lack of environmental knowledge.	
• Advertisements shall not contain any statement or visual treatment likely to mislead consumers in any way about the environmental aspects or advantages of products, or about actions being taken by the Advertiser or Marketer in favor of the environment.	
• Corporate advertisements with environmental claims may refer to specific products or activities, but shall not imply without justification that they extend to the whole performance of a company, group, or industry.	
• Advertisements with environmental claim shall be relevant to the product being communicated and relate only to aspects that already exist or are likely to be realized during the product's life. It should be clear to what the claim relates, e.g., the product or its packaging. A pre-existing but previously undisclosed aspect cannot be presented as new.	
• Environmental claims shall be up to date and shall, where appropriate, be reassessed with regard to relevant environmental and climate developments.	
• Vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, shall be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If this is not the case, general environmental claims shall be qualified.	

• In particular, claims such as “environmentally-friendly” or “ecologically safe” (implying that a product or an activity has no negative impact, or only has a positive impact on the environment), shall not be used unless a reliable, verifiable proof supported by scientific evidence is presented.	
• As long as there are no definitive, generally-accepted methods for measuring sustainability or confirming its accomplishment, no claim to have achieved it shall be made.	

Section 3: ENVIRONMENTAL PRODUCT, COMPONENTS, AND ELEMENTS

PROVISION	IRR
• When an environmental claim refers to the reduction of components or elements having an environmental impact, it shall be clear what has been reduced. Such claims are justified only if they relate to alternative processes, components, or elements which result in a significant environmental improvement, taking all relevant aspects of the product’s life cycle into account.	
• Environmental claims shall not be based on the absence of a component, ingredient, feature, or impact that has never been associated with the product category concerned. Conversely, generic features or ingredients, which are common to all or most products in the category concerned, shall not be presented as if they were a unique or remarkable characteristic of the product being advertised.	
• Environmental claims stating that a product does not contain a particular ingredient or component, e.g., that the product is “X-free”, shall be used only when the level of the specified substance does not exceed that of an acknowledged trace contaminant or background level based on industry accepted standards.	

Section 4: ENVIRONMENTAL SIGNS AND SYMBOLS

PROVISION	IRR
Environmental signs or symbols shall be used in advertisements or marketing communication materials only when the source of those signs, icons, or symbols is clearly indicated. Such signs, icons, or symbols shall not be used in a way that falsely suggests official approval or third-party certification.	

ARTICLE VII - NON-PRESCRIPTION DRUGS, DEVICES AND TREATMENTS, AND OTHER REGULATED PRODUCTS AND SERVICES

Section 1: GENERAL PROVISIONS ON NON-PRESCRIPTION DRUGS, DEVICES AND TREATMENTS

PROVISION	IRR
• No pharmaceutical product, device, or treatment shall be advertised unless it has been duly registered with the DOH-FDA and has been issued a Certificate of Product Registration (CPR), when applicable.	
• Only non- prescription, otherwise called as Over-The-Counter (OTC) drugs and products classified as Home Remedy (HR) shall be advertised in mass, electronic, outdoor, instore, or digital media.	
• Prescription only or ethical drugs (registered as RX) shall only be advertised in printed or digital publications solely intended for the medical or allied professions. Likewise, these drugs shall not advertise in a medium where it is exposed to the general public, e.g., TV, Radio, OOH instore, print publication of general circulation, or digital.	

• All advertising materials of pharmaceutical products shall be signed by the company's medical director per DOH Administrative Order No. 2014-0040	Refer to DOH A.O. 2014 – 0040 (Revised Guidelines on the Need or Role of a Medical Director in the Pharmaceutical Industry) Should a company not have a medical director, a representative of the Advertiser with a similar function shall sign all advertising materials.
• No person, establishment or organization shall use the FDA logo, the words "Food and Drug Administration", "Philippine FDA", the initials "FDA" or any imitation of such words, initials, or logo in print, broadcast media, digital, out-of-home, or instore, in connection with any health product, merchandise, impersonation, solicitation, or commercial activity in a manner that conveys that such use is approval, endorsement, or authorization by the FDA.	Examples of this are: • "FDA-approved" • "This product is approved by the FDA" This shall only be allowed with the written permission from the FDA per FDA Memorandum Circular 2013-030.
• Advertisements of pharmaceutical products shall comply with the requirements of AO 2016-008 (Revised Rules and Regulations Governing the Generic Labeling Requirements of Drug Products for Human Use).	**For Moving Advertisements on Television, Cinema, Electronic Billboard, and Digital** **Videos:** • **For moving materials 30 seconds and longer** ○ The GENERIC NAME shall be rendered inside a box and placed immediately above the Brand Name. ○ The GENERIC NAME shall appear prominently larger than the Brand Name (if any), with prominence being clearly and distinctly readable by normal vision as may be determined by common visual sense. Moreover, the GENERIC NAME should also be prominent over the other information on the same frame where the GENERIC NAME and Brand Name appear. ○ The GENERIC NAME shall be exposed or mentioned at least twice during the entire duration of the material, with the first exposure or mention to be done during the first exposure or mention of the Brand Name. The second exposure or mention shall be done towards the end of the material and shown for at least one (1) second.

- If the GENERIC NAME on the product shot is not reasonably readable, the
- NAME and the Brand Name shall be shown separate from the product shot but within the same frame.

Examples of GENERIC NAME Rendition:

FOR ONE MOLECULE

GENERIC NAME

BRAND NAME

Font size of the GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAME – 14 pts.

BRAND NAME – 13 pts.

FOR TWO OR MORE MOLECULES

MOLECULE 1
MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts

MOLECULE 1 + MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts.

Advertisements showing two (2) or more products shall follow the same rules as stated above.

- **For moving materials 29 seconds and shorter**

  - The GENERIC NAME shall be rendered inside a box and placed immediately above the Brand Name.
  - The GENERIC NAME shall appear prominently larger than the Brand Name (if any), with prominence being clearly and distinctly readable by normal vision as may be determined by common visual sense. Moreover, the GENERIC NAME should also be prominent over the other information on the same frame where the GENERIC NAME and Brand Name appear.
  - The GENERIC NAME shall be exposed or mentioned at least once during the entire duration of the material usually at least one (1) second.

  - If the GENERIC NAME on the product shot is not reasonably readable, the GENERIC NAME shall be shown separate from the product shot but within the same frame.

Examples of GENERIC NAME Rendition:
FOR ONE MOLECULE:

GENERIC NAME

BRAND NAME

Font size of the GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAME – 14 pts.

BRAND NAME – 13 pts.

FOR TWO OR MORE MOLECULES

MOLECULE 1
MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts.

MOLECULE 1 + MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts.

Advertisements showing two (2) or more products shall follow the same rules as stated above.

- **For Audio Advertisements whether recorded or live without reference to material length**

  - All Audio advertisements shall end with the following lines:
    - "GENERIC NAME is the generic name of BRAND NAME".
    - "If symptoms persist, consult your doctor."

  - In case of a promotion, the order of mention will be as follows:
    - Promo details (call to action, promo duration, promo permit number)
    - "**GENERIC NAME** is the generic name of BRAND NAME".
    - "If symptoms persist, consult your doctor."

- **For Static Advertisements on Print, OOH, Collaterals and Digital**

  - The GENERIC NAME shall be rendered inside a box and placed immediately the Brand Name.

  - The GENERIC NAME shall appear prominently larger than the Brand Name (if any), with prominence being clearly and distinctly readable by normal vision as may be determined by common visual sense. Moreover, the GENERIC NAME should

also be prominent over the other information on the same frame where the GENERIC NAME and Brand Name appear.

Examples of GENERIC NAME Rendition:

FOR ONE MOLECULE

GENERIC NAME

BRAND NAME

Font size of the GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAME – 14 pts.

BRAND NAME – 13 pts.

FOR TWO OR MORE MOLECULES

MOLECULE 1
MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts.

MOLECULE 1 + MOLECULE 2

BRAND NAME

Font size of each GENERIC NAME is bigger than the font size of the Brand Name.

Based on the above:
GENERIC NAMES – 14 pts.

BRAND NAME – 13 pts.

Advertisements showing two (2) or more products shall follow the same rules as stated above.

- **Guideline for Search Ads, Narrative Text, Articles in Print and Digital media:**

  When mentioning the OTC drug or Home Remedy product in a narrative text, the generic name shall immediately precede the brand name mention with the brand name rendered in parentheses and shall follow how it is mentioned in the CPR.

- **The complete GENERIC NAME as it appears in the CPR (Certificate of Product Registration) shall be used at all times, in all forms of advertisements and promotion.**

  A copy of the DOH A.O. 2016 – 008 (Revised Rules and Regulations Governing the Generic Labeling Requirements of Drug Products for Human Use) can be downloaded from the ASC website: www.asc.com.ph as reference.

  Examples include death or serious illness in a morbid manner.

• When a product, packaging, or label is shown in any advertisement, the product, packaging, or shall be the actual product, packaging, or label.	
• Advertisements of OTC drugs or HR products shall not describe or dramatize distress.	Refer to (DOH Administrative Order No.2015-0053).
• Generally, advertisements of OTC drugs or HR products shall carry the mandatory statement “If symptoms persist, consult your doctor.”	
• Advertisements on the benefits or use of OTC drugs or HR products shall be based on or be within the context of and consistent with the indications and information contained in the Product or Patient Information Leaflet (PIL) of said drugs or products as approved by the DOH-FDA.	
• Advertisements on the benefits or use of medical devices shall be based on or be within the context of and consistent with the indications and labelling of said products as approved by DOH-FDA.	
• Advertisements shall not depict consumers relying on or, otherwise, encourage reliance on medicines as a solution to emotional, psycho-social, or mood problems.	
• Advertisements of products designed to calm, sedate, or stimulate shall refer to the temporary symptomatic relief provided and shall include a recommendation that label directions be followed.	
• Advertisements shall not offer false hopes in the form of a cure or relief for the mentally, physically handicapped or physically challenged either on a temporary or permanent basis.	

Section 2: SPECIAL TERMINOLOGIES, ADVERTISING CLAIMS THAT ARE, GENERALLY, NOT ACCEPTABLE FOR OTC DRUGS OR HOME REMEDY PRODUCTS

PROVISION	IRR
• **Advertisements of OTC (Over-The-Counter) drugs or HR (Home Remedy) products, shall not contain any of the following claims:**	**Refer to ANNEX 5 for FDA letter on Generally Unacceptable OTC Advertising Claims.**
○ Claims that are considered as misleading, deceptive, or exaggerated.	Examples include: • Claims containing the words "true", "real" (e.g., "real relief for xx condition) • With special technology (e.g., this product has special technology to xx") • With special formulation of a generic product (e.g., "this product is the only one approved to xx") • Pure or 100% (e.g., this product is 100% pure xx") • Holistic or complete (e.g., this product provides complete protection; this product is all-in-one)
○ Claims that are false.	Examples include: • Outside of product's approved therapeutic condition (e.g., anti-aging) • Outside of its pharmacologic activity (e.g., fights off bacteria when the product is an anti-viral) • Product purports to have no or less adverse effect (e.g., no drowse when the product has a bit of drowsiness effect as part of its label)
○ Claims that are considered absolute.	Examples include: • Safe or safety-tested, clinically proven safe • Effective or effectivity such as, but not limited to effective pain relief, very effective) • Without risk • Harmless • Instant

	or terms of similar import
○ Claims of beauty, enhancement or any cosmetic-related benefit.	Examples include: • Beautiful, radiant skin • Glowing skin • Blemish free • Oil-free or terms of similar import
○ Claims by endorsement	Examples include: • Recommendations by doctors or personalities appearing as doctors • Recommendations by health institutions or associations like FDA recommended or approved)
• Advertisements shall not contain elements or claims communicating that a product or treatment will promote sexual virility, or be effective in treating sexual weakness, conditions associated with sexual excess or over-indulgence, or any ailment, illness, or disease associated with these habits, unless officially approved in writing by the DOH-FDA.	
• Over-The-Counter drugs or Home Remedy products shall not be directly or indirectly advertised as the answer to conditions of premature aging or loss of virility, unless officially so approved in writing by the DOH-FDA.	
• Advertisements shall not offer any product or treatment for slimming, weight reduction or figure control unless officially approved in writing by the DOH-FDA.	
• The word “tonic” when used in advertisements shall state clearly the specific purpose for which the tonic is to be used or taken and shall not claim nor imply treatment or results related to sexual potency, inadequacy, or the aging process.	

Section 3: MEDICAL PRACTITIONERS

PROVISION	IRR
• Advertisements of Over-The-Counter drugs, Home Remedy products, devices, treatments, or medical equipment with endorsements by a medical practitioner practicing in the Philippines shall be subject to the Code of Ethics of the generally-accepted organization of their profession and applicable laws and rules of their profession.	Refer to PMA Code of Ethics in Annex
• In any event, where allowed, such advertisements or endorsements shall state only the professional's name, address, office hours, and licensed area of practice or specialization. Specialization shall mean the particular field of practice for which the professional has the appropriate education, training, and expertise.	
• When endorsements, direct or implied, of Over-The-Counter drugs, Home Remedy products, devices, treatments, or medical equipment by a medical practitioner practicing in the Philippines is prohibited by the Code of Ethics of the generally-accepted organization of their profession and applicable laws, rules, and regulations of their profession, endorsements by actors portraying the medical practitioner shall not be allowed.	
• Unlicensed medical practitioners shall not be allowed to advertise their services.	
• No clinic or hospital shall be used or portrayed in advertisements without the knowledge of and the written permission from the clinic or hospital.	

Section 4: FOOD OR DIETARY SUPPLEMENTS

PROVISION	IRR
• All advertisements, promotions, or sponsorship activities or any material used, concerning Food or Dietary Supplements, are mandated to strictly carry the standard message "MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) AY HINDI GAMOT AT HINDI DAPAT GAMITING PANGGAMOT SA ANUMANG URI NG SAKIT."	All other provisions provided for in Administrative Order 2010-008 shall be strictly followed by Food or Dietary Supplement owners, manufacturers, distributors, importers, exporters, advertisers, or their agents. • **Moving Ads/Videos (Television, Cinema, Electronic Billboard, and Digital Videos)** o All frames shall have the standard message at the top portion of the frame, and font, size must be at least 1/3 of the size of the biggest font size in the entire material; using Arial or Tahoma font, in all caps and in white text over a black background. o Ensure readability by the naked eye of the standard message, which can be rendered in two (2) lines or follow the specifications provided in DOH-FDA AO 2010-008. o Must end with a separate frame containing the standard message following the specifications provided in DOH-FDA AO 2010-008. o The standard message shall be audibly voiced and enunciated, not sped up that it is no longer understandable. o For E-billboards, no voice-over is required but end frame containing the standard message must be exposed for at least two seconds.

- **Radio**

    - The standard message shall be said in the last part of the radio commercial and shall be audibly voiced over and enunciated, not sped up that is it no longer understandable.

a. 3. Print, OOH, Collaterals, and Digital Static Posts

- Standard message shall be at the top portion of the layout and the font size must be, at least, 1/3 the size of the biggest font sized element in the layout and shall be in all caps, using white Arial or Tahoma type, against black background.

- No claim shall be made in the advertisement, promotion, and other marketing materials in various media for use of any Food or Dietary Supplements which is not contained in the label or approved by the FDA. Nutrition claims should conform to CAC/GL 23-1997 (Guidelines for Use of Nutrition and Health Claims) and shall be duly approved by FDA Only FDA has the sole mandate of approving claims on labels or advertisements of health products including food or dietary supplements. Claims approved outside FDA are considered misbranded and will be subject for appropriate legal sanctions including revocation of Certificate of Product Registration.

- Advertisements of non-drug or non-DR registered products or similar products should not be presented in such a manner that negates the message of “MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) AY HINDI GAMOT AT HINDI DAPAT GAMITING PANGGAMOT SA ANUMANG URI NG SAKIT.”.

In addition to the abovementioned guidelines, the following claims type shall not be used in advertisements of Food or Dietary Supplements:

- Therapeutic claims

	• Claims like “help in sexual invigoration” or any claim that suggest that the product is a “sexual enhancer”, intimate pictures and images that show nudity • Safety-tested • Clinically proven and/or clinically safe • Claims that the product is holistic or complete • Claims of effectivity/effective and use of superlative claims • FDA Approved/Recommended or use of FDA name and logo • Food/Dietary Supplement should not be described as healthy • Beauty and Cosmetic purposes (e.g. Whitening, Slimming, Detox, Fit and Anti-Aging) • Claim of Potent/Potency • Claim of Stem cell • Claims that “promotes sleep” and with connection to sleep • “Box™ enclosing the product name • Use of “as prescribed by a Physician” • Claims that the product is “most prescribed by physicians” • “Under the tongue or sublingual” mode of administration • “Dose or Dosage™ • “Active Ingredient” or “Excipient and or other ingredients™ • Indications or Intended Use, e.g., suitable for all kinds of pain • Claims about Muscle building or repairing

Section 5. VITAMINS & MINERALS WITH DRUG REGISTRATION (DR), AND OTHER SIMILAR PRODUCTS WITH FOOD REGISTRATION (FR)

PROVISION	IRR
• Advertisements shall not state or imply that vitamins, minerals, or similar products alone can ensure or promote good health, e.g., mental alertness. Neither should advertisements state or imply that good health is likely to be endangered solely because people do not supplement their diet with vitamins, minerals, or similar products.	

• Advertisements of non-drug or non-DR products such as food or dietary supplements shall include the mandatory statement "MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) AY HINDI GAMOT AT HINDI DAPAT GAMITING PANGGAMOT SA ANUMANG URI NG SAKIT."	The mandatory statement "MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) AY GAMOT AT HINDI DAPAT GAMITING PANGGAMOT SA ANUMANG URI NG SAKIT." shall not apply to DR-registered products, including DR-registered vitamins that can make therapeutic claims based on their FDA-approved registration.
• The use of testimonials or endorsements portraying the product as a cure of, or relief from an ailment or medical condition that is not substantiated by clinically-based studies shall not be allowed.	
• The mandatory statement "If symptoms persist, consult your doctor." shall apply to advertisements of DOH-FDA registered Over-The-Counter drugs and Home Remedy products.	
• The mandatory statement "If symptoms persist, consult your doctor." shall not be required in advertisements of DR-registered vitamins unless the advertising material communicates the symptoms, illnesses, or diseases that the DR-registered brand can address and be consistent with the labeling or indication approved by DOH-FDA.	
• DR registered vitamin and mineral products communicating benefit claims shall always be qualified with "helps" together with "with proper diet and exercise" or its equivalent.	

Section 6. PROMOTIONS FOR PHARMACEUTICAL PRODUCTS AND OTHER FDA REGISTERED PRODUCTS

PROVISION	IRR
All FDA registered products conducting consumer promotions shall have the express written approval of the DOH-FDA through a promo permit and signed approved promo mechanics.	
• Advertisements for Over-the-Counter drugs, Home Remedies, medical devices, and treatment offering prizes, promotions,	

competitions, and additional rewards or benefits other than those which can be reasonably expected from the product's use, or otherwise involving any promotion, shall have the express written approval of the DOH-FDA.	
• An Over-The-Counter drug, Home Remedy product, medical device, or treatment shall not sed as a promotional item for any product or service without the express written approval of the DOH-FDA. This includes advertisements of pharmacies and drugstores on price-offs or combo packs.	

Section 7. ALCOHOL BEVERAGES

PROVISION	IRR
• **Basic principles**	
○ As an overriding principle, all advertisements of alcohol beverages shall be so designed to market products to persons of legal purchase age in a responsible and appropriate manner.	
○ Advertisements of alcohol beverages shall not incite or condone illegal behavior, excessive consumption, or undermine healthy lifestyles.	
• **Decency**	
○ Under no circumstances shall alcohol advertisements be unethical, offend against generally prevailing standards of taste and decency, or otherwise offend human dignity.	
○ National sensitivities around specific issues, be it due to societal or religious reasons, shall be respected. Issues around the portrayal of gender should be handled with care.	

• **Honesty**	
Alcohol advertisements shall be straightforward and upfront about the details and information about the alcohol product. It should not mislead consumers or create confusion about the nature (i.e., whether it is an alcohol or non-alcohol beverage) or the strength of an alcohol beverage.	
• **Social Responsibility**	
○ Advertisements shall portray alcohol products and drinkers in a responsible manner.	
○ Advertisements shall not promote excessive or heavy drinking nor shall it imply that the behavior of rapid drinking or binge-drinking is attractive or appropriate.	
○ Persons shall not be portrayed in a state of intoxication or in any way suggest that it is a socially acceptable behavior nor shall they promote the intoxicating effect of alcohol consumption. This includes using intoxication as a subject for amusement.	
○ Advertisements shall not imply that alcohol beverage consumption is a requirement for social acceptance.	
○ Advertisements for alcohol beverages shall not present abstinence in a negative light or imply that it is wrong or foolish to refuse a drink.	
○ Advertisements shall not promote that drinking enhances sexual prowess or appeal.	
○ Sexualized or otherwise indecent images shall not be used; particular care should be taken with regard to nudity. (Refer to Annex 3 Manual of Procedures for the Technical Guidelines	

for the Screening of Materials with Exposure of Human Body/Parts, Sexy Tones, Subject or Execution)	
○ The consumption of alcohol shall not be associated with abusive or violent relationships or situations. The depiction of violence, even from a cinematic and creative standpoint, must be given extra care in alcohol advertising.	
• **Safety and Health**	
○ Advertisements shall not depict activities or locations where drinking alcohol would be unsafe or unwise. In particular, no advertisement shall imply that the consumption of alcohol beverages is acceptable before or during any activity that for safety reasons requires a high degree of alertness or physical coordination, such as, but not limited to, the control of a motor vehicle, boat or machinery, or swimming.	
○ Advertisements with Sales promotions shall not encourage excessive or irresponsible consumption.	
○ Advertisements shall not encourage the choice of a particular alcohol beverage by emphasizing its alcohol strength (unless emphasis is placed on Alcohol Beverage's low alcohol strength relative to the typical strength for similar beverages) or the intoxicating effect of alcohol.	
○ Advertisements shall not claim that drinking alcohol beverage brings about medical medicinal, or therapeutic benefits such as sedating, tranquilizing, or stimulating effects nor does it provide alternative solution to personal or emotional problems.	
○ Advertisements shall not promote alcohol beverages as a medicine. Advertisements shall not imply that alcohol beverages have the ability to prevent, treat, or cure any human disease. Nor shall they create the impression that	

alcohol consumption enhances mental ability or physical performance, e.g., when engaging in sports. Advertisements must not promote alcohol beverages as “energy drinks”.	
○ Advertisements shall not position alcohol beverages as health drink or as a therapeutic drink such as: ▪ That they aid in maintaining or reducing weight ▪ Being part of an exercise or fitness regime ○ Advertisements of alcohol beverages shall not allow irresponsible or excessive consumption because of the products’ low alcohol, calorie, or carbohydrate content.	
○ Advertisements shall not, in any manner, represent or imply that drinking alcohol beverages and driving are safe and compatible activities.	
• **Children and Young People**	
○ Advertisements of alcohol beverages shall not primarily appeal to minors, i.e. making it more attractive to minors than to persons of legal purchase age. Therefore, advertisements shall avoid featuring settings, music, games, language, characters or personalities, or other pop culture triggers, that are primarily appealing to minors. This does not preclude advertisements directed to a wider adult audience that may have incidental or unintended appeal to persons under legal purchase age.	
○ Advertisements of alcohol beverages shall not show minors drinking alcohol beverages People shown in advertisements of alcohol beverages SHALL be at least 21 years old.	
○ Advertisements on promotions, prizes, or games linked to alcohol beverages, including those posted on digital media, shall not be open to minors.	

• **Digital and Interactive Media Marketing**	
○ All brand websites and other promotional activities of alcohol beverages on the internet shall ask for confirmation that those who use the site are of appropriate legal purchase age for alcohol beverages as prescribed by law.	
○ All brand websites of alcohol beverages shall contain a social responsibility statement and links to those social aspects' organizations, e.g., The Portman Group and The Century Council.	
• **Others**	
○ Advertisements for alcohol beverages shall not depict the act of drinking such as the liquid entering the mouth or being swallowed.	
○ Alcohol beverage advertisements shall prominently carry the mandatory statement "DRINK RESPONSIBLY" in a separate frame at the end of the video or audio material or at the bottom of a static material.	
○ All alcohol beverages conducting consumer promotions must have the express written approval of the DOH-FDA	

Section 8: Promotional Advertisements of Airline, Shipping Lines and Other Transport Services

PROVISION	IRR
All promotional advertisements of transport services shall have the express written approval of the DTI.	

Section 9: Milk Under the Milk Code

PROVISION	IRR
Advertisement for Milk products intended for children below 3 years of age shall follow BFAD BUREAU CIRCULAR NO. 15, S. 2004, August 02, 2004.	• Advertisements of Milk Products for children older than 1 year but younger than 3 years shall only communicate any or all the following: ○ SKUs ○ Price ○ Pack and Name Change • No Milk Product advertisement shall be allowed for children below 1 year. Refer to Annex – for a full copy of BFAD BUREAU CIRCULAR NO. 15, S. 2004, August 02, 2004.

ARTICLE VIII – SPECIAL PRODUCTS AND SERVICES

Section 1: BANKING AND OTHER FINANCIAL SERVICES

PROVISION	IRR
• Advertisements for financial services such as banks, credit cards, insurance, lending, investing, pawnshops, foreign currency exchange, money remittance and other similar financial institutions shall comply with applicable rules, regulations, and circulars of the Bangko Sentral ng Pilipinas (BSP), the Philippine Deposit Insurance Corporation (PDIC), the Insurance Commission, the Securities and Exchange Commission (SEC), and other appropriate government agencies.	Refer to Annex – showing BSP Circular No. 857, Series of 2014 for more details on rules and regulations on Banking and Other Financial Services Advertisements.
• Such advertisements shall contain a sufficiently clear, concise, and complete statement of all the material terms and conditions of the offered financial product, transaction, or service so that	

the consumer is fairly apprised of the total consideration for and the essential nature of the product, transaction, or service.	
• For deposits and investment products, any mention of interest rates or yields shall state if it is guaranteed or not, to avoid misleading the public and shall state the risk it may entail, if any.	
• Where other specific details that could influence the consumer's decision are not stated, the advertisement shall indicate this and the manner in which complete information may be obtained. For this purpose, the advertisement may use a statement such as "For other important details and information, please contact or see..."	
• Advertising and promotional materials shall disclose the fact that it is a regulated or supervised entity, whichever is applicable by law, and that the name and contact details of the regulator are indicated.	
• Advertisements of banks and credit cards shall carry the mandatory statement: "Regulated by the Bangko Sentral ng Pilipinas". Advertisements of non-bank and non-credit card financial institutions like pawnshops, money remittances, e-wallets, and the like, shall carry the mandatory statement: "Supervised by the Bangko Sentral ng Pilipinas."	

Section 2. CHARITABLE INSTITUTION ADVERTISEMENTS

PROVISION	IRR
Advertisements involving charitable causes such as beneficiaries should indicate the particular beneficiary.	

Section 3: CIGARETTES, TOBACCO PRODUCTS, VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS

PROVISION	IRR
• Advertisements involving charitable causes such as beneficiaries should indicate the particular beneficiary.	• Advertisements shall always carry the mandatory line "*GOVERNMENT WARNING: Cigarette Smoking is Dangerous to Your Health."* • Advertisements shall be aimed at persons above 18 years old. Refer to Annex – for the Tobacco Regulation Act of 2003
• Advertisements for Vaporized Nicotine and Non-Nicotine Products shall follow the rules and regulations of RA 11900.	• Advertisements of Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products and other forms of consumer communication shall be allowed in point-of-sale, or retail establishments, through digital marketing, and on the internet, provided that the following guidelines shall apply: ○ These shall not be targeted to or particularly appeal to persons under eighteen (18) years of age. Markings or characters that are likely to appeal to the youth such as the use of cartoons, anime, manga, animated characters, youth influencers, personalities, and the like are prohibited. ○ Advertisements shall contain the following health warning: **"Government warning: This product is harmful and contains nicotine which is a highly addictive substance. This is for use only by adults and is not recommended for use by non-smokers."** ○ Advertisements shall not feature a minor or a celebrity or contain an endorsement, implied or express, by a celebrity. Manufacturers, importers, or sellers, in their product advertisements are prohibited from contracting

	celebrities or health professionals to promote or encourage the use of Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products. ○ Any post, messages, or images by manufacturers, importers, retailers, or distributors depicting vaping or the use of Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products for non-smokers or minor, or the purchase or use of Vaporized Nicotine and Non-Nicotine Products, or the use of Novel Tobacco Products, trademarks, brand name, designs or manufacturer's names as a lifestyle targeted at minors shall be prohibited. ○ Advertisements should not undermine "Quit Smoking" messages and shall not encourage non-tobacco or non-nicotine users to use Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products. ○ Advertisements shall not contain information that is false, or not scientifically substantiated, particularly with regard to product statements, characteristics, health effects, risks or emissions consistent with Section 18 of RA 11900 and Rule X of the IRR. ○ Product testing or demonstration shall be allowed in locations that sell Vaporized Nicotine and Non-Nicotine Products or their devices, or Novel Tobacco Products. ○ Online advertisements on e-commerce platforms shall only be visible after the appropriate age verification measures under RA 11900 and its IRR. ○ No Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products advertisements may be placed on objects or places outside the premises of point-of-sale

such as, but not limited to, vehicles of any kind, billboards, posters, and streamers.

- The sale of Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products that are packaged, labeled, presented or marketed with flavor descriptors that are proven to unduly appeal to minors shall be prohibited. A flavor descriptor is presumed to unduly appeal to minors if it includes a reference to a fruit, candy brand, dessert, or cartoon character.

- No Vaporized Nicotine and Non-Nicotine Product, or Novel Tobacco Products shall have a medicinal or therapeutic claim on its marketing materials or packaging unless such claim is approved by the FDA pursuant to RA 9711 or the "Food and Drug Administration (FDA) Act of 2009". No Vaporized Nicotine and Non-Nicotine Product, or Novel Tobacco Product shall have an explicit reduced risk statement unless authorized by the FDA pursuant to the implementing rules and regulations under Section 24 of RA 11900.

- These restrictions apply to commercial communications only and shall not prevent a company from providing information regarding its company, its products and other non-promotional information on Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products.

- Advertisements to consumers about promotional events for and Vaporized Nicotine Non-Nicotine Products, or Novel Tobacco Products shall comply with the provisions of RA 11900 and its IRR governing Vaporized Nicotine and Non-Nicotine Product, or Novel Tobacco Product advertising. In addition to the required health warning, the age requirement for participation in any promotional

activity shall be clearly marked on the program materials distributed to consumers.

- No product promotional placement or advertisement shall be made by any manufacturer, distributor, or retailer of any and Vaporized Nicotine, Non-Nicotine Product, or Novel Tobacco Product package including use of product, in any manner, in a video game or in any television program or motion picture authorized by regulatory agencies concerned for viewing by the general public.

- No promotional merchandize, such as, but not limited to, t-shirts, caps, sweatshirts, visors, backpacks, sunglasses, writing implements and umbrellas, may be distributed, sold or offered, directly or indirectly, with the name, logo, or other indicia of a Vaporized Nicotine and Non-Nicotine Product, or Novel Tobacco Product brand so as to be visible to others when worn or used.

- No name, logo, or other indicia of Vaporized Nicotine and Non-Nicotine Product, or Novel Tobacco Product brand may appear on a promotional merchandize or element of a brand-related marketing activity that is marketed to or likely to be used by minors such as, but not limited to, sports equipment, toys, dolls, video games, and food. The manufacturer or company must take all available measures to prevent third parties from using the company's brand logos, or other proprietary symbol on products that are directed towards minors.

- No advertisements for Vaporized Nicotine and Non-Nicotine Products, or Novel Tobacco Products may be placed on shopping bags.

Refer to Annex – for the full copy of RA 11900.

Section 4: COSMETICS CLAIMS GUIDELINES

PROVISION	IRR
• Composition of cosmetics The product shall contain only ingredients that comply with the annexes of ASEAN Cosmetic Directive (ACD), and does not contain ingredients that are banned in the ACD.	
• Target site of application of cosmetics The product shall be intended to be placed in contact with the various external parts of the human body (epidermis, hair system, nails, lips, and external genital organs) or with the teethand the mucous membranes of the oral cavity. Products that are intended to be ingested, injected, or placed in contact with other parts of the human body e.g., the mucous membranes of the nasal passage or the internal genitalia cannotbe considered to be cosmetic products.	
• Intended main function of cosmetics The product shall be applied to the permitted parts of the human body with a view exclusively or mainly to clean them, perfuming them, changing their appearance, correcting body odors, protecting them, or keeping them in good condition.	
• Product presentation of cosmetics The product shall not be presented as treating or preventing disease in human beings. The following features of the product shall be taken into account:	Cosmetic benefit claims shall always be qualified with any or all of the following depending on the claim: • helps • with regular use • in as fast as • in as early as

○ Product claims and the context in which the claims are made ○ Labeling and packaging/packaging inserts (including graphics) ○ Promotional literature, including testimonials and literature issued by third parties on behalf of the supplier ○ Advertisements ○ The product form and the way it is to be used e.g., capsule, tablet, injection, etc. ○ Particular target of the marketing information e.g., specific population groups with, or ○ particularly vulnerable to, specific diseases of adverse conditions.	• results may vary • reduces (instead of takes out) • less (instead of without)
• Physiological effects of cosmetics Every product that has an effect on the functioning of the body also has an effect on its metabolism. Cosmetic products typically have effects that are not permanent, and have to be used regularly to maintain their effects.	
• As a first point of guidance, claims that can be reasonably expected for product types given in the Illustrative List of Cosmetic Products (Annex 1 ACD) can be considered to be cosmetic in nature.	
• Advertisements for cosmetic products shall not contain claims that are unacceptable.	Following are examples, but is not the exhaustive list, of unacceptable cosmetic claims: **PRODUCT TYPE** — **UNACCEPTABLE CLAIM** **Haircare Products** • Eliminates dandruff permanently • Restores hair cells • Hair loss can be arrested or reversed

		• Stimulates hair growth
	Depilatories	• Stops, retards or prevents hair growth
	Nail Products	• Reference to growth resulting from nourishment
	Skin Products	• Prevents, reduces, or reverses the physiological changes and degeneration conditions brought about by aging • Removes scars • Numbing effect • Prevents, heals, treats or stops acne • Treatment of cellulite • Lose centimeters • Reduces, Controls swelling, oedema • Removes or burns fat • Fungicidal action • Virucidal action
	Oral or Dental Hygiene Products	• Treatment or prevention of dental abscess, gumboils, inflammation, mouth ulcers, periodontitis, pyorrhea, periodontal disease, stomatitis, thrush, or any oral diseases or infection • Whitens tetracycline induced stains
	Deodorants and Anti-perspirants	• Completely prevents sweating or perspiration
	Perfumes, Fragrances or Colognes	• Aphrodisiac or hormonal attraction

Section 5: DO-IT-YOURSELF (DIY) PRODUCTS THAT REQUIRE ASSEMBLING

PROVISION	IRR
All Do-It-Yourself (DIY) products, which require assembling, shall state this clearly and prominently in their advertisements.	

Section 6: EDUCATIONAL OR TRAINING INSTITUTIONS

PROVISION	IRR
All Do-It-Yourself (DIY) products, which require assembling, shall state this clearly and prominently in their advertisements.	

Section 7: GAMING (BETTING)

PROVISION	IRR
• Advertisements placed in any platform shall be socially responsible and in accordance with the law.	
• Advertisements shall not portray, encourage, or condone gambling behavior that is socially irresponsible or could lead to financial harm, be directed at children, or feature people who are or who appear to be under 21 years old, or suggest that gambling can be a solution to financial problems.	
• Advertisements shall not be directed to persons below 21 years old or shall neither catch the attention nor give interest to viewing minors.	
• Advertisements shall not imply that a player's skill can influence the outcome of a gaming activity.	

• Advertisements shall not encourage the thought that skill and talent can change the result of the game or can ensure a win.	
• Advertisements shall not give an impression that gaming is an accepted way to make money or solve financial problems.	
• Advertisements shall promote that gaming is more on entertainment, fun and leisure, and not a money-making activity.	
• Advertisements shall not include misleading statements about odds and prizes.	
• Advertisements shall not ensure winnings or prizes if not guaranteed.	

Section 8: HOUSING AND LAND USE FOR RESIDENTIAL, COMMERCIAL, MEMORIAL LOTS, CONDOMINIUM UNITS, ETC.

PROVISION	IRR
• Definition of Terms	
○ "Advertisement" refers to any form of information, whether in words or illustrations, to a project, its operations or activities, disseminated, or communicated for the purpose of marketing and selling the project, or any lot, including any building or improvement thereon, or any unit thereof, through any of the various media such as, but not limited to, newspapers, magazines, television, radio, billboards and tarpaulins, brochures, leaflets, flyers, digital and electronic signages and communications, scale models, or through buyers' briefings, seminars, or trippings. ○ "Announcement" refers to any form of information, whether in words or illustrations, disseminated or communicated in the same manner as an advertisement, solely for the purpose	

of initially informing or notifying the public about a project but not for the purpose of marketing or selling such project, or any lot, including any building or improvement thereon, or any unit thereof.	
• All "advertisements" shall be subject to both the DHSUD Implementing Rules and Regulations and the ASC Code of Ethics and Standards. "Announcements", however, shall not be required to go through the DHSUD approval process as per DHSUD guidelines.	
• An Approval for Advertisement from DHSUD shall be secured before submitting advertising material for ASC review.	
• All broadcast, cinema and digital video advertisements shall include or indicate material facts and information so as to fairly inform the public about a project. The advertisement shall include: ○ The name of the owner or developer of the project, ○ The location of the project including the name of the barangay and city or municipality, ○ The License to Sell or Amended License to Sell number and date of Issue.	
• Advertisements on print, out-of-home, or static digital shall include or indicate material facts and information so as to fairly inform the public about a project. The advertisement shall include: ○ The name of the owner or developer of the project, ○ The exact location of the project including street name, barangay, city or municipality, ○ The License to Sell or Amended License to Sell Number ○ The Advertisement Approval Number	

○ The approved project completion date as indicated in the License to Sell ○ The maximum selling price in case of economic and socialized housing projects Any printed advertisement that includes the names or offices of the dealer or any of the project's authorized real estate agents, brokers shall, likewise, indicate their corresponding DHSUD registration numbers.	
• Any picture or illustration of the project, or any of its features, facilities, or amenities that may be included or depicted in the advertisement shall be captioned as "actual photographs", "architect's perspective", "artist's illustrations", or such similar captions, as the case may be.	
• No mode or manner of payment and financing, including the amount of reservation fee, initial deposit or down payment, required equity, installment plans, schedule and escalation, and discounts and interest rates shall be included in an advertisement unless the complete payment and financing scheme is fully disclosed in the advertisement and in accordance with the terms and conditions stipulated in the purchase reservation, contract to sell, or any other form or document relating to, or which may be used in the sale of the lots, including any building or improvement thereon, any units of the project, or in the sale of privileges connected with the project.	
• The location and distance of a project shall be stated in a manner that will not tend to mislead the public or prospective buyers of its proximity, accessibility, and value. Any statement of the project's location and distance in relation to a known place or landmark shall be expressed in terms of kilometers, and any vicinity map illustrating such proximity to known places or landmarks shall similarly indicate such distance or distances in terms of kilometers.	

• All representation and description in the advertisement pertaining to the project's designs and standards, amenities, facilities, infrastructures and improvements, and its period of development and completion must strictly conform with the project's approved site development plans, architectural plans, and work programs. Only such amenities and improvements specified in the approved site development and architectural plans of the project may be included or illustrated in the advertisement. Otherwise, the owner or developer shall be liable in accordance with the DSHUD guidelines.	
• Any announcement that may be disseminated by the owner or developer prior to the issuance of the project's License to Sell shall not include the office address or contact numbers or information of the owner, developer or dealer or the names and office address or contact numbers of any of the project's authorized agents or brokers. In addition, an announcement shall not include any other information or statement which directly or indirectly conveys or suggests the sale or marketing of any of the lots, including any building or improvement thereon, or any of the units of a project.	
• The following statements or information shall not be included in any advertisement: ○ Disclaimers ○ Any other or future projects or developments not covered by the License to Sell stated therein, unless such other or future projects are included in a cluster development as provided under Section 15 of the HLURB Memorandum Circular No. 01, Series of 2015 ○ Exaggerations or misleading information either by text, illustration, or pictures	
• In case of an advertisement of a project or projects included in a cluster development, the other projects, developments, and	

infrastructures included in the project's master plan shall be indicated in the advertisement. However, such advertisement shall clearly specify which of those projects are already covered by licenses to sell.	

Section 9: TELECOMMUNICATION PRODUCTS AND SERVICES

PROVISION	IRR
Only telecommunication products and services that are authorized by the National Telecommunications Commission (NTC) and other proper regulatory government agencies concerned are allowed to be marketed or advertised.	Refer to Annex -- for the NTC Memorandum issued February 17, 2016 on specific guidelines for all public telecommunications services advertising and promotions.
• Advertisements shall conform with the appropriate rules and regulations of the regulatory agency.	
• Both NTC and DTI permits shall be submitted as support for price, rates and promo advertising for telco promotions.	
• The National Telecommunications Commission (NTC) is the authorized agency to do speed test. Advertisements with speed claims shall submit substantiation conducted by the NTC or an organization recognized by the NTC.	

Section 10: VETERINARY AND AGROCHEMICAL PRODUCTS

PROVISION	IRR
In addition to the requirements of this Code, advertisements of veterinary and agrochemical products, particularly fertilizers and pesticides, shall be governed by and shall comply with the specific advertising guidelines set out by the Food and Agriculture Organization (FAO) Code of Ethics as well as all rules and regulations issued by	Following provisions of DOH A.O. 111-d Series of 1991 state that: • All therapeutic claims for veterinary drugs and products made in Advertisements shall be based on adequate scientific, pharmacological, technical and clinical evidence, responsible

appropriate governmental agencies like the Bureau of Animal Industry (BAI) and Philippine Fertilizer Authority.	veterinary medical opinion or long experience demonstrating their safety, efficacy and therapeutic value, and shall be within their therapeutic indications approved by the FDA or the BAI. • Veterinary drugs and products classified by FDA or BAI as Prescription or Ethical Drugs can be advertised or promoted in any form of mass media provided a veterinarian should be prescribing the veterinary drugs and products. This form of advertisement shall be only for a period of one (1) year or until such time that there shall be satisfactory veterinary services in the rural areas certified by the Philippine Veterinary Medical Association (PVMA) or the Veterinary Practitioners Association of the Philippines (VPAP).

ARTICLE IX - PRICE ADVERTISING

Section 1: GENERAL PROVISIONS

PROVISION	IRR
• All price comparisons shall conform to Rule IV (Price Advertising), Chapter VI, Title III of the Department of Trade and Industry's D.A.O. No. 2, s.1993.	
• Advertisements shall not contain misleading, exaggerated, or fictitious price comparisons, discounts, or other claimed savings. All indicated prices and other economic terms shall be complete and accurate and shall not mislead the public by distortion, omission, or undue emphasis.	
• Price and purchase terms shall be clear and complete. When there are parts or accessories that the consumer might reasonably think to be part of the original sale but are available only at an extra cost or for further consideration, such shall be clearly indicated.	

• Advertisements showing a permanent price reduction or price rollback while also showing the original price may be used in advertisements only for a period of one (1) year from the time the reduction or price rollback has been introduced in the market. However, there is no time frame for the mere mention of a product price as long as there is no reference to a previous price or a price reduction.	
• Advertisements that mention the price shall have the label Suggested Retail Price or SRP beside the price.	

Section 2: DISCOUNT OR SPECIAL PRICE

PROVISION	IRR
• Advertisements relating to a discount price shall not be allowed unless the discounted price is compared to the previous price and the discount price is maintained throughout the promotional period advertised.	
• Promotions for discounts and special sales shall comply with applicable government rules, regulations, and the terms and conditions of the promotion as approved by the government regulatory agency such as, but not limited to, DTI, DOH-FDA, NTC, CAB, HLURB, etc.	
• Advertisements for special sales shall conform to applicable government regulations. In any case, such advertisements shall not contain false or misleading price or savings claims and shall specify which store, branch, department, and lines of goods are covered by the sale.	
• Where special prices, promotions, discount, sales, and the like are applicable only in specific geographical areas, stores or outlets,	

such information or qualification shall be contained clearly and be prominently presented in the advertisement.	

Section 3: INSTALLMENTS, LEASE-PURCHASE, ETC.

PROVISION	IRR
• Offers for sale on installments, lease-purchase arrangements, or other similar pricing mechanism shall be clearly presented and shall show the complete terms and conditions of the offer. The total consideration that is to be paid by the public, including any charges or extra fees, if any, must be clearly presented.	
• Advertisements for installment sales, lease-purchase, and other similar transactions (including those where the consideration for the product or service is to be paid over a period of time) which makes any reference to prices or terms shall likewise provide all pertinent information on terms of payment, additional charges, if any, and all other economic or financial features of the transaction so as to reflect the total cost or consideration for the goods or services being advertised.	

ARTICLE X – SALES PROMOTIONS

Section 1: GENERAL DEFINITION OF SALES PROMOTIONS

PROVISION	IRR
SALES PROMOTION means:	
• Techniques intended for broad consumer or sales outlet participation that contain promises of gain such as prizes, in cash or in kind, as reward for the purchase of a product, security, service or winning in contest, game, tournament, and other similar competitions which involve determination of winners and	

which utilize media or other forms of communication to disseminate information on the same.	
• It also means techniques purely intended to increase the sales, patronage, or goodwill of a product or service. As contrasted with advertisement, a sales promotion campaign is conducted within a limited period of time with the principal objective of radically increasing the sale or patronage of the product, service, or credit under promotion or improving its goodwill or image within the period of the promotion. The fact that a sales promotions campaign is addressed to a particular class or sector of the public shall not remove it from the ambit of the term "broad consumer and sales participation."	

Section 2: CONTESTS & PROMOTIONS

PROVISION	IRR
• Advertisements of contests or competitions shall conform to the regulations of the appropriate government agency.	
• Advertisements in the form of, or with contests and promotions offering prizes, additional rewards, or benefits for the purchase of a product or service shall have prior written approval of the appropriate government regulatory agency, e.g., Department of Trade and Industry (DTI), Department of Health – Food and Drug Administration (DOH-FDA), Department of Agriculture (DA), National Telecommunications Commission (NTC), Civil Aeronautics Board (CAB), and Gaming Licensing and Development Department (GLDD) of Philippine Amusement and Gaming Corporation (PAGCOR), and other government agencies, as appropriate.	

• Advertisements of contests or competitions shall clearly state that winning is not certain or assured unless clearly stated in the approved mechanics	

Section 3: PRINCIPLES GOVERNING SALES PROMOTIONS

PROVISION	IRR
• All sales promotions shall deal fairly and honorably with consumers and other beneficiaries.	
• All sales promotions shall be so designed and conducted as to avoid causing justifiable disappointment or giving any other grounds for reasonable complaint.	
• The terms and conduct of all sales promotions shall be equitable to all participants.	
• All sales promotions shall be framed in a way which is fair to competitors and other traders in the market.	
• No promoter, intermediary, or other people involved shall do anything likely to bring sales promotions into disrepute.	

Section 4: TERMS AND CONDITIONS OF CONTESTS OR PROMOTIONS

PROVISION	IRR
• Sales Promotions shall be presented in such a way as to ensure that beneficiaries are made aware, before making a purchase, of any condition likely to affect their decision to purchase.	Sales Promotion presentations shall include: • Clear instructions on the method of obtaining or participating in the promotion • Main characteristics of the additional benefits offered

	• Any restriction on participation, availability of additional benefits, or any other limitation on stocks • The value of any voucher or coupon offered where a monetary alternative is available • Any expenditure involved, including taxes, costs of shipping and handling, and terms of payment • Full name and address of promoter and an address to which complaints can be directed.
• The word "free" or words of similar meaning shall be used in promotional advertising only under the following conditions: ○ The normal or regular price of the product or service being purchased has not been increased. ○ The "free" item is not integral or necessary part of a complete unit that is being sold. ○ The "free" item provides a value to the consumer in addition to the original product or service, e.g., accessories, premiums, extra product, extra weight, or extra volume.	
• Where a sales promotion includes a prize promotion, the following information shall be given to beneficiaries, or at least made available on request prior to participation and not conditional to purchasing the product: ○ Rules governing eligibility to participate ○ Any costs associated with participation ○ The number, value, and nature of prizes to be awarded and whether a cash alternative may be substituted for a prize ○ In the case of a skill contest, the nature of contest and criteria for judging entries or participants ○ Selection procedure for the awarding of prizes ○ Closing date of competition ○ When and how results will become available or when and how winners will be announced	

○ Whether the beneficiary may be liable to pay taxes as a result of winning a prize ○ Time period within which the prize may be collected ○ Where a jury is involved, the composition of the jury ○ Any intention to use winners or winning contributions in post-event activities ○ If no details or conditions are announced, the advertisement shall also state how and where the purchaser may obtain full details of the rules, e.g., "See posters and print ads for details."	
• The word "win" or words of similar meaning may not be used without qualification, e.g., use of the word "chance", or as a categorical claim to imply a certainty of winning unless justified by the mechanics of the promotion.	
• Specific prizes, which can be won by a single individual, shall be made clear and the total value of the prizes may be used only if plainly described as the aggregate value of several prizes.	
• Advertisements of raffles, contests, or competitions, which offer prizes shall state all the material conditions or participation. However, if incomplete or no details or conditions are announced, the advertisement shall also state how and where the purchaser may obtain full details of the rules.	Examples of statement of full details are: • "See poster or print ads for details" • "Log onto xxx for more details"

Section 5: GUARANTEES AND WARRANTIES

PROVISION	IRR
• Advertisements with "guarantees" or "warranties" shall clearly and conspicuously disclose the nature, value, extent, and duration of a guarantee or warranty.	

Section 6: PRINCIPLES GOVERNING HERITAGE ADS

PROVISION	IRR
• In establishing a company's years of existence, SEC, historical books, official receipts, published articles, or other similar documents are required as support. For products or brands, a certification will suffice signed by the company's president or CEO.	

ASC STANDARD MANUAL OF PROCEDURES

RULE I. STATEMENT OF GENERAL PRINCIPLES

The Ad Standards Council (ASC), as a matter of policy, shall be guided by the Laws of the Land related to advertising and marketing communications. It encourages amicable resolution of advertising content issues and concerns by both member and non-member practitioners and provides a non-judicial venue by which disputes and concerns are settled or resolved.

The overriding principles that guide the adherence to the ASC rules to which all practitioners subscribe are:

1. The advertising industry is best served by espousing self-regulation across all sectors.
2. The paramount consideration is consumer interest.
3. Content regulation serves to safeguard truth in advertising.

In the interest of dynamism, continued relevance, and service to the industry, the ASC rules are updated from time to time by competent and seasoned practitioners belonging to the three sectors. The three sectors are Advertiser, Ad Agency, and Media, represented by ASC member-associations, namely: PANA (Philippine Association of National Advertisers), 4AsP (Association of Accredited Advertising Agencies of the Philippines), KBP (Kapisanan ng mga Brodkaster ng Pilipinas), MSAP (Media Specialists Association of the Philippines), IMMAP (Internet and Mobile Marketing Association of the Philippines), UPMG (United Print Media Group) and OHAAP (Out-of-Home Advertising Association of the Philippines).

RULE II. GENERAL RULES

Section 1: Review Guidelines

In all procedures affecting advertising content, the ASC shall be guided by:

1. Laws of the Land including IRRs, Circulars, Administrative Orders, Memorandum Orders of various government agencies or bureaus, such as, but not limited to BSP, CAB, DA, DILG, DOLE, DTI, FDA, NHCP, HLURB, Insurance Commission, MTRCB, NMIS, NTC, PFA
2. ASC Code of Ethics and Standards
3. ASC precedents on cases related to content and procedures

Section 2: Functions of the ASC

1. Screening of advertisements
2. Hearing and resolution of disputes on advertising content and procedures

The ASC's mandate is to protect consumers from untruthful, misleading, and offensive advertising. The ASC concerns itself with advertising **content**, **not intent**, in reviewing a material or case.

Section 3: Materials Covered by the ASC Code of Ethics and Standards

1. ASC covers all types of Advertisements across all media platforms.

[Definition of BOTH "ADVERTISEMENT", "ADVERTISING" (n), "ADVERTISING (adj). are now moved to GLOSSARY.]

2. In determining whether or not a material is an advertisement, the following shall also be considered:

2.1 If the material carries brand cues and identification
2.2 If airing time, publication, display, posting, or feature of the material has been paid for, whether in cash or in kind, or as part of a total package resulting from the Ad Agency's or Advertiser's transaction, regardless of time or frequency of airing/ publication/ display or posting.
2.3 If material contains a claim on the pack or label, that is readable or is specifically highlighted.

3. These materials regardless of medium used or implemented in, are subject to mandatory pre screening:

3.1 Categories subject to mandatory pre-screening (Mandatory Categories):

a. Over-the-Counter (OTC) Drugs and Home Remedy (HR) products
b. Food or Dietary Supplements
c. Products, brands, services covered by the Milk Code, Implementing Rules and Regulations of the Milk Code, such us but not limited to, Infant and Follow-On formula, feeding bottles, bottle nipples, teats/pacifiers, etc.
d. Alcohol Beverages in compliance with WHO directive and as agreed with alcohol beverage companies in 2010
e. Contraceptive devices and method

3.2 Claims subject to mandatory pre-screening (Mandatory Claims):

a. No. 1 or Leadership claim
b. Absolute claim
c. Comparative claim
d. Exclusivity claim
e. Superiority claim

3.2.1 **All** Ads for sales promotions requiring approval from government agencies such as DTI, FDA, CAB, NMIS, NTC, etc. should be pre-screened with ASC.

3.2.2 **Direct or brand-identified comparisons on categories where such comparisons are allowed:**

a. Automotive's Vehicles excluding Automotive Products
b. Consumer durables like Appliances, Audio-Visual Equipment, Electronic Gadgets
c. Airline and Shipping Line
d. Musical instruments, Entertainment Equipment
e. Mobile products like Cellular handsets, Tablets, Laptops, and Netbooks

3.2.3 **Sexy tones, exposure of sensitive parts of the human body, similar subjects, or executions**

3.2.4 **Tones of violence or similar subject or execution** such as, but are not limited to, explosives and other dangerous products

3.3 Types of Advertisements

3.3.1 **TV AND RADIO MATERIALS**

Except when required otherwise, TV and Radio materials shall be pre-screened. These are ads shown or aired on television or radio, whether free-to-air, cable or subscription whether national or local. These include among others:

a. TVCs and RCs, including edit-downs, edit-ups, translations, infomercials, tele-marketing, and other similar advertisements
b. Interstitials, Lower Screen Graphics (LSGs), Crawlers, Lower Thirds, TV program buys such as sponsorships, segments or portion buys, casual plugs, time checks, and similar ads, whether live or pre-taped or pre-recorded, segments which show products within program
c. TV and Radio Announcer-on-Board (AOBs), OBB or CBBs, End Tags
d. Jingles, branded songs including edits, translations
e. TV and radio time checks, teasers, countdowns, and similar materials with brand claims

3.3.2 TV and Radio materials of local products, brands, or services, manufactured, sold, distributed, or offered within a limited geographical area such as a province, city or town, and outside of Mega Manila are generally post-screened except for mandatory categories.

3.3.3 **CINEMA ADS** are those for airing or exhibition in indoor or outdoor theaters and shall be pre-screened.

3.3.4 **DIGITAL AND MOBILE ADS**

Digital, Social media, and Mobile ads are ads including but not limited to, static ads, branded articles, SMS, MMS, e-blasts, which are shown or posted in digital, social media and mobile platforms including corporate websites accessible to the public.

Generally, Digital, and Mobile ads need not be cleared prior to implementation.

However, if they fall under any of the conditions set under Sect.3.3, ASC clearance shall be required.

The ASC Reference Code in digital ads or material shall be placed on the material or caption, where applicable.

3.3.5 OUT-OF-HOME (OOH) ADS

Out-of-home (OOH) ads are essentially all types of advertising experienced outside of the home and are intended to reach the general public, except those that you see using mobile devices and traditional broadcast.

Inclusion of ASC Reference Code is mandatory for Out-of-Home ad or materials.

Types of Out of Home Materials:

1. **Billboards, Transit Ads, Street signs and furnitures, Banners**
   including photographic and electronic billboards and electronic message boards.

   Outdoor materials also include transit ads, street furniture or fixture, e.g., sheds, walkways, garbage bins, street signs, lamp posts, lighted ad signage, blimp ads, pylons, etc., etc., and which are exposed to the general public. There is no limit to shape and size of out-of-home advertising material.

   They are subject to mandatory pre-screening prior to production and securing of Clearance to Display is required prior to installation or display.

   Exceptions to mandatory pre-screening are Outdoor materials such as store signages or building signs that do not contain claims, and materials that contain only IPO-registered trademarks, brand or corporate names.

2. **Trade & On-Premise Collaterals**

   Are generally post-screened. These are the materials in retail trade, malls, restaurants, hotels, and other public channels such as Point-of-Sale Materials (POSMs) or Point-of-Purchase (POPs) materials, product demos or spiels, in-store audio-visual broadcast, and similar on-premise materials that include, streamers, posters, shelf talkers, wobblers, tent cards, price cards, flyers, headers, inserts, brochures, and other on-premise materials subject to pre-screening if they fall under the Mandatory categories or have any of the Mandatory claims.

3. Activation Materials

Are generally post-screened as these are used in special events and have a limited period of exposure and audience. However, they shall be subject to pre-screening if they fall under the Mandatory categories or have any of the Mandatory claims.

3.3.6 PRINT ADS

Print Ads are those that are published in broadsheets, tabloids, magazines, journals, and other printed publications, whether national or local in circulation, such as:

a. Regular or creative print advertisements, false covers, ear ads, foot ads, band ads, etc.
b. Ads in Supplements, advertorials, press releases, and the like, press releases not subject to editorial review.

Generally, print advertisements are not required to be cleared prior to implementation. - However, if they fall under any of the conditions set under Sect.3.3, ASC clearance shall be required.

Section 4: Application of an Ad Material for Use Across different Platforms :

Below is a tabular presentation of the types of materials and platforms -

MOVING	STATIC	AUDIO
• TV Ads (including OBBs/ CBBs/ End Tags)/ Portion Buy/s • Digital Videos (including GIFs, etc.) • E-OOH moving ads • Cinema • Collateral Moving Ads	• Digital Static Ads (including Display Ads/Banner Ads/Search Ads/ Electronic Direct Mail, Native Ads, Sponsored or Paid Blog Posts, etc.) • Print Ads • OOH Static Ads • Collateral Static Ads	AUDIO ADS • Radio Ads (including live or recorded AOB/DJ spiel) • Digital Audio (ex.Spotify)

- Multi-Media Ad – Advertisers can apply for multimedia where clearance can be used across the same ad type.

- Materials applied will be used in more than one media platform.

A. There will only be one ASC Clearance payment for an ad to be used across different platforms.

- Moving With Audio – TV, digital, cinema, outdoor (with audio), transit, on-premise (with audio), etc.
- Moving Without Audio – Outdoor, on-premise, digital, transit, etc.
- Static – Print, digital, outdoor, on-premise, transit, etc.
- Audio – Radio ads, digital audio (Spotify ads), etc.

B. Single medium or multi-media applications, whether moving or static, should comply with the prescribed standards of each platform.

B.1. MOVING ADS

- **TV Ads** (including OBBs/CBBs/End Tags)/ Portion Buy/s
- **Digital Videos** (including GIFs, etc.)
- **E-OOH moving ads**
- **Cinema**
- **Collateral Moving Ads**

a. For Television, regular spot materials should follow the prescribed standard material length of the KBP.

b. Should a material be used in an OOH medium and material will be implemented without an audio, this will have to be applied separately as this material is not anymore exactly the same as the original material applied (with visual and audio). This is also to ensure that no element in the original material applied is eliminated.

c. Should a material be implemented in digital and a caption will be included, material should be applied with the caption.

d. ASC Reference Number should be reflected at the last frame of the material together with the mandatory government phrase EXCEPT for the following: a) if the ad is for OTC drugs, "If symptoms…" must be on a separate end frame; b) if ad is for a food or dietary supplement wherein the "MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) …" must be the only element on the last/end frame.

In both cases, the ASC Reference Code can be placed on the first frame or second to the last frame.

B.2. AUDIO ADS

- **Radio Ads** (including live or recorded AOB/DJ spiel)

NOTE: Material length should follow the standard acceptable length of KBP, i.e., 5s, 10s, 15s, 30s, 45s, 60s and multiples of 15s beyond 60 seconds.

B.3. STATIC ADS

- **Digital Static Ads** (including Display Ads/Banner Ads/Search Ads/ Electronic Direct Mail, Native Ads, Sponsored or Paid Blog Posts, etc.)
- **Print Ads**
- **OOH Static Ads**
- **Collateral Static Ads**

NOTE: For static ads to be implementable across platforms, please observe the following when applying with the ASC:

a. Add a caption when applying so the moving ad can be used as a digital post.

b. For products that require mandatory phrase, like OTC drugs and alcohol beverages, it should be at the right bottom part of the lay-out while the ASC Reference Code should be at the left bottom part of the lay-out.

c. For food or dietary supplement, the mandatory phrase must be at the topmost portion of the layout

Section 5: Materials not covered by the ASC Code and Manual of Procedures:

The following materials are not covered by the ASC:

A. Politically – themed advertisements whose central focus is the marketing of ideas, attitudes, and concerns about public issues, including political concepts, and political candidates.
B. Emergency public service announcements of government entities and utility companies.

Section 6: Materials requiring an ASC Exemption Certificate.

The following materials need not apply clearance from the ASC but for platforms requiring an ASC clearance such as Broadcast and OOH, an Exemption letter must be secured:

1. Advertising materials from religious organizations, except concerts, shows, special events that are not directly related to the organization's essence, objectives, or main function or supported with a brand, product, or company

2. Public service advertising or advocacy materials without claims.
3. National and line agencies and local government's advertising materials.
4. Movie trailers, station, and network merchandising plugs
5. Ad materials of non-profit organizations or associations, NGOs, and foundations (without claims, brand or sponsors), once the above-mentioned advertising materials are supported by an Advertiser or the Advertiser's brand is featured, the materials are considered branded ads and need to be cleared with ASC.

Section 7: Confidentiality

1. Advertisements under review in all procedures and deliberations, including materials sent to ASC, the support documents submitted or presented by the parties, the deliberations, the voting of the ASC Panelists, and any related information thereon, are strictly confidential.

   The obligation of confidentiality shall cover all involved in the process of clearance, case resolutions, and information sharing – the officers and directors of the ASC Board, members of the Technical Committee, ASC Management, employees and consultants, panelists, the presenters, i.e., the advertisers and their agencies. No information may be released, in whatever for, in whatever manner.

   All parties shall sign a Non-Disclosure Agreement (NDA) to bind them in writing.

2. Confidentiality of advertising materials being screened and heard, deliberations, voting, and any related information on applications and case hearings, including the support documents, studies, researches, etc., shall not expire. NDA to be annually renewed.

Section 8: Conflict of Interest (COI)

Objectivity and neutrality are paramount to the work of the ASC in protecting consumer interest.

The ASC Board Members, TechCom Members, ASC Management, Professional Screeners, ASC Panelists and ASC Staff hold positions of great trust and demand utmost integrity. It is their duty to disclose any potential conflict of interest. As such, they should inhibit themselves and not exert undue influence on decisions involving issues involving a product, brand, service, or account that they may have a personal or professional gain, directly or indirectly.

Section 9: Timely Resolution of Advertising Issues

The ASC recognizes that in the resolution of advertising issues, time is of the essence therefore parties shall provide timely, accurate and thorough presentation and support documents on concerns to ASC.

Section 10: Courtesy & Demeanor (include clause on conduct within NDA & contract)

1. Industry Volunteers, ASC Staff, Professional Screeners, Presenters, and all other ASC Stakeholders shall observe courtesy, respect and proper decorum. They are expected to be committed, dedicated, professional and willing to serve the industry, while maintain a high standard of integrity and work ethics. In cases of complaint, the incident will be acted upon by the ASC Management in a timely manner.
2. All parties shall be bound by an NDA.

Section 11: Resolution of Advertising Issues Resulting from Negative Public Opinion

In case of doubt or in the absence of a specific rule that squarely addresses a negative public opinion on advertising content, the ASC shall use the most relevant provision in reviewing the case and making the decision to secure a fair, expedient and objective resolution with the consumer's interest in mind.

RULE III. THE ASC ORGANIZATION

Section 1: Composition of ASC

1. **Board of Directors**

- The ASC Board of Directors is at the helm of the ASC Organization, representing the Advertisers, Advertising Agencies, and Media. They are responsible for the organization's direction-setting and policy making.

a. Chairman – elected from among the members of the Board of Directors. The Chairman also presides over Board, strategic and policy development meetings.

b. President (CEO) – elected by the members of the Board and coterminous with the electing Board. Person acts as the Chief Executive Officer of the ASC. The President shall ensure that:

1. The organization's activities are compliant with the Board's directives, policies and resolutions;
2. The effective external communications about the organization and its mission, priorities, programs and activities are implemented;
3. Harmonious and mutually beneficial relationships with key stakeholders are developed and maintained;
4. Other responsibilities as may be prescribed by the Board from time to time be carried out.

c. Vice-President – elected by the members of the Board and coterminous with the electing Board. Person acts as CEO in the absence of the President. Assists in the execution of the President's duties.

2. **Executive Director (COO)**

The **Executive Director (ED)** is the Chief Operating Officer and the highest ranking employee of the ASC. The ED is responsible for upholding the quality of the ASC's service to the industry, as well as, maintaining the integrity of the self-regulation process. The ED liaises with the government sectors in forging parallel decisions so that the same are implemented accordingly by the stakeholders. The ED performs such functions and exercises authority as may be directed by the President from time to time.

3. **Ad Content and Operations Manager (ACOM)**

The **Ad Content and Operations Manager (ACOM)** is directly responsible for the efficient implementation of the ASC screening and hearing process. ACOM monitors consistency of screening decisions and makes sure that all applications received for the day are processed and cleared within set time period. Likewise, the ACOM ensures the availability of industry volunteers to attend Screening or Hearing or Appeal panel sessions and that proper representation of all sectors is observed. In all procedures where it is guided by ASC precedents on cases, the ACOM is on top of all ASC-made decisions. The ACOM shall perform other duties as assigned by the Executive Director. The ACOM shall report to the Executive Director.

4. **Compliance Manager (CM)**

The **Compliance Manager (CM)** is in charge of ensuring the proper enforcement and implementation of decisions, which include the quality of decision letters, penalties and Cease-and-Desist-Orders (CDOs) reached during Tech Com sessions and panel hearings or post screenings. Part of the CM's responsibility is the monitoring of advertising materials in the different media platforms to check if these are compliant with the Code of Ethics & Manual of Procedures. As part of due process, erring advertisers are sent letters about their ads and their violation, with a Notice To Explain (NTE) as to why they should not be penalized for non-compliance.

The CM reports to the Executive Director and works closely with the ACOM.

5. **Data Privacy Officer (DPO)**

The **Data Privacy Officer (DPO)** is appointed by the Board and is accountable for ensuring that Data Protection Law is followed.

6. **Professional Screeners**

The Professional Screeners screen, review ads and render appropriate decisions based on the ASC's Code of Ethics and Standards. The Professional Screeners report to the ACOM.

7. **Ad Specialists**

The Ad Specialists serve as the first line of service in the review process. They check what types of support or substantiations were submitted together with the application form and the ad material, The Ad Specialists are also in-charge of reviewing all final produced materials vis-à-vis the approved storyboard or script or layout to check for consistency and compliance. They also facilitate all the Screening and Hearing sessions. The Ad Specialists report to the Operations Manager.

8. Application Evaluators

Application Evaluators check compliance of submissions with technical requirements.

9. IT Support Group

The IT Support Group is responsible for the smooth running of the ASC's computer system or automation or archiving systems to ensure efficient processing of online applications, accurate and timely access to pertinent and relevant materials or data, and effective back-end support.

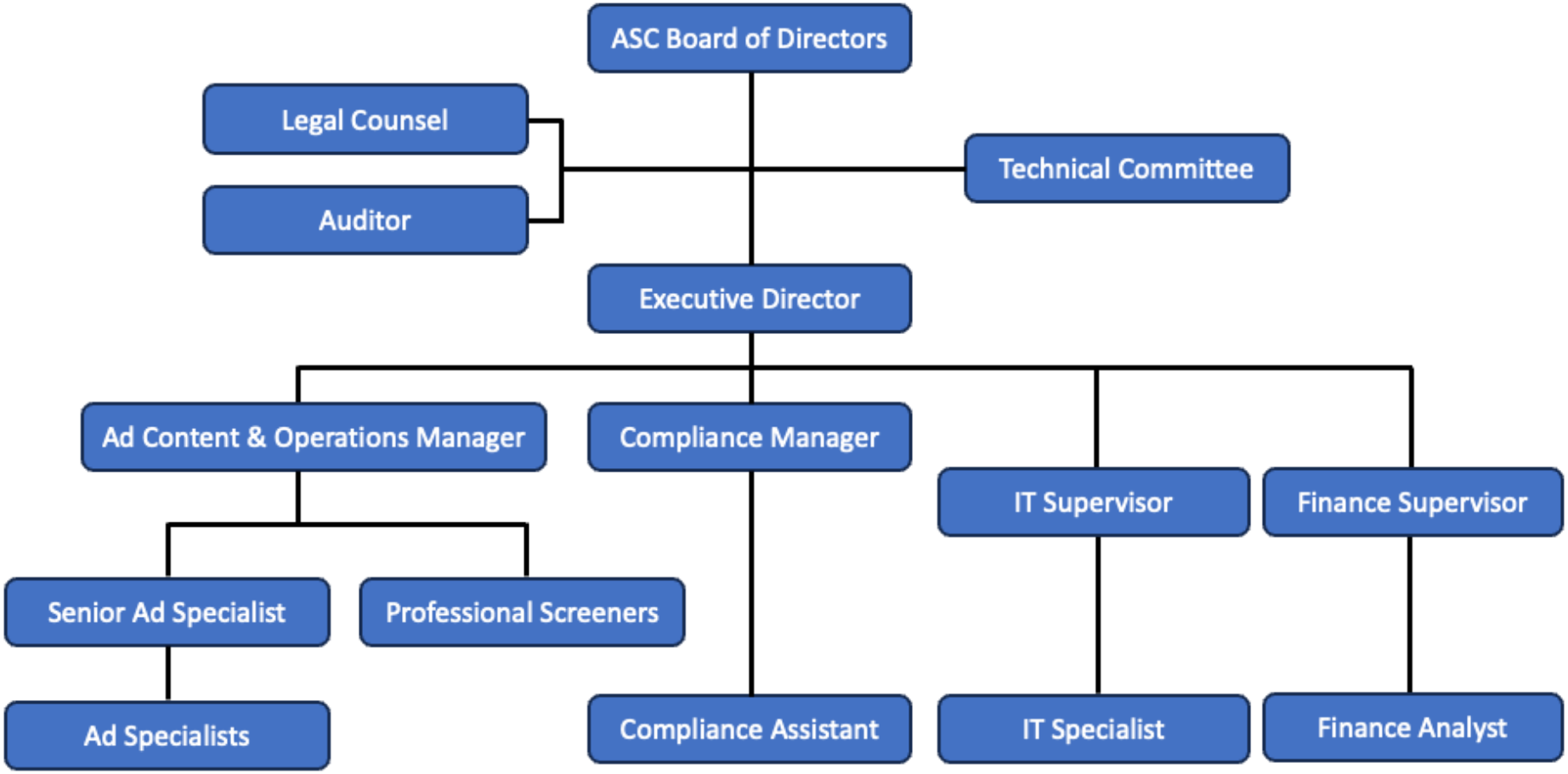
This division shall be headed by an IT Manager who shall ensure that all requirements are done in an accurate and timely manner.

10. Finance Group

The Finance group provides support to the organization through timely and fast collection of application fees and penalties and provides accurate financial information and analysis to ASC Management to help the organization achieve sustainable operations.

This division shall be headed by a Finance Manager or Supervisor who shall ensure that all requirements are done in an accurate and timely manner.

The table of organization shall be regularly reviewed by the ASC Management and changes if any, will be approved by the Board of Directors.



Section 2: Industry Volunteers

1. ASC Panelists

ASC Panelists are industry volunteers nominated by their respective associations to comprise a pool from which ASC panels are formed. Panelists should come from ~~bonafide active~~ members of their respective associations. The ASC Panelists are required to undergo an orientation seminar and periodic review on ASC rules and procedures. They shall also sign an undertaking of confidentiality and declare account involvement to avoid Conflict of Interest (COI).

- *Employees of media platforms are not allowed to Chair(preside) panel hearings/screening due to potential COI. (place in IRR)*

1.1. Types of Panel

a. Pre-Screening Panel

A three-man panel convened to screen and decide on ad applications (S1 application) that are referred by the Professional Screeners.

A quorum shall consist of three (3) ASC Panelists, with at least two (2) of the three (3) founding sectors, namely: PANA, 4As, and KBP represented.

The Panel shall decide by majority vote.

b. Post-Screening Panel

A Post-Screening Panel is convened to screen and review materials not pre-screened by the ASC, initiated by complaints filed by competitors, whether direct or indirect, any real party in interest**,** government agency or consumers. The decision of the post-screening panel may include the issuance of a CDO.

An ASC Reference Code shall be issued to an approved, post-screened material, as the material was found compliant with the ASC's Code.

The post-screening panel screens and decides on the complaint material. A quorum shall consist of three (3) ASC Panelists, with at least two (2) of the three (3) founding sectors, namely: PANA, 4As, and KBP represented.

c. Hearing Panel

A Hearing Panel is convened primarily to review complaints filed by competitors, whether direct or indirect, any party-of-interest, government sectors, or consumers on materials pre-screened and approved by the ASC.

A quorum shall consist of five (5) ASC Panelists, provided that at least two (2) of the three (3) founding sectors, namely: PANA, 4As, and KBP are represented. Only ASC Panelists can sit as members of the Hearing Panel or a Panel convened for a Motion for Reconsideration or Appeal. A Presiding Chairman ("PC") shall be designated by the members of the Hearing Panel en banc.

The PC shall lead the discussions and deliberations of the Hearing session ensuring that it is properly conducted. He or She shall ensure that all provisions being complained on are tackled well and in an organized manner and that a clear decision is reached by the Panel. He or She breaks the tie on decisions when necessary, reviews and signs the formal decision given to the Complainant and Defendant.

The PC may also be called on as a resource person for a Motion for Reconsideration session, Technical Committee session, or whenever necessary, to expedite the decision of a case he or she participated in.

ASC Professional Screeners, technical experts, or other practitioners outside of the sectoral representation within the ASC, whose expertise and advice may be sought in settling disputes concerning the content or claims of particular advertising materials, may be invited to participate in the Hearing sessions as resource persons. However, the resource persons shall not participate in the voting.

The Panel shall decide by majority vote.

d. Appeal Panel

An Appeal panel composed of at least five members is convened when an Advertising or Ad Agency or their official representatives files an appeal on the disapproval by a Professional Screener, by a Refer to Panel, by a Post-Screening Panel, or by a 5-man Hearing Panel's decision.

1.2. Technical Committee (Tech Com)

The Technical Committee decides on procedural cases, whether filed by a complainant or motu proprio action and resolves issues on rules, regulations, procedures, and penalties. It also reviews and recommends procedural matters to respond to developments in the Advertising industry. All recommendations are elevated to the ASC Board for approval.
The Tech Com consists of thirteen (13) bona fide active representatives from ASC member organizations: three (3) each from KBP, PANA, and 4As and one (1) each from MSAP, IMMAP, UPMG and OHAAP.

The Tech Com Chair is appointed by the association of the current Vice President of the ASC Board and serves as the presides over Tech Com proceedings.

The ASC Chairperson is a non-voting ex-officio member of the ASC Technical Committee during its meetings.

The Tech Com members are senior-level practitioners of their member organizations of the ASC preferably, who have served either as volunteer panelists for at least three (3) years or have previously served as professional screeners for at least one (1) year. They should have extensive and substantial understanding of the ASC Code of Ethics & Manual of Procedures. They should maintain a high level of integrity and should inhibit themselves from cases which are in conflict with the company that they represent and which may provide some personal or professional gain.

Tech Com members may also serve as screening, hearing, and appeal panelists but they shall not be Presiding Chairpersons of these panels.

RULE IV. SCREENING PROCEDURES

The application for an ASC approval consists of a two-step process. Step 1 (S1 Screening) is for securing of Approval for Production and Step 2 (S2 Clearing) is for issuance of Clearance for Airing/Publication/ Display/ Posting.

Section 1: Application for Screening (S1)

Effective March 1, 2023 the Ad Standards Council shall only accept new S1 ad applications through the ASC online application portal: https://asconlineapp.com/

1. The applicant must first create a User ID in the application portal.
2. After successfully creating a unique user ID, the applicant can make either of the three selections – Individual Applications, Multiple Applications and Special Applications.
3. An applicant should then proceed to accomplishing the s1 application form in the portal providing information such as – Advertiser's name, Brand, Product & Category.
4. Should the Brand, Product & Category not be readily available in the dropdown menu selection, the Applicant needs to write an email to inquiry@asc.com.ph, copy furnished Mr. Robbie Aligada, robbie.Aligada@asc.com.ph and Mr. Erwin Furagganan, erwin.Furagganan@asc.com.ph for the creation of the new entry fields.
5. Applicant then proceeds to uploading the pdf of the main material as well as the support documents of the application
6. Applicant may either park the application at anytime by hitting "Save" button. A 'scheduled-send' feature is also available. The scheduled send feature enables an Applicant to prepare and queue the application way ahead of the actual date of submission.

To download a copy of the step-by-step procedure on how to create an account and how to file s1/s2 applications, please click this link: https://asc.com.ph/wp-content/uploads/2023/03/Project-JARVIS_ASC-Online-Application-Portal-ao-3-02-for-sharing.pdf

To download a copy of the Guidelines on Ad Application via online portal, please click here: https://asc.com.ph/wp-content/uploads/2023/02/Guidelines-on-Ad-Applications-Via-Upgraded-Online-System-S.pdf

REMINDERS:

1. The system is open 24 hours to accept applications.
2. Processing of applications will be from 7AM to 11AM during business days.
3. Proof of payment for applications should be uploaded no later than 3PM in order for your S1 decision to be released the next day. Payment of fees via promissory note should be done within 5 days from receipt of advice from ASC Accounting. Non-payment will tag you as delinquent and will result to non-acceptance of future applications for the brand.
4. For ad content queries, please email inquiry@asc.com.ph , copy robbie.aligada@asc.com.ph and erwin.furagganan@asc.com.ph .
5. For technical queries, please email inquiry@asc.com.ph, robbie.aligada@asc.com.ph, erwin.furagganan@asc.com.ph and ian.salita@asc.com.ph .

Section 2: The Screening Process:

Refer to Manual of Procedures Annex 1, item D, Submission of S1 Applications.

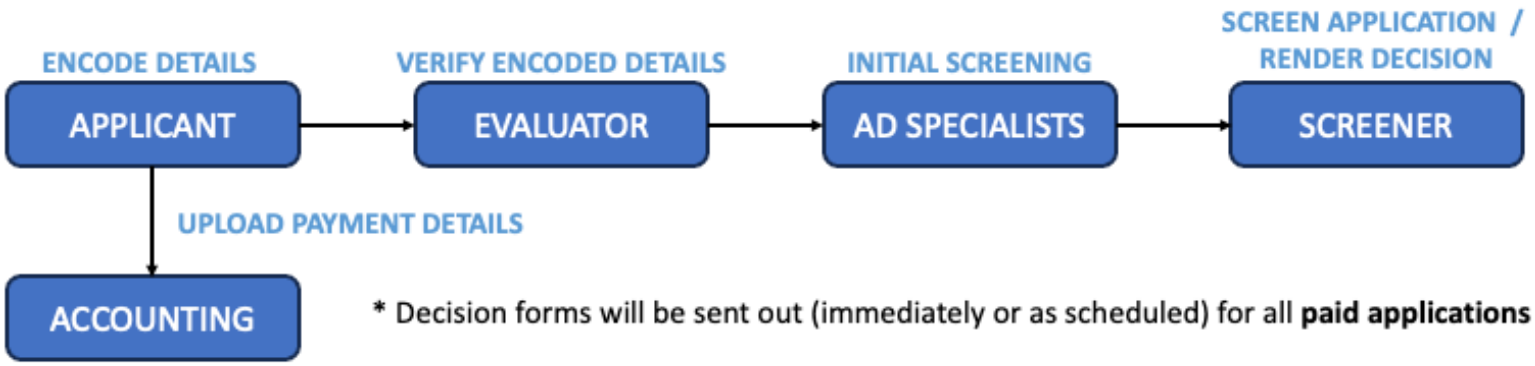
1. ASC Ad Specialist assesses the documents attached to the S1 form and submits the application to the Professional Screener.
2. Professional Screener thoroughly reviews the application, the documents submitted and renders a decision.
3. The Advertiser/Ad Agency or their official representative receives the decision on the S1 application within 48 hours from receipt of S1 application

Refer to Manual of Procedures Annex 1, item C, Release of Clearances for Airing/Publication/ Display /Posting for schedule of release.

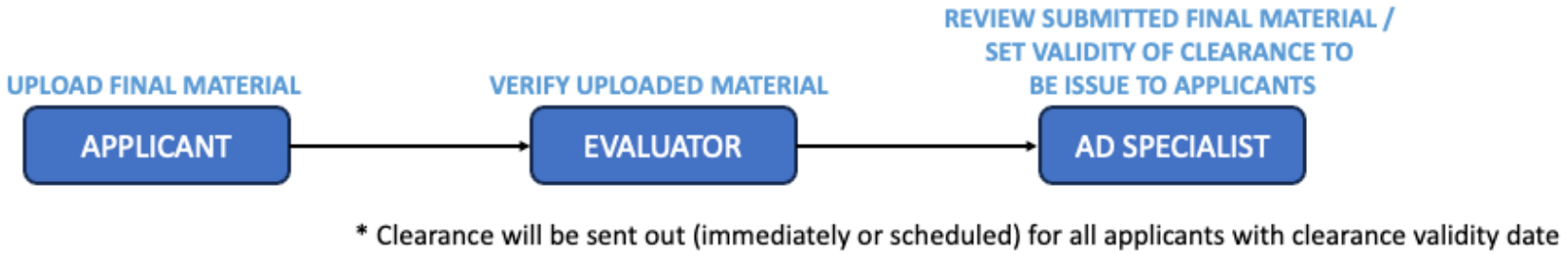
Note that all S1 applications for live materials should be accompanied by a certification from the Media Agency or Advertiser on the estimated date of airing of said live material. This will be used by the ASC in determining the submission date of the Tape-on-Air (TOA).

However, For Live Spiels/Live AOBs/Live Segment Sponsorships in broadcast and digital, the ASC issues both the Approval for Production and the Clearance for Airing/Posting, simultaneously. On the same day of application provided all necessary requirements are submitted.

S1 PROCESS FLOW (USER)



S2 PROCESS FLOW (USER)



Section 3: Presentation Materials

The following materials to be screened shall be submitted in the required format. Non-compliance will constitute non-acceptance for processing of application.

- **Television and Cinema Ads**

  Storyboard Requirements:

  - Shall be on a plain 8.5in x 11in. or A4 size landscape orientation,
  - Shall contain only **6 frames per page.**
  - Visuals in the storyboard shall be **in full color or in the intended color of the final material**.
    a. All **elements must be clear and readable**,
    b. Text shall be a minimum of 12 points Arial font
    c. Must have **adequate descriptions and camera directions**
    d. Detailed video description of all frames, including supers and qualifiers, if any
    e. Detailed audio in all frames, **including music**, SFX and incidental sounds, if any
  - Dialect or non-English/non-Filipino materials must be accompanied by either an English or Filipino translation, with both scripts written side-by-side, certified, and signed by the translator, **all in one page**, attesting to the accuracy and correctness of the translation. The Applicant shall be responsible for the translation submitted.

  An approved broadcast material may be implemented in digital if it is the same, exact material. If there are new elements added such as a caption, it has to be applied as a separate material.

  There is no need to include the ASC Reference number in TV and Cinema ads.

- **TV Portion Buys (live and pre-recorded)**

  Requirements:

  - A detailed frame-by-frame audio-video script must be submitted for review.
  - As part of compliance, TOA shall be submitted within 30 calendar days from first date of airing to be checked vs. approved audio-video script.

- **Radio Ads**

  Requirements:

  - Must be in PDF format, letter size, portrait orientation
  - Use a minimum of 12 points Arial font.
  - Must be properly labeled, i.e., Live DJ spiel, Jingle, etc.
  - Dialect or non-English, non-Filipino materials must be accompanied by either an English or Filipino translation, with both scripts written side-by-side, certified, and signed by the translator, **all in one page**, attesting to the accuracy and correctness of the translation. The Applicant shall be responsible for the translation submitted. (MOVE to 'substantiation')

- **Print and In-store Collateral Materials, or Similar Ads**

  Requirements:

  - Layout shall be **in the intended color of the final material**, PDF format, letter size.
  - All elements shall be clear and readable, otherwise, application will not be accepted.
  - The layout shall clearly specify the size of the material when printed or published.

- **Billboards and Similar Out-of-Home (OOH) Ads**

  Requirements:

  - **Static Ads**
    - The layout shall be **in the intended color of the final material**, PDF format, letter size.
    - All elements shall be clear and readable, otherwise, application will not be accepted.
    - The layout shall clearly specify the size of the material when displayed or installed.

  - **Moving Ads (Electronic or LED)**
    - The storyboard shall be **in the intended color of the final material**, PDF format, letter size
    - All elements shall be clear and readable, otherwise, application will not be accepted.
    - Must contain only **6 frames per page**.
    - Shall have descriptions and camera directions, such as, but not limited to:
      - Detailed video description of all frames, including supers and qualifiers, if any
      - Detailed audio in all frames, including music, SFX and incidental sounds, if any

- **Mobile and Digital Ads**

  Requirements:

  - **Static Ads**
    - The storyboard shall be in the intended color of the final material, PDF format, letter size
    - All elements shall be clear and readable, otherwise, application will not be accepted.
    - The layout must clearly specify the size of the material when displayed or installed.
    - If image will be implemented with a caption, both will have to be applied together.
    - In case image was applied and approved without a caption, and later on a caption that contains a claim or content that is required to be pre-screened is added, the caption, together with the approved image, shall be re-applied.

  - **Video and Moving Ads**
    - The storyboard shall be in the intended color of the final material, PDF format, letter size
    - All elements shall be clear and readable, otherwise, application will not be accepted.
    - Shall have descriptions and camera directions, such as, but not limited to:
      - Detailed video description of all frames, including supers and qualifiers, if any
      - Detailed audio in all frames, including music, SFX and incidental sounds, if any

    - If video will be implemented with a caption, both will have to be applied together.
    - In case storyboard was applied and approved without a caption, and later on a caption that contains a claim or content that is required to be pre-screened is added, the caption, together with the approved storyboard, shall be re-applied.

  - **Webisodes – series of digital videos (live or pre-recorded)**

    Requirements:

    - A detailed frame-by-frame audio-video script must be submitted for review.
    - As part of compliance, TOA shall be submitted within 30 calendar days from first date of posting to be checked vs. approved audio-video script.

  - **Articles and Native Ads – page initiated or sponsored by the Brand**

    Requirements:

    - **Static**

- Layout shall be **in the intended color of the final material**, PDF format, letter size.
- All elements shall be clear and readable, otherwise, application will not be accepted.
- The layout shall clearly specify the size of the material when printed or published.

- **Audio**
  - The material shall be **in** PDF format, letter size.
  - All elements shall be clear and readable, otherwise, application will not be accepted.
  - The layout shall clearly specify the duration of the material.

- **Video or Moving**

  - The material shall be in the intended final layout, PDF format, letter size.
  - All elements shall be clear and readable, otherwise, application will not be accepted.
  - The layout must clearly specify the size of the material when posted or published.

Below is a tabular presentation of types of materials and platforms:

MOVING	STATIC	AUDIO
• TV Ads (including OBBs/ CBBs/ End Tags)/ Portion Buy/s • Digital Videos (including GIFs, etc.) • E-OOH moving ads • Cinema • Collateral Moving Ads	• Digital Static Ads (including Display Ads/Banner Ads/Search Ads/ Electronic Direct Mail, Native Ads, Sponsored or Paid Blog Posts, etc.) • Print Ads • OOH Static Ads • Collateral Static Ads	**AUDIO ADS** • Radio Ads (including live or recorded AOB/DJ spiel)

The ASC Reference Number shall be required in the Digital version of the approved broadcast material.

The ASC Reference Number should be reflected at the last frame of the material together with the mandatory government phrase EXCEPT if ad is for a food or dietary supplement wherein the "MAHALAGANG PAALALA: ANG (NAME OF PRODUCT) …" must be the only element on the last/end frame. In this case, the ASC Reference Code can be placed on the first or second to the last frame.

Section 4. Renewal of Previously – Cleared Materials

All previously-cleared materials may be renewed provided that:

a. It is **exactly the same material** as the previously-cleared ad
b. Copies of the previously-cleared script/ layout/ storyboard with ASC stamp of approval, S1 decision form and the ASC Clearance are submitted.
c. Certification of no product reformulation for the brand and its competitors signed by the R&D head, and certification that no significant change in total market scenario occurred, signed by the Regulatory Officer or its appropriate officer.
d. For time-bound claims, and the five types of claims requiring 3rd-party substantiation, updated support shall be submitted to be granted a new one-year validity period.

Section 5. Material Versions

1. Translations

Applications of dialects, non-English or non-Filipino materials must be accompanied by either an English or Filipino translation, with both scripts written side-by-side, certified, and signed by the translator, **all in one page**, attesting to the accuracy and correctness of the translation. The Applicant shall be responsible for the translation submitted.

Materials containing foreign characters shall include either an English or Filipino translation of the foreign character in the same frame it appears in. The translation shall be positioned immediately after the non-English copy or foreign characters.

2. Revisions

Defined as add-ons or deletions relating to content or elements of previously-approved television, radio, print, out-of-home, digital, cinema materials.

When applying for a revision on an approved s1 material, the applicant must write a letter addressed to the Executive Director stating the reason for the revision and including a table showing a side-by-side comparison of the original copy or visual vs. proposed revision together with the following:

- S1 decision form
- S1 stamped-layout, storyboard, or script
- Revised ad material.

Only minor revisions as determined by the Screener shall be approved. Minor revisions shall not materially change the claim, message or execution.

3. **Edit-up or Editdown**

Edits refer to changes in material length coming from an existing material. For Broadcast, material shall follow the KBP standards on material length.

Edits need to be applied separately.

4. **Derivatives**

Versions of an original material wherein new footage are included and shall be treated as a new material that should be applied separately.

5. **OBBs/CBBs**

OBBs and CBBs with no claims or selling lines or those with product shots but without claims being highlighted are not required to be pre-screened, e.g., "This portion is/ has been brought to you by…" or "Ang programang ito ay hatid sa inyo ng …"

6. **Series Ads**

Defined as sequences of ads that share a single idea or theme where each individual ad is implemented in a particular order to complete the messaging.

Series ads shall be applied as a single application.

Section 6: Kinds of Application

a. **Single application** refers to one application to be only used in a single medium.

b. **Multiple application** refers to the submission of two or more applications of the same brand variant or sub-brand.

c. **Batch application** refers to applications of the same brand **containing the same elements.**

Examples:

a. Static – same elements laid out differently
b. Audio or Audiovisual – same elements using different talents or dates for countdowns and the like

Other variations may be referred to ASC Management for consideration as batch application.

An applicant is allowed to submit up to 5 materials under a batch application. In the case of batch applications, there is only one S1 application and only one Reference Number that will be given for the different materials.

For static batch applications, in the main document (one PDF File), applicant needs to show the different layouts for the different sizes or layouts of the medium so the screener can check if ALL elements of the ad can be found in the different layouts.

d. **Multimedia Video or Multimedia Static applications** refer to static or video materials that are planned to be used across different media platforms.

Examples:

a. Multimedia video - can be used as a TV ad, a digital video post (w/ caption) or an in-store video material
b. Multimedia static - can be used as a print ad, a digital static post (w caption) and as a collateral material or poster.

Section 7: Support Documents

The applicant shall make available information, materials, or documents to facilitate the screening or review of the ad.

The following examples should guide, but are not an exclusive enumeration of acceptable support. Acceptability may depend on the claims of the material being screened or reviewed and on the discretion of the Professional Screener or members of the Refer to Panel.

Type of Claim	Example of Acceptable Support
1. Own product performance without comparative claim	Company-owned document duly signed by the relevant technical person (Head of R&D, QA, Regulatory, Operations), or a high-ranking company official (Sales or Marketing Director, Medical Director, Managing Director, CEO or President or their equivalent). Documents signed by persons directly involved in the development of advertising of the brand, product or service are **not acceptable**, e.g., Brand Managers, Advertising or Sales or Marketing Managers.
2. Testimonial claim that does not relate to product performance	Signed affidavits, certifications of actual product, or service use, or preference by the person making the endorsement or testimonial. These documents can either be notarized or examined and certified to be true and accurate by an authorized, responsible representative of the Advertiser.

3. Testimonial claims which relate to own product performance (except those requiring 3rd party substantiation)	Signed and notarized affidavits, certifications of actual product, or service use, or preference by the person making the endorsement or testimonial. These documents can either be notarized or examined and certified to be true and accurate by an authorized, responsible representative of the Advertiser. Applicant should also submit published researches, clinical studies, and other data supporting the product's claimed benefits. Also acceptable are company-owned document duly signed by the relevant technical person (Head of R&D, QA, Regulatory, Operations), or a high-ranking company official (Sale or Marketing Director, Managing Director, Medical Director, CEO or President or their equivalent). Documents signed by persons directly involved in the development of advertising of the brand, product or service are **not acceptable**, e.g., Brand Managers, Advertising or Sales or Marketing Managers.
4. Product or Service or Event Details and other non-product performance claims	Certification duly signed by the Sales or Marketing Director, Managing Director, CEO or President, e.g., certificate of product launch, suggested retail price, event details, product availability in participating stores.
5. Information, Tips, Facts that serve as backgrounder or set up the need for the product	Published or 3rd party documents from reputable sources.
6. All other claims	Documents from acceptable and reliable independent 3rd party - sources. Refer to the Implementing Rules & Regulations (Manual of Procedures) Annex 23 for details on Research Data Support

Acceptability of downloaded articles or support documents from the internet shall depend on the claims of the material being screened or reviewed and on the discretion of the Professional Screener or members of the Refer to Panel.

Section 8: Packaging and Labels

A claim on a pack or label, when readable in an advertisement, shall be deemed as part of the advertisement, thus shall be covered by the ASC Rules, i.e., shall be properly substantiated.

Applicant must submit a copy of product packaging or label for reference.

All CFRR registered products can use approved packaging as support for claims. For time-bound claims, e.g., number 1, most trusted, etc., proper support documents shall be submitted.

For OTC or HR products, packaging cannot be used as support for claims. Approved consumerized lines and Product Information Literature (PIL) can be used.

When there are discrepancies between CPR remarks and packaging claims, the basis for decision will be the CPR.

Refer to Code of Ethics Art. VII Section 1-e on packaging guidelines for advertising and promotional materials specific to OTC drugs and other regulated products.

See ANNEX 10 on Guidelines for Determining Whether a Material is Packaging or POSM

Section 9: Material Review/Screening (S1)

1. The Applicant shall submit relevant support documents to substantiate the claims, copy, audio, special effects, visuals, or any part or content of the material, such as, but not limited to, clinicals, technical or consumer studies or tests highlighting specific portions of the document which support the claims. All studies or tests should include a Table of Contents. In case of voluminous documents, Applicant shall submit an Executive Summary with proper footnotes.

2. The Professional Screener shall thoroughly review the materials and shall render one of the following decisions:

   - **Approved for Production**

     This is given to a material when claims (copy or visuals) are adequately substantiated. With this approval, the Applicant may proceed to production, recording, ~~and/~~or printing.

     An Approval is stamped on the copies of the storyboard, script, or layout and duly signed by the Professional Screener who approved the material.

   - **Approved with Caution**

     This is given to a material when claims (copy and/or visuals) is/are adequately substantiated, yet a specific visual, copy, claim, or its tone, mood/theme is considered sensitive and potentially controversial but not in violation of any provision or rule in the ASC Guidebook. The material may proceed to actual production, recording, or printing, but a reminder on care and sensitivity in the execution of the material is given.

- **Disapproved**

  A disapproval is given to a material containing copy, claim, visual, or elements that are clearly in violation of the provisions or rules of the ASC Code of Ethics and Standards Examples include, but are not limited to, unqualified claims, absence of qualifiers, remarks in CPR and other government documents, insufficient support (like inconclusive results of research studies resulting from questionable research protocol and methodology).

  It is mandatory for the Professional Screener to clearly state specific provisions or rules violated in ASC Guidebook and explain why it is in violation of such.

  Any appeal to a 'disapproved' application should be emailed to ***inquiry@asc.com.ph*** copy furnished the Ad Content & Operations Manager & the Compliance Manager.

  Outright Disapproval is given to S1 applications without CPR or CPN (ASC Circular No. 2017-014), License to Operate (LTO), business permit, promo permits and approved promo mechanics _ from DTI, DOH-FDA, NTC, or other concerned government agency. These are the documents necessary to conduct business, market the product or service or implement promotions.

- **Incomplete**

  An Incomplete decision is given to a material when copy or visual claims are adequately substantiated but certain required documents (apart from the documents that will merit Outright Disapproval) such as DOLE permit, notarized endorser's affidavit, BSP approval, NHCP clearance, etc. have not been submitted yet.

  These required documents shall be submitted no later than 11AM of the **thirtieth (30th) calendar day** including the date of the application. At the end of the **thirtieth (30th)** calendar day, the INCOMPLETE application shall automatically be given a DISAPPROVED decision, without further notice to the Applicant, if this/these prerequisite document/s is/are not submitted.
  Refer to Implementing Rules and Regulations (Manual of Procedures) Annex 2 for Pre-Requisite Documents.

- **Refer-to-Panel by a Professional Screener**

  A Refer-to-Panel decision may be given

  - When the subject or execution deals with sex, sexy themes or innuendo, violence or morbidity, and other sensitive or controversial theme.

  - When the appreciation of the substantiation may be subject to another interpretation or perspective.

3. Material Review / Screening (s1)

a. Decision by a Screening Panel

The Screening Panel shall deliberate in compliance with the Code and shall render one of the following decisions:

b. Approved for Production

This is given to a material when claims (copy and/or visuals) are adequately substantiated. With this approval, the Applicant may proceed to production. An Approved For Production is stamped on the copies of the storyboard, script or layout and duly signed by the Presiding Chair ("PC").

c. Approved with Caution

This is given to a material when claims (copy or visuals) are adequately substantiated, yet a specific visual, copy, claim, or its tone, mood or theme is considered sensitive and potentially controversial but not in violation of any provision in the ASC Code of Ethics and Standards. The material may proceed to actual production but a reminder on care and sensitivity in the execution of the material is given.
Reason for caution shall be clearly stated in the decision form.

In cases of potential negative public reaction to an ad, the ASC can write the advertiser to address the situation in the most appropriate manner the advertiser deems fit. (move to S2).

d. Disapproved

This is given to a material containing copy, claim, visual, or element that is deemed in violation of the provisions of the ASC Code of Ethics and Standards.

Section 10: Application for Revision on Approved S1

1. An Applicant can only apply for a Revision on an approved s1 application **PRIOR to the submission of S2 material**.

2. A Revision shall be only approved if these are considered minor and properly supported.

   Examples of minor revisions are:

   - change of music or SFX

- deleting, adding or changing copy and or visuals, including background, non-celebrity talents, that do not radically affect claims and will not require additional support.

Examples of major revisions are:

- Adding/Changing copy, claims, visuals that will require submission of additional support
- Adding music when it was not indicated in the S1 main document and no music certification was submitted in the support documents.
- Deletion of qualifiers that are needed for claims
- Changing the entire storyline even if the claims remain the same
- Changing of talents from non-celebrity to celebrity which requires a different set of requirement/documents

An approval shall be stamped on the copies of the revised storyboard, script, layout, duly signed duly reviewed by the Ad Specialist Professional Screener who approved it.

If the revisions are major, the Applicant shall be required to file a new s1 Application with the corresponding screening fees.

3. Requests for Revision on an approved s1 application shall be allowed only twice. Any succeeding request will require filing a new s1 application with the corresponding screening fees.

Section 11. Securing Clearance for Implementation (Airing/Publication/Display/Posting) - S2

1. After securing an S1 approved for production and production of the material, the Applicant shall secure a Clearance for Implementation (S2) prior to airing, publication, display or posting of the material.

Acceptable formats of submission

Type of Medium	S2 Final Material
MOVING TVCs/ LED Moving Ads/ Digital Video/GIFs/ Taped TV Portion Buys	MP4 hi-res digital format, Windows compatible Please include the ASC Reference Code in the final video material.
AUDIO RCs	MP3, Windows compatible
STATIC Print / Traditional OOH / Digital Static Ads/ Collaterals	.PDF Please include the ASC Reference Code in the final artwork.

Live AOBs / Live Portion Buys / FB Live/ Other Similar Live Materials	No S2 final material; Materials and documents such as, but not limited to, Tape-On-Air (TOA), certificate of airing / posting / display date and screen shot of actual mobile text blast must be submitted no later than ten (10) work days from date of airing / posting / display for monitoring purposes. **Example:** Date of airing, etc. – December 1, 2020 Deadline for submission of required TOA, etc. – December 11, 2020

2. The final produced material shall be reviewed by an Ad Specialist vis-à-vis the approved storyboard, script, layout. Decision shall be any one of the following:

a. **Clearance for Implementation (Airing/Publication/Display/Posting)**

This is given when the final material submitted is faithful to the approved storyboard, script, or layout. No revision shall be allowed once a Clearance is issued. **Any** change will require an s1 re-application.

S2 clearance will indicate the platform specified in the S1 application.

b. **Disapproved**

This is given when:

a. The material is not faithful to the approved storyboard, script, or layout
b. In the case of Broadcast materials,

- the standard commercial lengths are not followed,
- government mandatory statements are not within the standard commercial lengths
- government mandatory statements, when applicable, are not delivered in a clear, audible, and unhurried manner.

3. The Clearance for Implementation (Airing, Publication, Display, or Posting) shall be issued upon determining compliance with the requirements stated on the comment sheet.

4. The Clearance for Implementation (Airing, Publication, Display, or Posting) shall be released to the applicant within 36 hours from receipt of S2 application.

Section 12: Special Screening or Special Clearing

Special Screening + Special Clearing is an option which an Applicant may avail of when there is a need for both the S1 application **AND** S2 application to be screened or cleared on the same day as the s1 approval for production and s2 Clearance for Implementation are needed **on the same day.**

Special S1 Screening is an option an Applicant may avail of when a decision on the application is needed on the same day. All special applications and its support documents should be submitted no later than 11am. Proof of payment should be uploaded in the system no later than 3pm of the date of application.

Special S2 Clearing is an option an Applicant may avail of when the Clearance for Implementation (Airing, Display, Publication, on Posting) is needed on the same day. All special applications and its support documents should be submitted no later than 11am. Proof of payment should be uploaded in the system no later than 3pm of the date of application.

- S1 special screening is only accepted on weekdays, while S2 special clearing is accepted on weekdays and on Saturdays.
- For s2 special clearing on Saturdays, request shall be received by the ASC in writing, no later 3pm of Friday and s2 application shall be submitted no later than 8am on Saturday.

RULE V. Complaints with the ASC:

The ASC's mission is for the protection of consumer interest. Pursuant to the said mandate, complaints on advertising materials may be filed with the ASC.

Section 1: Types of Complaints:

1. Content-based

   Complaints on ad materials that allegedly violate or do not conform with the advertising standards as contained in the ASC Code of Ethics and Standards.

2. Procedural

   Complaints on ad materials that allegedly violate or do not conform with the procedures as contained in the ASC Code of Ethics and Standards and its Implementing Rules and Regulations.

   For any complaints, the procedural aspect of the complaint has to be resolved first prior to moving to content-based part of the complaint.

Section 2: Presentation of Evidence

Both Complainant and Defendant shall present substantive & organized evidence in support of their case. This shall be the basis for the decision of the Panel.

Section 3: Parties who may file a complaint:

The following persons or groups may against an advertisement that is already on-air, published, displayed, or posted.

a. Consumer
b. Individual or a group who has a real, actual, or substantial interest in the subject of the complaint, or one whose business is directly or indirectly affected by the advertisement
c. c. Government sector.

Section 4: Filing a complaint:

A party of interest filing a complaint may do so in writing addressed to the ASC Executive Director and emailed to inquiry@asc.com.ph , copy furnished the Ad Content & Operations Manager and Compliance Manager.

Complaints posted in social media, sent via SMS messages, messages through digital applications, phone calls, word-of-mouth shall not be entertained by the ASC unless formally filed in writing with the ASC.

Upon receipt by the ASC, the Complaint shall be handled and evaluated by the ASC Management for appropriate action.

Section 5: Filing of Complaints

1. **Complaint Format – see Annex for standard complaint format.**

2. **Documentation Requirements**

   Only one (1) printed copy of the complaint letter addressed to the Executive Director is required. However, once hearing is scheduled, complainant must submit the complaint in five (5) printed copies and a digital copy containing the complaint letter in Word format and accompanying support documents in PDF format, if any.

   NOTE: the printed copy of the complaint letter is temporarily suspended until further notice. In the meantime, complaint letter and presentations shall be emailed to inquiry@asc.com.ph.

3. Prescription Period for Filing of Content Complaints of ads Cleared with ASC

a. The prescription period for filing of complaints is **sixty (60) calendar days** from the first airing, posting, publication, or display of subject copy, claim, visual, or slogan in a medium.
b. The complaint fee should be paid prior to scheduling of hearing.
c. There is no prescription period for filing of Complaints that involve claims verified by technical, clinical, laboratory evidence or scientific data. Opinion – based research is not considered technical evidence.
d. No addendum complaint shall be accepted once the complaint has been officially filed. A separate complaint shall be filed for additional issues.
e. Prescription does not run against the Government, its Agencies and its instrumentalities.

4. Prescription Period for Filing of Content Complaints of ads Not Cleared with ASC

There is no prescription period for filing of Complaints of ads not cleared with the ASC.

5. Appealing Content Complaint decisions.

A party of interest filing a complaint may do so in writing addressed to the ASC Executive Director and emailed to inquiry@asc.com.ph , copy furnished the Ad Content & Operations Manager and Compliance Manager. The basis of the appeal shall depend on the presentation of new technical evidence as evaluated by the ASC Technical Committee.

Section 6: Hearing Proceedings

- Complaints **of concerned parties shall** be heard via online **or virtual** hearing.

  Appearance
  Both parties shall appear in the online panel hearing. Advertisers can be represented by their advertising agency or authorized representatives. Failure of any party to appear on the scheduled hearing date and time shall constitute non-appearance.

- **Non-appearance by Complainant**

  Non-appearance by the Complainant may be cause for dismissal of the complaint or appeal.

The filing fee shall not be refunded.

- **Non-appearance by Defendant**

Non-appearance by Defendant shall constitute a waiver of presentation of evidence from the Defendants side and the case shall be automatically be submitted for resolution by the Hearing Panel. The Panel shall proceed to review the case and decide based on the merits of the case.

- **Presentation Proper**

  Complainant and Defendant are given twenty (20) minutes each to present their respective complaint and defenses. Another ten (10) minutes shall be allotted for Q&A.

  Only a maximum of five (5) people each from both the Complainant and Defendant shall be allowed to join or participate in the hearing at any given point in the presentation.

1. **Presentation to the Hearing Panel**

   Advertisers shall be represented by their advertising agency or authorized representatives.

2. **Resource Persons**

   If the Panel agrees that it further needs to understand and appreciate the evidence presented and requires more in-depth information on the matters of the case, it may defer its decision on the case.

   The Panel may re-convene and invite resource persons such as technical experts, trade professionals, consumer groups, etc., to render relevant or expert opinion on a case. The Chairman of the Screening Panel or the Professional Screener involved in the material in question may be invited to provide their perspective on their previous decision. The invited resource persons shall not vote. The Panel, however, must render a decision within three (3) work days after reconvening.

3. **Research Data**

   If Complainant and Defendant use research to support their challenge and defense, respectively, the methodology of one research study shall be examined in terms of extensiveness of coverage, sample profile and size, validity, action standards, integrity of the questionnaire, relevance of the protocol, etc., and compared with the other.

   For consumer studies both face-to-face and online, the Market Opinion and Research Group (MORES) protocols (see Annex on MORES protocols) shall have to be strictly followed, such as but not limited to, MSRF, research design, sampling or respondent base, questionnaire.

Section 7: Decision of the Hearing Panel

1. The Hearing Panel shall render a decision at the end of the hearing session.
2. The Complainant and Defendant shall be notified via email of the official decision no later than three (3) work days after the hearing unless the Panel decides to invite resource persons to provide more insights on the case and render a decision within three (3) work days after reconvening as provided for in Sect.6 above.
3. The decision letter, drafted by the Ad Specialist, reviewed and signed by the Presiding Chairman, shall cite the Panel's decision on each complaint point, whether it is Valid or Not Valid.
4. If any of the provisions stated in the complaint letter is found to be Valid, the ASC issues a Cease-and-Desist Order (CDO) on the claims of said material on the same day as the release of the decision letter. If none of the provisions cited in the complaint letter is found to be valid, ASC decision on the material will be upheld and no CDO is issued.

RULE VI. PROCEDURES FOR Reconsideration and APPEAL On S1 MATERIALS

Section 1: Reconsideration on a Disapproval

When the Applicant does not agree with the decision of a Professional Screener at S1, they may request for a reconsideration of the decision by writing to the ASC Executive Director to inquiry@asc.com.ph copy furnished the ASC Ad Content & Operations Manager and the Compliance Manager and provide basis for the request.

The request for the reconsideration and the basis thereof shall be referred to the Professional Screener who shall evaluate and render the decision on the request for reconsideration. The decision on a request for reconsideration is Final and can ONLY be overturned on appeal to a three-man panel.

Section 2: Appeal on an S1 Disapproval

When the decision of the Professional Screener is upheld on the reconsideration, the Applicant may submit a formal appeal for the same material to be elevated to a three (3)-man Appeal Panel for s1. The Applicant shall pay the fee required for an Appeal Panel review prior to the schedule of the appeal session.

The Applicant may directly file a formal appeal on a Disapproved s1 decision without going through a request for reconsideration. The same procedure for appealing from a decision on a reconsideration, as stated above, shall be followed.

a. The decision of the 3-man Appeal Panel is deemed final **and cannot be appealed anymore**.

b. Appeal from a Decision of a 5-man hearing panel

An appeal on a decision of a 5-man Hearing-Panel is convened **only if there is new, technical evidence, reviewed and approved by Tech Com**. Technical evidence is defined as clinical or laboratory studies or tests on the product. Consumer perception tests, Scientific studies or product image studies are not considered as technical evidence. In certain cases, in-home product or service usage test may be allowed as technical evidence, subject to the evaluation of the Tech Com.

The Appeal Panel shall be a 5-man Panel, with maximum of two (2) members coming from the original 5-Man Screening Panel. As with regular complaints, the Appellant shall provide the basis why the original decision of the 5-Man Hearing Panel should be overturned by the new evidence.

c. Appeal on a decision of a 5-man appeal panel

Either party may appeal a decision of a 5-man appeal panel based on new technical evidence as evaluated by the Tech Com.

RULE VII. PROCEDURES FOR POST-SCREENING OF ADS WHICH WERE NOT CLEARED WITH THE ASC

Section 1: Post Screening applies to ads which do not require pre-screening by the ASC.

Section 2: Motu Proprio Monitoring by ASC

Print advertisements, merchandising materials, internet and mobile ads, and other materials that contain claims not screened and monitored by ASC, shall be referred to the Tech Com for appropriate action.

a. ASC Management shall determine if the material monitored requires pre-screening or should be post-screened and if so, the Compliance Manager shall issue an NTE.

b. The ASC shall inform the Advertiser or Ad Agency in writing of the monitored material with claims but which was not screened by ASC. A Notice to Explain (NTE) why it should not be penalized for such violation shall also be issued.

c. Advertiser or Ad agency shall submit its response within three (3) work days upon receipt of the Notice to Explain (NTE).

d. Advertiser's or Ad Agency's response to the NTE shall be reviewed by the Tech Com. Decision can be any of the following:

e. Cease-and-Desist Order (CDO) of material shall be issued and penalty for pre-screening violation shall be imposed. While penalty is not yet settled, future ad materials of the brand shall not be accepted by ASC for screening.

f. Stern warning to Advertiser or Ad Agency shall be issued to ensure compliance of future ad materials.

g. The CM shall also compile and report to the Tech Com the list of Advertisers with monitored procedural infractions during the Tech Com meeting.

RULE VIII. TECHNICAL OR PROCEDURAL CASES

Section 1: Cases for Elevation to the Tech Com

Issues arising from motu proprio monitoring or complaints that are Technical or Procedural shall be elevated to the Tech Com by the Compliance Manager or the Presiding Chairperson of a post-screening panel as the case may be.

The Tech Com shall decide on the issue within three (3) work-days from the time the issue is elevated to it.

Section 2: Filing of Complaints

The Advertiser or their Representative may file a complaint on a material with the ASC Technical Committee (Tech Com) on procedural issues.

RULE IX. SANCTIONS AND PENALTIES

If an advertisement must be discontinued from airing, publication, display, or posting, the ASC shall issue a CDO

The ASC shall issue the appropriate penalty as follows:

Section 1: Cease-and-Desist Order (CDO)

A CDO is issued when:

a. claims are in violation of the ASC's Code of Ethics as decided in a case hearing or in a post-screening.
b. ad materials are in violation of the Standards of Procedures as decided by the Tech Com.
c. Government Agency issues a CDO for ASC's immediate implementation.

When an ad material is deemed as adversely affecting contemporary social norms and values as complained by consumers or the general public it shall be elevated to the Tech Com for appropriate action

Should a CDO'd material be monitored by the ASC or a Complainant beyond the prescribed pull-out period, this may result to a CDO violation with corresponding penalties (please refer to Annex 5: Penalties)

Section 2: CDO Compliance Report

The Advertiser or Ad Agency shall submit a compliance report on the CDO'd material within five (5) work days from receipt of the CDO notice.

a. The compliance report shall contain the details of the CDO'd materials, e.g., type of materials, coverage, distribution, quantities involved, pull-out schedule, or reports. It shall be regularly updated until substantial compliance on the CDO'd material has been implemented or reached.

b. Failure to submit a compliance report shall result in sanctions and penalties.

The following are the pull-out schedules for the various media types:

Material/Medium	Pull-Out Effectivity
TV/Radio/Cinema	**Seven (7)** calendar days receipt of the CDO notice by the Advertiser or its official representative
Digital/Mobile Online articles, SEM, banners, videos, etc.	**Five (5)** calendar days from receipt of the CDO notice by the Advertiser or its official representative.
Out-Of-Home	
1. In Store Collaterals	**Thirty (30) calendar days** for Metro Manila and key cities and **sixty (60) calendar days** for areas in rural Philippines, from receipt of the CDO notice.
2. Out- of Home Materials **1.1. Static** • Billboards • Lamp post banners • Tarpaulins, street furniture and transit ads, among others.	**Seven (7)** calendar days from receipt of the CDO notice by the Advertiser or its official representative. **Five (5)** calendar days from receipt of the CDO notice by the Advertiser or its official representative
2.2 Static or Moving LED Out-Of-Home Ads	
3. Print Ads	**Five (5)** calendar days from receipt of the CDO notice by the Advertiser or its official representative.

a. Post-screened materials that were issued a CDO and a Disapproval shall submit a compliance report.
b. Post-screened materials (i.e., print, digital/mobile and merchandising materials and similar ads that are found to be in violation of ASC Code of Ethics /Manual of Procedures) will be issued a DISAPPROVAL decision and a Cease and Desist Order (CDO).

Section 3: Penalties for Offenses or Violation of Cease -and-Desist Orders (CDOs)

1. Monitoring

Advertisers or Ad Agencies who monitored the continued use of banned or CDO'd ad materials should submit a formal notice to the ASC. Complainant must identify the product or service being advertised and the medium in which the advertisement appeared. Proof of airing, display, publication, or posting must be attached to the letter. For broadcast materials, third party proof must be submitted to the Executive Director or Ad Operations Manager before ASC elevates the case to the TechCom.

2. Merchandising Materials, Point-of-Sale Materials (POSM)

- The 1st Offense Penalty will be imposed when CDO'd materials are monitored as being displayed on the day after the last day of pull-out period as indicated above: 31st calendar day for Metro Manila and key cities and municipalities, 61st calendar day for areas in rural Philippines upon receipt of the CDO notice by the Advertiser, Ad Agency or their official representative.

- The 2nd Offense Penalty will be imposed when CDO'd materials are monitored as being displayed on the 15th calendar day after the 1st Offense Penalty has been imposed and such notice of violation was received by the Advertiser and/or Ad Agency or their official representative.

- The 3rd Offense penalty will be imposed when CDO'd materials are monitored displayed on the 7th calendar day after the 2nd Offense penalty has been imposed and such notice of violation was received by the Advertiser and/or Ad Agency or their official representative.

3. Other Ads and Totality of Penalties

An Advertiser shall be penalized every time the material in violation continues to be aired/published/displayed/posted after the prescribed deadline of pull-out/pull-down of materials in violation.

Each CDO violation committed by the Advertiser/Ad Agency regardless of medium and its corresponding deadline, shall merit a penalty and shall be cumulatively considered. The next offense penalty shall be imposed three (3) calendar days after (i) the previous penalty has been imposed and (ii) the Advertiser has been notified.

To illustrate, a billboard issued a CDO must be pulled down seven (7) calendar days from receipt of CDO. If on the 8th calendar day, the billboard is still displayed, this merits a 1st offense penalty. If on the 12th calendar day, it is still displayed, this merits a 2nd offense penalty.

If on the 31st calendar day, a POS material in violation is still displayed, this merits a 3rd offense penalty.

If the Complainant monitored a material beyond the imposed date of CDO, the Complainant should notify the ASC in writing. The ASC will then inform the concerned Advertiser/Ad Agency and they have three (3) work days to respond to the monitoring report. The Complainant's monitoring report and the Advertiser/Ad Agency's response will be forwarded to the Tech Com for review and ruling.

Section 5: Implementation of a Government Agency's CDO

The ASC shall continuously cooperate and assist in the immediate implementation of CDOs issued by government agencies which are found to be patently in violation of Government Agencies' policies related to product or service's technical performance e.g., DOH, FDA, DA, DTI, HLURB, NTC, etc.

Section 6: Receipt of Official ASC Correspondences

All decisions and correspondences shall be transmitted electronically or other means possible to the concerned parties within five (5) calendar work days from date of hearing or post-screening. The Advertiser, Ad Agency or their representative shall acknowledge the correspondence within 24 hours of receipt.

ANNEX 8. ASC PENALTIES

The Advertiser has the final and utmost responsibility for any advertising material, regardless of the medium where it appears. The ASC encourages Advertisers/Ad Agencies/ Production Houses/ Media Suppliers/ Networks and all other industry stakeholders to uphold and respect the ASC process to avoid the following consequences:

Offense	Penalty
Pre-Screening Violation or Airing/ Publication/ Installation or Display without proper ASC clearance Refer to Manual of Procedures Rule II, Section 3 for materials covered by the ASC rules.	**1st Offense – P50,000 + VAT** plus CDO of material **2nd Offense – P100,000 + VAT** plus CDO of material 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 P600, 000. **3rd Offense – P200,000 + VAT** plus CDO of material plus non-screening of advertising materials of the product concerned for six (6) months. The guilty party may opt to pay

	P900,000 in lieu of non-screening for one (1) year, thus the total to be paid is P1,200,000+ VAT. • While penalty has not been settled, screening of materials of the concerned product will be suspended. • Non-payment of penalties after three (3) consecutive months of follow-up by ASC shall result to non-screening of materials of **all** brands/products of the company until the total amounts are settled.
Non-submission of CDO compliance report	**P55,000 + VAT**
CDO Violation or Airing/Publication/ Installation or Display/Posting of Banned Material	**1st Offense – P110,000 + VAT** **2nd Offense – P220,000 + VAT** plus non- screening of advertising materials of the product concerned for six (6) months. The guilty party may opt to pay P800,000.00 in lieu of non-screening for six (6) months, thus the total to be paid is P1,020, 000. **3rd Offense – P440,000+ VAT** plus non-screening of the advertising materials of the product concerned for one (1) year. The guilty party may opt to pay P1,100,000 + VAT in lieu of non-screening for one (1) year, thus the total to be paid is P1,540,000 + VAT. • While penalty has not been settled, screening of materials of the concerned product will be suspended. • Non-payment of penalties after three (3) consecutive months of follow-up by ASC shall result to non-screening of materials of **all** brands/products of the company until the total amounts are settled.
Faking of Official Documents or ASC Pre-requisites and ASC Clearances e.g., CPR, DOLE permit, DTI permit, NHI permit, DOH-FDA approval, etc. **Faking of 3rd Party Certification, Research, Lab and Clinical Tests and Fabrication of Other Evidences/**	The ad material of the brand, product, or service shall be immediately suspended from airing/publication/display/ posting plus: **1st Offense – P220, 000 + VAT** plus non- screening of the materials of the product for six (6) months. The guilty party may opt to pay P800,000 + VAT in lieu of the non-screening sanction for six (6) months, thus the total to be paid is P1,020,000+ VAT. **2nd Offense – P440,000 + VAT** plus non- screening of the materials of the product for one (1) year. The guilty party may opt to pay P1,500,000 + VAT in lieu of non-screening for one (1) year, thus the total to be paid is P1,940,000 + VAT.

Blatant disregard for the ASC rules, procedures or system, e.g., publication or display of a material even if disapproved by ASC. Or using an ASC approval number on a material that was not cleared with ASC.	**3rd Offense – P660,000 + VAT** plus non-screening of the advertising materials of the product concerned for one (1) year. The guilty party may opt to pay P2,000,000 + VAT in lieu of non-screening for one (1) year, thus the total to be paid is P2,660,000 + VAT. • While penalty has not been settled, screening of materials of the concerned product will be suspended. • Non-payment of penalties after three (3) consecutive months of follow-up by ASC shall result to non-screening of materials of **all** brands/products of the company until the total amounts are settled. **NOTE:** ASC shall inform the respective government agency of the fraudulent act related to its rules and / or documents. Said agency will be responsible for imposing its own sanctions, e.g., revocation of LTO, cease-and-desist from selling, seizure of goods from the retail trade, etc.
Breach of Confidentiality	**1st Offense – P55,000 + VAT** for every pick-up (publication) of the press release or publicity, posting in social media, i.e., FB, Twitter, blogs, etc. **2nd Offense – P110,000 + VAT** for every pick- up of the press release or publicity plus six (6) months non-screening of the concerned product **3rd Offense – P220,000 + VAT** for every pick-up of the press release or publicity and one (1) year non-screening of the concerned product "Pick-up" and "Posting" means any news item or story related to the case or issue which is published and/or publicly announced through any form of media. • While penalty has not been settled, screening of materials of the concerned product will be suspended. • Non-payment of penalties after three (3) consecutive months of follow-up by ASC shall result to non-screening of materials of **all** brands/products of the company until the total amounts are settled.
Cancellation of a Scheduled Regular Refer-to-Panel Screening or Hearing Panel on or in less than 24	**Fine of P20,000.00 + VAT**

hours before the scheduled date of Screening/Hearing	• Non-payment of penalties shall result to non-screening of the product concerned for a period of three (3) months.