

# ViacomCBS Issues Advertising Guidelines for Its Adult Directed Networks

## The Bottom Line

- ViacomCBS's newly published guidelines for advertisers is now readily available and advertisers should take it into consideration when developing advertising.
- Submitting advertising for network clearance is the best way to ensure that advertising will be accepted by each network.

ViacomCBS (VCBS) has recently issued its "Advertising Guidelines" for its adult directed linear channels and digital properties, making these its first published guidelines since that merger.

Guidelines are not frequently updated, and the creation of a brand new set, created after the merger of TV giants Viacom (cable) and CBS (network) has been highly anticipated.

## The VCBS Guidelines

Reflecting the combined voice of the two networks, the VCBS guidelines include several significant changes, as compared to the long standing CBS advertising guidelines:

### Over the Counter (OTC) Drugs and the "White Coat Rule"

The overt preclusion of the appearance of medical professionals in CBS's guidelines has now changed with the new guidelines. The VCBS guidelines state that "the depiction of medical professionals is permissible only in advertisements for non-ingestible OTC products and will be evaluated on a case-by-case basis."

Open for consideration now is the use of a medical professional in advertisements for "topical" products. This also appears to open the door for the appearance of dentists/hygienists in "oral care" advertising. Actors are still precluded from portraying a doctor or other medical professional (including hygienists, nurses and dentists).

### **Supers or Legal Disclosures**

VCBS has lengthened the duration for two and three line supers or legal disclosures:

- A two line super must be held for 4.5 seconds
- A 3 line super must be held for 6 seconds

### **Advertising Research Guidelines**

The advertising research guidelines have been omitted from the VCBS guidelines, whereas CBS previously provided direction with respect to sample size, methodology and statistical significance.

### **Food and Nutritional Advertising Guidelines**

While CBS had offered guidance on this type of advertising, this guidance has been omitted from the VCBS guidelines. CBS previously included guidance on the use of descriptors such as “low fat,” “low sodium” and “high in fiber” as well as nutritional benefit claims such as “low cholesterol,” and “high in fiber.”

### **Child-directed Advertising**

While CBS provided direction for the category regarding food, toys, premiums, offers, etc., this has been removed since VCBS’s guidelines only take into account “adult directed” advertising.

### **Alcoholic Beverages**

Advertising is allowed in programming where at least 71.6% of the audience is expected to be 21+ years of age or older. Acknowledged here is that advertising for this product category is subject to further time and programming restrictions on CBS Network, CBSSN and some of the Viacom cable networks.

CBS previously called out a case-by-case review for distilled spirits with a post 10 p.m. restriction, case-by-case review for malt beverages (with a post 10 p.m. restriction if it contains distilled spirits) and post 10 p.m. restriction for mixer products. VCBS can, at their discretion, apply post 10 p.m. restrictions or other time or program restrictions.

### **Personal Care Products**

VCBS allows personal product advertising with no specific time or programming restrictions detailed. CBS had previously specified time restrictions with respect to this product category. The only caveat now is that “personal care and personal sexual health products are subject to time and scheduling restriction when applicable.”

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### For More Information

Please contact the attorney listed below or the Davis+Gilbert attorney with whom you have regular contact.

#### **Stuart Lee Friedel**

##### **Partner**

212 468 4818

[sfriedel@dglaw.com](mailto:sfriedel@dglaw.com)

(Marianne Lapidus, an Advertising Network Editor at Davis+Gilbert, contributed to this alert.)