

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

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

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

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

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

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

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

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

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

Examples

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

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

### ARCHIVING OF MATERIALS IN ADVERTISER'S OWN DIGITAL PORTAL:

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

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