



GLOBO
INTERNACIONAL

**commercial
practice
manual**

2015

The primary purpose of this *Manual* is to provide the advertising market with a compilation of best practices, legal and ethical standards governing Globo Internacional's commercial activities. Advertisers and agencies will find on the next pages clear, stable, and consistently applied standards, which will allow them to safely plan, buy, and place advertising.

The relevance and value of the investments made by our clients, supported by a wide network of prestigious advertising agencies and producers, have made commercial activities increasingly complex and sophisticated, hence the need to systematize them.

Broadcast television is the dynamic and instant medium par excellence, and its sales and placement processes have some peculiarities. One of those peculiarities is that commercial time available to advertisers is limited, highly perishable, and non-renewable because it cannot be stored.

Because Globo Internacional's content reaches thousands of households, its commercial breaks are also structured to match the preference and confidence of both advertisers and viewers, broadcasting information about legitimate products and services that are useful and relevant to the general public. Therefore, because Globo Internacional's programs show the world how Brazilian productions are, also commercial breaks must meet the highest quality standards and reflect the good practices, standards, principles, and values that govern Globo Internacional's operations.

Updates to this *Manual* will be published in communications issued by the General Business Management and on the website negocios.redeglobo.com.br.

The *Manual* is organized into three chapters: the first provides guidance on placement of advertising; the second deals with viewers, cast, and advertising formats; and the third refers to various legal requirements, self-regulatory standards, and best practices applicable to the Brazilian market, where the Globo Group's operations are based, and therefore, also applicable, where appropriate, to international markets, especially the Brazilian Advertising Self-Regulatory Code and the Standard Norms for

Advertising Activities, without prejudice to other standards and good practices observed in each market in which Globo Internacional operates.

Globo Internacional supports and implements the self-regulatory standards and agrees to accept decisions made by CONAR (National Advertising Self-Regulatory Council) – www.conar.org.br - or other advertising self-regulatory bodies recognized by Globo Internacional and, for transactions conducted in the Brazilian territory, by CENP (Standard Norms Executive Committee) – www.cenp.com.br. Those regulations, as well as the provisions of this *Commercial Practice Manual*, the *Manual of Advertising Formats*, and the *Price List*, are incorporated into all advertising placement contracts with Globo Internacional, binding upon the advertisers and their agencies.

Globo Internacional may reject or stop airing any message that conflicts with: local and regional legal and advertising self-regulatory standards, including those recognized and observed in each market in which Globo Internacional operates; the *Globo Group's Code of Ethics and Conduct* and the *TV Globo's Video Principles & Values*; its editorial, corporate, and commercial guidelines; its programming direction or the provisions of this *Manual*.

If the production of a given advertisement raises questions about the criteria set out in this *Manual*, the scripts/storyboards may be required to be submitted to Globo Internacional's Sales Team in the relevant market, for prior assessment. That assessment does not eliminate the need to examine the materials produced. Please contact Globo Internacional's Sales Team for additional information.

In Brazil, Globo Internacional's Sales Team can be contacted via TV Globo; abroad, it can be contacted through TV Globo's accredited companies that are authorized to sell advertising spaces, formats, and plans offered by Globo Internacional.

Purchase of space/time is governed by this *Manual*, by the laws/regulations applicable to the place of sale, and the contract, in that order of precedence; broadcasting shall be governed by the applicable local/regional laws.

For sales made in the Brazilian territory, the national laws referred to in this *Manual* will apply. For transactions concluded in a foreign jurisdiction, the regulations of that jurisdiction or country will apply.

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Chapter I

Commitment to the integrity and security of broadcasting

1.1 PRICES

Transactions with advertisers and their agencies, brokers and independent intermediaries are based on the then-current *Price List* and cash sales.

Purchases with a schedule that exceeds the validity period of a given *Price List* will be automatically adjusted to the price List in effect at the time of placement, on the same business terms.

Whether the transaction is with a direct advertiser or arranged by an advertising agency, broker or independent intermediary, the price and conditions do not vary.

Invoices for spots must be paid upon presentation. The period allowed for the agency/advertiser to examine the documentation does not change its character as a cash sale. In special cases, prepayment of the invoice may be required

Please contact Globo Internacional's Sales Team.

1.2 NON-CANCELABLE PURCHASE

All sales are subject to non-cancellation, given that broadcasters need to plan the duration and occupation of breaks and also ensure that the advertisers' messages are placed, regardless of their industry and budget size.

Purchases at Globo Internacional will be subject to registration approval and require a prior commercial agreement.

Purchase maps document the purchase of media and must include the business terms, otherwise they will not be processed.

Once availability for the desired spots has been confirmed or accepted by the agency/advertiser, the purchase maps will become unchangeable and non-cancelable.

In exceptional circumstances, an advertiser may replace the scheduled advertisement with another of its product/service line if the original media schedule is maintained and the delivery dates of the material and the other guidelines in this *Manual* are met.

Please contact Globo Internacional's Sales Team.

If the material does not comply with the standards of this *Manual* or the applicable laws or is subject to a court order or recommendation to ban from CONAR, or any other advertising self-regulatory body recognized by Globo International, then the advertiser will have the option to replace it, subject to the delivery dates specified in the *Price List*. In any other case, billing will be processed normally, and the advertiser will not be entitled to any credit, deduction, or offset.

See items 1.3 and 3.3 of this *Manual*.

1.2.1 SUBMISSION OF AUTHORIZATION

If a purchase map does not include all information necessary for billing and needs to be supported by an authorization, Globo Internacional must receive such authorization, subject to the following criteria:

- Within five (5) days after confirmation of purchase; and
- Until the business day preceding the first broadcast.

Failure to submit the authorization within the specified period will cancel all previous negotiations and, consequently, the billing will be based on the *Price List* or commercial plan. Failure or delay in submitting or difference in amounts will not change invoice due dates or documentation review periods. Prices need not be included if the authorization mentions the purchase map, *Price List(s)*, or commercial plans in effect for the placement periods and the negotiated terms.

For Brazilian customers, the purchase map may be sent by email with electronic signature. If sent without an electronic signature, its original version must be submitted to Globo Internacional later.

1.3 MATERIALS

The quality and integrity of Globo Internacional's programming require compliance with high technical, legal, and ethical standards, even in commercial breaks.

Any addition to the advertising line-up will be subject to verification of compliance with the provisions of this *Manual*. This process may require time, and sometimes the advertiser/advertising agency may be contacted. Upon completion of this stage, Globo Internacional will schedule the broadcasts.

The material must be submitted in accordance with the technical standards for broadcasting, applicable laws, rules of this *Manual*, and where appropriate, advertising self-regulations.

Examination of the material does not relieve the advertiser and agency from liability for its content or bind Globo Internacional, which may refuse to broadcast it in the circumstances described in this *Manual*, even if the material has been previously aired.

Any non-conforming material may be replaced within the timeframes specified on the *Price List*.

For technical standardization of materials, delivery timeframes and locations, see *Price List - Broadcast Material*.

1.4 PROGRAMMING CHANGES

Globo Internacional's primary commitment is to the quality and integrity of its programming, designed to gain the viewing public's preference and the advertising market's trust.

When programming changes are necessary and there is sufficient time, the advertiser and/or its advertising agency will be notified as soon as possible and may choose one of the following alternatives:

- (a) placement in the replacement program;
- (b) offset in the same program on a different date;
- (c) offset in another program of equivalent value; or
- (d) deduction of the amount from the invoice.

Some changes may be made on short notice. In this case, Globo Internacional will seek to find the best technical/operational solution for the advertiser, which will be notified at the earliest opportunity.

1.5 FAILED BROADCASTS

In case of failed broadcasts, one of the following procedures will be adopted, with the consent of the agency and/or advertiser, as applicable:

- (a) offset in the same program on a different date;
- (b) offset in another program of equivalent value; or
- (c) deduction of the amount from the invoice.

No offset, deduction, or refund of the amount paid will apply if placement does not occur due to: failure to submit the material, inability to broadcast caused by insurmountable technical defects, rejection/ban of the advertisement by court order or by recommendation from CONAR, or any other advertising self-regulatory body recognized by Globo Internacional, violation of applicable laws, noncompliance with advertising self-regulations or standards established in this *Manual*.

1.6 TIME-BUY

Globo Internacional does not broker airtime/programs or engage in any contractual arrangement for the commercial exploitation of its business by third parties.

Chapter II

Respect for viewers, cast and advertising formats

The effort to maintain Globo Quality Standard in commercial breaks is a way of respecting the viewing public's interests and ensuring the efficiency of advertisers' messages. The principles and criteria set forth below must be understood as a means to achieve such objectives:

2.1 ADVERTISEMENT PLACEMENT CRITERIA

2.1.1 JOURNALISTIC FORMAT

The advertiser's message cannot be confused with information/editorial of journalistic programs. Accordingly, the label "Advertising Material" is required when an advertising message could be mistaken for news. This is not required for advertisements with lettering or for messages in journalistic format that are immediately and unmistakably recognizable as advertising by the use of the advertiser's brand on the scenery, microphone body, costumes etc.

Basis: *TV Globo's Video Principles & Values* - Title 3, item G.

See items 2.1.3 and 3.11 of this *Manual*.

Technical specifications for adding the label "Advertising Material" are shown on the *Price List*.

2.1.2 RIGHT OF REPLY

Globo Internacional will not air, in breaks, messages refuting, correcting, or expressing support to any news story or editorial content appearing in its programs or in other media outlets.

2.1.3 SPEECH BY A GOVERNMENT OFFICIAL

Speeches, messages, and communications from government officials and bodies must be clearly identified as "Advertising Material".

In order to inform viewers, the following information must appear in the first seconds of such announcements: "Speech by the Hon. [title]...", "Speech by [title]...", "Communication from [agency]..." etc

Basis: *TV Globo's Video Principles & Values* - Title 3, item G.

See items 2.1.1 and 3.11 of this *Manual*.

Technical specifications for adding the label "Advertising Material" are shown on the *Price List*.

2.1.4 ADVERTISEMENT LEADING TO ANOTHER ADVERTISEMENT

An advertising message leading to another must clearly indicate that it will not be broadcast as part of the program, but in its commercial break. Because of the different time zones of Globo Internacional's programs and reruns, the text must be reviewed on a case-by-case basis.

Example: "Watch on Sunday, during the break of *Fantástico*".

2.1.5 CAST APPEARANCE IN ADVERTISEMENTS, JOURNALISM PROFESSIONALS AND USE OF CHARACTERISTIC PROPERTIES

Placement of advertising messages on Globo Internacional featuring its cast members, using characters and/or characteristic properties/elements of creation and production that, directly or indirectly, recall its programs/ audiovisual works will be governed by the principles and criteria set forth below, which also apply, where appropriate, to competing stations:

For Characteristic Properties, Characters and Cast, please contact Globo Internacional's Sales Team.

2.1.5.1 APPEARANCE OF CAST MEMBERS IN ADVERTISEMENTS

"Personal appearance" of cast members and others under contract with Globo in advertising messages is permitted, subject to the rules on placement contained in this *Manual*, which are incorporated into their contracts.

For placement purposes, "personal appearance" means one in which the name, image, and/or voice of a member of the "permanent cast" is used in an advertisement without direct or indirect association with a character/role or characteristics properties/programs.

For Characteristic Properties, see item 2.1.5.2 of this *Manual*.

This *Manual* defines a member of the "permanent cast" of a particular program as any actor, entertainment show host, humorist, character, staff commentator or expert who regularly appears in an entertainment program or in a "segment" of a program of that genre broadcast by Globo Internacional.

The status of member of the "permanent cast" of a program can result in placement restrictions.

Please contact Globo Internacional's Sales Team.

An advertisement featuring a member of the "permanent cast" cannot be placed in breaks of that program. This restriction does not apply to:

- (a) occasional personal appearance in a program/"segment";
- (b) the cast of the soap opera being broadcast in the program 'Vale a Pena Ver de Novo' and reruns of any programs;
- (c) appearance of actors/actresses and hosts in messages/bumpers related to institutional projects initiated or endorsed by Globo;
- (d) any person/professional who has obtained Globo's prior express authorization.

Members of the “permanent cast” cannot appear together in the same advertisement/campaign while their program is being broadcast, subject to the contractual restrictions and other standards of this *Manual*. This condition also applies to cast members of competing stations.

This restriction will cease to apply sixty (60) days after the airing of the last episode/edition/chapter/program.

For restrictions on Journalism professionals, see item 2.1.5.3 of this *Manual*.

Please contact Globo Internacional’s Sales Team.

2.1.5.2 CHARACTERISTIC PROPERTIES

Characteristic properties mean titles, brands, sceneries, bumpers, tracks, catchphrases, formats, and any other characterizing elements or forms known to be associated with a particular program/audiovisual work, on video or audio.

Placement of an advertising message utilizing characteristic properties intended to create an association with a program of Globo Internacional or of a competing station will be rejected, except as permitted under any license agreement with Globo.

This restriction extends to any medium, whether audio or video, now existing or that may exist, and especially applies to parodies and imitations.

For License of Characteristic Properties, see item 2.1.5.7 of this *Manual*.

Because the evaluation of Characteristic Properties can involve conceptual or legal considerations, it is advisable to contact Globo Internacional’s Sales Team in advance.

2.1.5.3 JOURNALISM PROFESSIONALS

Journalists, hosts, and commentators who are permanent members of Globo's Journalism team with regular and effective presence in programs of that genre are prohibited from appearing in commercials/ advertising messages in general, in any medium, whether audio or video. Advertisements featuring those professionals will be rejected for broadcast. Such restriction applies even to parodies and imitations.

The restrictions imposed on the permanent Journalism staff do not apply to experts hired as "guest commentators" (e.g. doctors, economists, lawyers, sportspeople etc.), who have limited participation in specific segments/projects. As long as they are hired as "guest commentators", their appearance in advertisements will require Globo's prior express authorization, and spots will be subject to the rules contained in this *Manual*, which are incorporated to their contracts.

It is advisable to submit the script/storyboard to Globo Internacional's Sales Team.

See item 2.1.5.1 (d) of this *Manual*.

See *TV Globo's Video Principles & Values*.

See *Organizações Globo's Editorial Principles*.

2.1.5.4 CHARACTERS

Placement of an advertising message featuring a character from a program of Globo Internacional or intended to recall a character/program of Globo Internacional or of competing stations will be rejected if it:

- (a) reproduces the program character through an imitation, drawing, or animation;
- (b) reproduces the character in situations experienced by him/her in a program;
- (c) borrows typical elements of a character, including, but not limited to, catchphrases, expressions, and mimes.

This restriction extends to any medium, whether audio or video, now existing or that may exist, and especially applies to parodies and imitations.

It is advisable to submit the script/storyboard to Globo Internacional's Sales Team.

2.1.5.5 REALITY SHOW PARTICIPANTS

Advertising messages featuring a participant of any reality show may be placed on Globo if they are broadcast after sixty (60) days from the airing of the last episode/edition/chapter/program.

2.1.5.6 HUMOR SHOW CAST

The restrictions contained in item 2.1.5.1 apply to placement of advertisements using humor show characters and/or performers, unless they are expressly allowed.

It is advisable to submit the script/storyboard to Globo Internacional's Sales Team.

2.1.5.7 LICENSED BRANDS, CHARACTERS AND CHARACTERISTIC PROPERTIES

Placement of advertising messages on Globo Internacional exploiting brands, characters, and characteristic properties owned by Globo must comply with the terms of the applicable license agreement, as well as the standards of this *Manual*.

For the License portfolio, please contact Globo Internacional's Sales Team.

2.1.6 JOINT ADVERTISEMENT

Is one that provides, in audio and/or video, advertising benefits for more than one advertiser, brand, product, or service, even if attributes are not explicitly stated.

The prices charged by Globo Internacional are for a single message from one client for a particular product/service or product line under the same brand.

In order to protect its interests and maintain the quality and efficiency of breaks, Globo Internacional will adopt specific criteria to determine the circumstances in which co-advertising may or may not be accepted and, if so, subject to an extra charge.

See the *Price List*.

For formats that do not allow for co-advertising, see the *Manual of Advertising Formats*.

Please contact Globo Internacional's Sales Team.

2.1.7 COMPARATIVE ADVERTISING

Comparative advertising may be subject to specific legal and ethical standards.

For comparative advertising in Brazil, see Article 32 of the Brazilian Advertising Self-Regulatory Code.

Comparative advertising may amount to co-advertising.

See item 2.1.6 and the *Price List*.

Please contact Globo Internacional's Sales Team.

2.1.8 ADVERTISEMENTS GIVING A PHONE NUMBER

Advertisements giving a phone number must clearly state, in audio and/or video, its area code or international call prefix.

If the message reaches more than one country, the country must be stated in audio and/or video. For advertisements directed to a signal that is broadcast in one country, it is not necessary to mention the country.

An advertisement stating a carrier selection code will be classified as a joint advertisement.

See item 2.1.6 and “Joint Advertisement” in the *Price List*.

2.1.9 ADVERTISEMENTS GIVING AN ADDRESS

Advertisements giving a street address must include the relevant city, state (or equivalent), and country. If the message reaches more than one country, the country must be stated in audio and/or video.

See item 2.1.6 and “Joint Advertisement” in the *Price List*.

2.1.10 MANUFACTURERS’ ADVERTISEMENTS

A manufacturer’s message (whether institutional or for products or services) cannot mention its wholesale/retail representative.

2.1.11 MESSAGES OF RELIGIOUS SERVICES

No advertisement or publicity related to churches or religious services, including information on schedule of religious activities, will be broadcast on Globo Internacional.

2.2 RIGHTS TO MAJOR EVENTS

Holders of advertising and commercial use rights to events impose restrictions on use.

For use of intellectual, industrial, and related property rights, including, but not limited to, copyright, arena and image rights related to events, please contact their owners. This category covers FIFA World Cup, Olympic Games™, and Formula 1™, among others.

Because the analysis of materials involves conceptual and contractual considerations (on the relationship between entity/promoter and advertiser), Globo Internacional may, before placement, request the advertiser to demonstrate compliance of the intended advertising or commercial use.

See items 3.9 and 3.10 of this *Manual*.

2.3 SPECIFIC BREAK

The program break in which an advertisement will be placed depends on technical availability and operational facilities.

For placement in a specific break, see the *Price List*.

Globo Internacional does not sell fixed positions in commercial breaks.

2.4 BACK-TO-BACK COMMERCIALS

Where multiple advertisements of a client are scheduled to broadcast in the same program, Globo Internacional will do its best not to air them immediately following each other.

2.5 COMPETING ADVERTISEMENTS

Where possible, Globo Internacional will seek to position advertisements for competing products/services in different breaks. For that purpose, it has to be informed in advance of the products/services being advertised.

However, when there are more scheduled competing advertisements than breaks available, Globo Internacional will not have another option but to place them in the same break and, sometimes, sequentially.

Chapter III

Compliance with the laws, self- regulations and advertising ethics

3.1 PLACEMENT: PRIVATE LAW RELATIONSHIP

Advertising placement contracts do not establish a consumer relationship; the legal relationship is governed by civil laws and advertising regulations and self-regulations, where appropriate.

3.2 CONFIDENTIALITY

In order to respect the privacy and communication strategies of its clients, Globo Internacional will ensure appropriate treatment of the data, information, questions, scripts, commercial proposals, contracts, terms and conditions of the negotiation and agrees to keep them confidential. Therefore, it expects the same treatment from advertisers, agencies, brokers, and independent intermediaries.

3.3 ADVERTISER'S RESPONSIBILITY

An advertiser has legal and ethical responsibility for the content of its advertising messages, including in case of product placement contracts. Such content must comply with the legal requirements of the countries in which it will be broadcast and, where appropriate, those of the Brazilian Consumer Code (CDC) and the recommendations of the Brazilian Advertising Self-Regulatory Code.

Basis:

CDC.

Article 45, "a" of the Brazilian Advertising Self-Regulatory Code, www.conar.org.br

See the list of countries by signal in the then-current *Price List*.

3.3.1 COPYRIGHT, RELATED RIGHTS, BRANDS ETC.

Globo Internacional is not a party to the agreements among advertisers, advertising agencies, producers, and owners of copyright, related rights, image, arena, intellectual and industrial property, international broadcast rights, or any other rights involved in the processes of creation, production, and printing of the advertising works to be broadcast.

3.4 ADVERTISING ETHICS AND SELF-REGULATION

With the purpose of making advertising an economically useful and socially relevant service, the Brazilian market has adopted the Brazilian Advertising Self-Regulatory Code and set up CONAR (National Advertising Self-Regulatory Council) to defend the right to advertise and freedom of commercial expression; ensure the integrity of commercial advertising and that is free from censorship; allow consumers free access to ethical, honest, true, accurate commercial information in accordance with the laws of the country.

Globo supports and recognizes the international advertising self-regulatory system aligned with those principles.

By authorizing the commercial placement on a Globo Internacional affiliate station, advertisers, agencies, brokers and independent intermediaries agree to abide by the provisions of this *Manual* and, therefore, submit to the decisions of the CONAR's Ethics Committee and its counterparts in the international advertising self-regulatory system recognized by Globo. The fact that an advertiser is not a member of any such entity is no excuse.

3.5 RELATIONSHIP BETWEEN ADVERTISERS, AGENCIES, GLOBO INTERNACIONAL AND ITS REPRESENTATIVES

An advertiser can arrange for advertising placement on Globo Internacional or accredited companies, either directly or through an advertising agency of its choice.

The provisions of this item apply also to independent intermediaries and brokers.

3.5.1 ACCREDITATION OF ADVERTISING AGENCIES

In order to be represented by an advertising agency, an advertiser must execute a Letter of Accreditation and submit any additional documentation that may be requested.

This formality will enable the agency to establish a commercial relationship with Globo Internacional, to authorize the placement of advertisements, to submit materials for broadcasting, to receive and pay advertising placement invoices issued to and in the name of the advertiser, to the care of the accredited agency.

Request a Model Letter of Accreditation to Globo Internacional's Sales Team.

Globo Internacional and its sales representatives establish separate and direct relationships with each agency. Therefore, commercial demands of groups/conglomerates of agencies and their holding companies or media buying bureaus or agencies are not met.

For relationship with a direct advertiser, see item 1.1 of this *Manual*.

For typical activities of an advertising agency and obligations to clients and stations, see Article 3 of Law No. 4680/65, Articles 6 and 15 of Decree No. 57690/66.

Standard Norms for Advertising Activities – items 1.3, 3.1, 4.3, and 4.4.

3.6 PUBLIC SECTOR ADVERTISERS

Public sector advertisers are subject to specific laws, if any.

Basis for Brazilian advertisers: Article 37, Paragraph 1, of the Federal Constitution. Law No. 12232/10.

Accreditation of complementary service providers (Article 14 of Law No. 12232/10) does not apply to general media outlets.

3.7 CENP, BEST PRACTICES AND STANDARD NORMS FOR ADVERTISING ACTIVITIES

When commercial relationships between advertisers and media outlets, intermediated by advertising agencies, brokers, or independent intermediaries are established in Brazil, they will be governed by specific laws and the Standards Norms for Advertising Activities.

Basis:

Law No. 4680/65, Decree No. 57690/66, and Decree No. 4563/02. Standard Norms for Advertising Activities.

Globo implements the Standard Norms for Advertising Activities and accepts the recommendations of the CENP (Standard Norms Executive Committee).

3.7.1 REMUNERATION OF BRAZIL-BASED AGENCIES

3.7.1.1 REMUNERATION OF CENP-CERTIFIED AGENCIES

For commercial relationships established in Brazil, an agency holding a Technical Qualification Certificate issued by CENP will be entitled to the “standard agency discount” on the amounts of invoices for spots ordered on Globo Internacional, as set forth in the Standard Norms for Advertising Activities.

3.7.1.2 REMUNERATION OF BRAZIL-BASED NON-CENP-CERTIFIED AGENCIES, BROKERS AND INDEPENDENT INTERMEDIARIES

Remuneration of uncertified agencies, brokers, and independent intermediaries will be determined by Globo Internacional in accordance with the Standard Norms for Advertising Activities.

Basis:

Article 3 of Law No. 4680/65, Article 7 of Decree No. 57690/66, as amended by Decree No. 4563/02, Article 19 of Law No. 12232/10.

Standard Norms for Advertising Activities – items 1.3, 1.10 to 1.12, 2.5, 4.1, 4.3, and 5.1.

3.7.2. REMUNERATION OF NON-BRAZIL-BASED AGENCIES, BROKERS AND INDEPENDENT INTERMEDIARIES

Remuneration of non-Brazil-based agencies, brokers, and independent intermediaries will be a percentage to be determined by Globo Internacional on the amount of the invoice.

3.7.3 DIRECT ADVERTISERS

Direct clients will not be entitled to the “standard agency discount” or the remuneration reserved to uncertified agencies, brokers, and independent intermediaries, regardless of the market.

Even if the business purpose or object of a direct client includes typical functions of an advertising agency, the “standard agency discount” will not apply to it.

Basis:

Article 11, Sole Paragraph, of Law No. 4680/65.

Standard Norms for Advertising Activities – items 4.1, 4.3, and 6.5.

See item 1.1 of this *Manual*.

3.7.4 DEL CREDERE

The “standard agency discount” granted by Globo is on a del credere basis and makes the advertising agency jointly and severally liable for the payment of its clients’ spots.

Basis:

Article 17 of Law No. 4680/65, item 12, of the Code of Ethics for Advertising Professionals. Article 698 of the Brazilian Civil Code.

Standard Norms for Advertising Activities – item 2.4.

3.8 USE OF THE SIGNAL FOR PROMOTIONAL PURPOSES

Globo Internacional may authorize or deny the use of its audio and video signals for commercial, promotional, and advertising purposes in public spaces. If and when such authorization is granted, the interested party will be required to reproduce the original content of Globo Internacional’s programming in its entirety, including its commercial breaks, without cuts, interruptions, or insertions.

Basis: Article 95 of Law No. 9610/98.

Questions in this regard may be referred to Globo Internacional’s Sales Team.

3.9 SPORTS EVENTS AND BROADCASTS

Globo invests in the acquisition of broadcasting rights of sports competitions and coverage of this genre. In addition to assuming inherent business risks with national and international organizations and promoters, it enters into contracts with advertisers, which plan to obtain legitimate advertising benefits for their brands, through broadcast sponsorship, arena property, and other advertising formats. Globo condemns ambush and “free-rider” marketing.

3.10 AMBUSH AND “FREE-RIDER” MARKETING

Globo Internacional will refuse to provide improper and illegitimate advertising benefits, defined as those derived from “ambush marketing”, actions to take parasitic advantage or intended to generate the so-called “earned media”, obtained without consent, by encroaching on editorial or commercial space in broadcasts of any kind (news, sports, political, religious, or cultural). For that purpose, Globo Internacional will take technical and legal measures to protect its rights and ensure advertising ethics.

Basis:

Article 31 and Sole Paragraph of the Brazilian Advertising Self-Regulatory Code.

3.11 IDENTIFICATION

An advertising message must be placed in such a way that consumers can easily and immediately recognize it as such. Accordingly, it will always be identified by the sponsoring brand/company.

Basis:

Article 36 of the CDC.

Brazilian Advertising Self-Regulatory Code - Articles 28, 29, and Sole Paragraph.

For journalistic format, see item 2.1.1 of this *Manual*.

For the “Advertising Material” label on speeches of officials, see item 2.1.3 of this *Manual*.

3.11.1 TEASER

An advertisement/campaign structured as a teaser will not require the advertiser’s identification. Its airing will be conditional on the schedule of the other campaign pieces, such that Globo Internacional must have information on the product/service and other elements to be revealed to TV viewers.

Basis:

Article 36 of the CDC.

Brazilian Advertising Self-Regulatory Code - Article 9 and Paragraph 2, and Article 28.

3.12 RETAIL AND INSTALLMENT SALES

An advertisement for installment sales must legibly state the cash price of the product, number and amount of installments, total cost, interest rate, and other financial charges for consumers.

Basis:

Articles 31 and 37 of the CDC.

Article 1 of Law No. 6463/77 and, where applicable, Resolution No. 3517/07, as amended by Resolution No. 3909/10, both of the Central Bank of Brazil.

Brazilian Advertising Self-Regulatory Code - Article 27, Paragraph 3.

3.13 PORTUGUESE LANGUAGE

Advertising messages must be in Portuguese. If there is content in a foreign language, Globo Internacional may request the advertisement to be translated or subtitled.

Basis:

Article 31 of the CDC.

Article 27, Paragraph 6, “a”, of the Brazilian Advertising Self-Regulatory Code.

3.14 ADVERTISED PRICES

Advertised prices must indicate the currency in which they are denominated.

3.15 CHILDREN AND ADOLESCENTS

Appearance of minors in advertising films must comply with the local laws.

Basis:

Article 149 of the Statute of Children and Adolescents (ECA) - Law No. 8069/90.

In respect to children and adolescents, Globo:

- (a) does not accept product placement actions or indirect advertising in its own productions intended for the child audience.

Basis:

TV Globo's Video Principles & Values – item 11.3.

Brazilian Advertising Self-Regulatory Code, Article 37 and items 3 to 5.

- (b) does not broadcast, in its breaks, advertisements for products/services aimed at children and adolescents containing an imperative call to action, nor does it broadcast, in breaks of programs specifically produced or planned for the child audience, advertisements for lottery tickets or the like, weapons, ammunitions, smoking products, alcoholic beverages, or other products with ingredients that can cause physical or psychological dependence; firecrackers or fireworks, or publications with inappropriate content.

Basis:

Article 81, item VI of the ECA and Law No. 9294/96.

3.16 SHOWS AND ENTERTAINMENT

Advertisements for films, theater plays, shows, and general entertainment are required by law to clearly state, in audio and/or video, the official advisory rating, if applicable.

3.17 ADVERTISEMENTS FOR PRODUCTS SUBJECT TO RESTRICTIONS

Basis: Article 220, Paragraph 4, of the Federal Constitution, Law No. 9294/96, Federal Decree No. 2018/96, and *TV Globo's Video Principles & Values* – Title 10/Sensitive Topics.

3.17.1 CIGARETTES AND OTHER SMOKING PRODUCTS

Advertisements for cigarettes and other smoking products will not be accepted.

3.17.2 ALCOHOLIC BEVERAGES

Advertising of alcoholic beverages must comply with the specific laws and self-regulations.

Basis:

Brazilian Advertising Self-Regulatory Code - Annex "A" (Alcoholic Beverages) and Resolution No. 01/08; Annex "P" (Beers and Wines) and Resolution No. 02/08 - Annex "T" (Malt and Similar Beverages), and Resolution No. 03/08. Messages must include, in audio and video, the "warning statement" on responsible drinking and moderation, as recommended by CONAR in the above-mentioned resolutions.

TV Globo's Video Principles & Values – Title 10/Sensitive Topics – item 10.1.

3.17.3 DRUGS, HEALTH TREATMENTS AND PREVENTION

Advertisements for products/services subject to medical prescription cannot be broadcast. Advertisements for other drugs/pharmaceuticals or health treatments sold or offered via the Internet, telemarketing, or the like will not be accepted.

All advertisements in this category must be submitted to Globo Internacional's Sales Team for review.

3.17.4 AGROCHEMICALS

Advertisements for agrochemicals will not be accepted.

3.17.5 WEAPON ADVERTISEMENTS

Advertisements for weapons will not be accepted.

3.18 DOCTORS, DENTAL SURGEONS, HEALTH TREATMENTS AND PROFESSIONALS

Advertising messages of doctors and dental surgeons, health treatments and health professionals must comply with the requirements of the health authority and regulations for each profession.

Advertising for surgical or invasive procedures, even if merely cosmetic, will not be accepted.

Interpretation of standards and rules applicable to this advertiser category will be the most restrictive.

Basis: Annex G to the Brazilian Advertising Self-Regulatory Code

3.19 CONTESTS, DRAWS AND PROMOTIONS

May require authorization from the competent authority. If a contest, draw, or promotion is limited to one country or region, this must be identified. See also item 2.1.6 “Joint Advertisement”, in Chapter II.

3.20 REFERENCE TO NARCOTICS

Because it is a sensitive topic, the sponsor of an anti-drug campaign must submit the material to Globo Internacional's Sales Team for prior review.

Pro-narcotics campaigns will not be broadcast.

3.21 TESTIMONIAL

See Appendix "B".

3.22 PRODUCTS AIMED AT CHILDREN AND ADOLESCENTS

See Appendix "C".

Chapter IV

Appendices

APPENDIX "A"

ANNEX A

ALCOHOLIC BEVERAGES

For the purposes of advertising ethics, an alcoholic beverage is one that is classified as such under the official standards and regulations governing their licensing. This Code, however, distinguishes three categories of alcoholic beverages: those usually drunk during meals, hence called table drinks (Beers and Wines, covered by Annex "P"); other alcoholic beverages, whether fermented, distilled, rectified, or mixed (usually served in doses, whose advertising is regulated by Annex "A"); and the category of "malt beverages", "coolers", "alcopops", "ready-to-drink beverages", "malternatives", and similar products, in which the alcoholic beverage is presented mixed with water, juice, or soft drink, covered by a specific Annex (Annex "T") and, where appropriate, by Annex "A".

The following ethical standards complement the general recommendations of this Code and obviously do not preclude compliance with the requirements of specific laws.

Advertising subject to this Annex:

1. **General rule:** for alcoholic beverage – a product prohibited and inappropriate for certain audiences and in certain situations – shall be structured in a socially responsible manner, without detracting from the primary purpose of promoting its brand and features, and shall not contain, in the form of text or image, directly or indirectly, including slogan, an imperative call to action or an offer of an excessive number of units of the product in any piece of communication.
2. **Principle of protection of children and adolescents:** shall not be targeted at children and adolescents. In light of this principle, Advertisers and their Agencies shall take special care in preparing their marketing strategies and structuring their advertising messages. Therefore:
 - a. children and adolescents shall not feature, in any way, in advertisements; any person appearing in them shall be and look older than 25 years;
 - b. messages shall be directed solely to an adult audience, and no compromise on this principle is acceptable. Therefore, the content of advertisement shall make it clear that the product is inappropriate for minors; shall not use language, expressions, graphics and audiovisual aids recognizable as belonging to the world of children and teenagers, such as humanized animals, dolls, or animations, which may arouse the curiosity or attention of minors, nor shall induce minors to adopt moral values or habits inconsistent with minority;
 - c. media planning shall take this principle into account and, therefore, shall reflect the restrictions and appropriate technical and ethical precautions. Therefore, such advertisement shall be placed only in programs, publications, or websites aimed mainly at people of legal age. In case of any difficulty in determining the main audience, the programming that best serves the purpose of protecting children and adolescents shall be adopted;
 - d. websites owned by brands of products falling within this category shall have an access control system to prevent minors from browsing them.

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3. **Principle of socially responsible consumption:** advertising shall not in any way encourage excessive or irresponsible consumption. Therefore, in light of this principle, advertisements for alcoholic beverages:
 - a. shall not use sex appeal as the main content of the message; shall not treat any models featured in advertising as sexual objects;
 - b. shall not include any scene, illustration, audio, or video showing or suggesting consumption of the product;
 - c. shall not use images, language, or arguments suggesting that consuming the product is a sign of maturity or that the product contributes to greater personal courage, professional or social success or provides consumers with a greater power of seduction;
 - d. when using the image of a celebrity, the same constraints shall apply as set forth in item 2, clauses "a", "b", "c", and "d", of Annex Q - Testimonials, Recommendations and Endorsements;
 - e. no arguments shall be used or situations shall be presented to make consumption of the product a challenge or to depreciate those who do not drink; no image or text shall be ever used to despise moderation in consumption;
 - f. recommending beverages due to their alcohol content or effects on senses shall not be allowed;
 - g. specific references to a reduction in the alcohol content of a product are acceptable, if there are no implications or conclusions as to the safety or quantity that can be drunk as a result of such reduction;
 - h. consumption of the product shall not be positively associated with driving vehicles;
 - i. consumption shall not be encouraged in inappropriate, illegal, dangerous, or socially reprehensible situations;
 - j. consumption of the product shall not be associated with the performance of any professional activity;
 - k. the product shall not be associated with any situation suggesting aggressiveness, use of weapons, and shift in emotional balance; and
 - l. shall not use Olympic sports uniforms to support the brand promotion.

4. **Broadcasting times:** broadcasting times on pay television are subject to the following rules:
 - a. for regular or planned programming: advertisements, spots, video inserts, sponsor mentions, sponsorship idents, break bumpers, and other kinds of messages, including product placement or indirect advertising, virtual advertising, and promos of the relevant programs shall be broadcast only in the period from nine thirty (9:30 p.m.) to six o' clock (6:00 a.m.) (local time);
 - b. for sponsored broadcast of events outside regular or routine programming: their promos and sponsorship idents shall be limited to identifying the brand and/or manufacturer, slogan or advertising phrase, without recommending consumption of the product. Conforming promos shall be allowed at any time.

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5. **Warning statement:** Every advertisement, in whatever medium, shall contain a "warning statement" to be defined by a specific resolution of the CONAR's Superior Council, which shall reflect the social responsibility of advertising and the concern of Advertisers, Advertising Agencies, and Media Outlets for the general public. In view of such commitments and the need to give them full effect, the resolution shall take into account the peculiarities of each medium and determine the warning wording, format, running time and space. The "warning statement" shall be included in the advertisement and shall not encroach on the editorial content of the Media Outlet; shall be properly communicated, clearly legible, and prominently displayed. And further:
- in Radio, it shall be included at the end of the advertising message;
 - in TV, including pay TV and in the movies, it shall be included in audio and video at the end of the advertising message; The same rule shall apply to advertising messages shown in theaters, concert halls, and the like;
 - in Newspapers, Magazines, and any other print media; in billboards and banners and Internet advertising pieces, it shall be written as approved by resolution;
 - in videos broadcast on the Internet and over the telephone, it shall observe the same requirements established for TV;
 - on packages and labels, it shall emphasize that the product is intended for sale to and use by persons above 18 years.
7. **Exceptions:** The formats listed below shall not be required to add a "warning statement" if they do not include a call to consume the product:
- static advertising in stadiums, sambadromes, gymnasiums, and other sports arenas, if it merely identifies the product, its brand or slogan;
 - mere expression of the brand, its slogan or exposure of the product on racing vehicles;
 - promos and sponsorship idents of sponsored radio and TV programs, including pay TV;
 - sponsor mentions, break bumpers, and the like.
8. **Trade:** Whenever an advertisement signed by a wholesaler, importer, distributor, retail establishment, bar, restaurant, and the like mentions a product whose advertising is regulated by this Annex, it shall be subject to the standards set forth herein, especially those of item 5.
- (...)
11. **Responsible consumption:** this Code encourages the implementation of advertising campaigns and initiatives designed to raise awareness of moderation in consumption, the prohibition on the sale and offer of alcoholic beverages to minors, and responsible driving.

APPENDIX "A"

12. **Interpretation:** due to the nature of the product, CONAR, Advertisers, Advertising Agencies, Advertising Film Producers, and Media Outlets shall adopt the most restrictive interpretation of the standards provided in this Annex.

Approved by the CONAR's Superior Council on Feb. 18, 2008.

Resolution governing the form of "warning statements".

CONAR's Superior Council
RESOLUTION No. 01/08 ON EXHIBIT "A"
Complements Annex "A" – Alcoholic Beverages
to the Brazilian Advertising Self-Regulatory Code,
dated Feb. 18, 2008.

The CONAR's Superior Council resolves:

1. The "warning statement" provided in item 5 of Annex "A" shall include one of the following sentences:

- "DRINK WITH MODERATION"
- "SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ARE PROHIBITED FOR MINORS"
- "THIS PRODUCT IS INTENDED FOR ADULTS"
- "AVOID EXCESSIVE CONSUMPTION OF ALCOHOL"
- "DO NOT CONSUME IN EXCESS"
- "DRINK LESS, HAVE MORE FUN"
- "DO NOT DRINK IF YOU DRIVE"
- "SERVING ALCOHOL TO PEOPLE UNDER 18 IS A CRIME"

Note: The above sentences are in addition to any other that may serve the same purpose and reflect the social responsibility of advertising.

(...)*

- 1.2. In TV media, including pay TV and the Movies, regardless of the aids used for the advertisement, it shall be presented in audio and video during at least one tenth of the length of the advertising message.

The following format shall be used: single static image, in the video or on the screen, with a blue background and white lettering to provide good legibility and visibility. The image shall conform to the RTV template with a standard size of thirty-six and half centimeters per twenty-six centimeters (36.5 cm x 27 cm); lettering shall be Univers typeface, Medium weight, size 48, uppercase. Voice-over shall read only the selected sentence.

Note: Other alternative formats may be considered if they serve the purpose of advising the public and conform to item 2 of this Resolution.

(...)*

APPENDIX "A"

2. In interpreting the recommendations provided in Annex "A" and in this Resolution, whether for the creation, production, and placement of advertisements or in judging any ethical violation for failure to comply with them, the following shall be taken into account:
 - a. the content of the message;
 - b. the medium used;
 - c. the intention of allowing proper communication of the "warning statements" and facilitating their understanding by the public.
3. Publicity required by law, institutional campaigns, and the formats expressly specified in item 7 of Annex "A" are exempt from the "warning statement" requirement.

* * *

This resolution is effective on this date and shall be enforced from April 10, 2008.

APPENDIX "A"

ANNEX P

BEERS AND WINES

For the purposes of advertising ethics, an alcoholic beverage is one that is classified as such under the official standards and regulations governing their licensing. This Code, however, distinguishes three categories of alcoholic beverages: those usually drunk during meals, hence called table drinks (Beers and Wines, covered by Annex "P"); other alcoholic beverages, whether fermented, distilled, rectified, or mixed (usually served in doses, whose advertising is regulated by Annex "A"); and the category of "malt beverages", "coolers", "alcopops", "ready-to-drink beverages", "malternatives", and similar products, in which the alcoholic beverage is presented mixed with water, juice, or soft drink, covered by a specific Annex (Annex "T") and, where appropriate, by Annex "A".

The following ethical standards complement the general recommendations of this Code and obviously do not preclude compliance with the requirements of specific laws.

Advertising subject to this Annex:

1. **General rule:** for alcoholic beverage – a product prohibited and inappropriate for certain audiences and in certain situations – shall be structured in a socially responsible manner, without detracting from the primary purpose of promoting its brand and features, and shall not contain, in the form of text or image, directly or indirectly, including slogan, an imperative call to action or an offer of an excessive number of units of the product in any piece of communication.
2. **Principle of protection of children and adolescents:** shall not be targeted at children and adolescents. In light of this principle, Advertisers and their Agencies shall take special care in preparing their marketing strategies and structuring their advertising messages. Therefore:
 - a. children and adolescents shall not feature, in any way, in advertisements; any person appearing in them shall be and look older than 25 years;
 - b. messages shall be directed solely to an adult audience, and no compromise on this principle is acceptable. Therefore, the content of advertisements shall make it clear that the product is inappropriate for minors; shall not use language, expressions, graphics and audiovisual aids recognizable as belonging to the world of children and teenagers, such as humanized animals, dolls, or animations, which may arouse the curiosity or attention of minors, nor shall induce minors to adopt moral values or habits inconsistent with minority;
 - c. media planning shall take this principle into account and, therefore, shall reflect the restrictions and appropriate technical and ethical precautions. Therefore, such advertisement shall be placed only in programs, publications, or websites aimed mainly at people of legal age. In case of any difficulty in determining the main audience, the programming that best serves the purpose of protecting children and adolescents shall be adopted;
 - d. websites owned by brands of products falling within this category shall have an access control system to prevent minors from browsing them.

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3. **Principle of socially responsible consumption:** advertising shall not in any way encourage excessive or irresponsible consumption. Therefore, in light of this principle, advertisements for alcoholic beverages:
 - a. shall not use sex appeal as the main content of the message; shall not treat any models featured in advertising as sexual objects;
 - b. shall not include any scene, illustration, audio, or video showing or suggesting consumption of the product;
 - c. shall not use images, language, or arguments suggesting that consuming the product is a sign of maturity or that the product contributes to greater personal courage, professional or social success or provides consumers with a greater power of seduction;
 - d. when using the image of a celebrity, the same constraints shall apply as set forth in item 2, clauses "a", "b", "c", and "d", of Annex Q - Testimonials, Recommendations and Endorsements;
 - e. no arguments shall be used or situations shall be presented to make consumption of the product a challenge or to depreciate those who do not drink; no image or text shall be ever used to despise moderation in consumption;
 - f. recommending beverages due to their alcohol content or effects on senses shall not be allowed;
 - g. specific references to a reduction in the alcohol content of a product are acceptable, if there are no implications or conclusions as to the safety or quantity that can be drunk as a result of such reduction;
 - h. consumption of the product shall not be positively associated with driving vehicles;
 - i. consumption shall not be encouraged in inappropriate, illegal, dangerous, or socially reprehensible situations;
 - j. consumption of the product shall not be associated with the performance of any professional activity;
 - k. the product shall not be associated with any situation suggesting aggressiveness, use of weapons, and shift in emotional balance; and
 - l. shall not use Olympic sports uniforms to support the brand promotion.

4. **Warning statement:** Every advertisement, in whatever medium, shall contain a "warning statement" to be defined by a specific resolution of the CONAR's Superior Council, which shall reflect the social responsibility of advertising and the concern of Advertisers, Advertising Agencies, and Media Outlets for the general public. In view of such commitments and the need to give them full effect, the resolution shall take into account the peculiarities of each medium and determine the warning wording, format, running time and space. The "warning statement" shall be included in the advertisement and shall not encroach on the editorial content of the Media Outlet; shall be properly communicated, clearly legible, and prominently displayed. And further:
 - a. in Radio, it shall be included at the end of the advertising message;
 - b. in TV, including pay TV and in the movies, it shall be included in audio and video at the end of the advertising message; The same rule shall apply to advertising messages shown in theaters, concert halls, and the like;
 - c. in Newspapers, Magazines, and any other print media; in billboards and banners and Internet advertising pieces, it shall be written as approved by resolution;
 - d. in videos broadcast on the Internet and over the telephone, it shall observe the same requirements established for TV;
 - e. on packages and labels, it shall emphasize that the product is intended for sale to and use by persons above 18 years.

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5. (...)
6. **Exceptions:** The formats listed below shall not be required to add a "warning statement" if they do not include a call to consume the product:
 - a. static advertising in stadiums, sambadromes, gymnasiums, and other sports arenas, if it merely identifies the product, its brand or slogan;
 - b. mere expression of the brand, its slogan or exposure of the product on racing vehicles;
 - c. promos and sponsorship identifications of sponsored radio and TV programs, including pay TV;
 - d. sponsor mentions, break bumpers, and the like.
7. **Trade:** Whenever an advertisement signed by a wholesaler, importer, distributor, retail establishment, bar, restaurant, and the like mentions a product whose advertising is regulated by this Annex, it shall be subject to the standards set forth herein, especially those of item 4.
8. (...)
9. **Non-alcoholic beer:** advertising for "non-alcoholic beer" is required to highlight such feature and is subject, where appropriate, to the standards of this Annex. It shall be exempt from the "warning statement" requirement if it does not refer to a brand, slogan, or advertising phrase of a product subject to this Annex or Annexes "A" and "T".
10. (...)
11. **Responsible consumption:** this Code encourages the implementation of advertising campaigns and initiatives designed to raise awareness of moderation in consumption, the prohibition on the sale and offer of alcoholic beverages to minors, and responsible driving.
12. **Interpretation:** due to the nature of the product, CONAR, Advertisers, Advertising Agencies, Advertising Film Producers, and Media Outlets shall adopt the most restrictive interpretation of the standards provided in this Annex.

Approved by the CONAR's Superior Council on Feb. 18, 2008

Resolution governing the form of "warning statements".

CONAR's Superior Council
RESOLUTION No. 02/08 ON ANNEX "P"
Complements Annex "P" – Beers and Wines,
to the Brazilian Advertising Self-Regulatory Code,
dated Feb. 18, 2008.

APPENDIX "A"

The CONAR's Superior Council resolves:

1. The "warning statement" provided in item 4 of Annex "P" shall include one of the following sentences:

- "DRINK WITH MODERATION"
- "BEER IS AN ALCOHOLIC BEVERAGE. SALE AND CONSUMPTION ARE PROHIBITED FOR MINORS"
- "THIS PRODUCT IS INTENDED FOR ADULTS"
- "AVOID EXCESSIVE CONSUMPTION OF ALCOHOL"
- "DO NOT CONSUME IN EXCESS"
- "DRINK LESS, HAVE MORE FUN"
- "DO NOT DRINK IF YOU DRIVE"
- "SERVING BEER TO PEOPLE UNDER 18 IS A CRIME"

Note: The above sentences are in addition to any other that may serve the same purpose and reflect the social responsibility of advertising.

(...)*

1.2. In TV media, including pay TV and the Movies, regardless of the aids used for the advertisement, it shall be presented in audio and video during at least one tenth of the length of the advertising message.

The following format shall be used: single static image, in the video or on the screen, with a blue background and white lettering to provide good legibility and visibility. The image shall conform to the RTV template with a standard size of thirty-six and half centimeters per twenty-six centimeters (36.5 cm x 27 cm); lettering shall be Univers typeface, Medium weight, size 48, uppercase. Voice-over shall read only the selected sentence.

Note: Other alternative formats may be considered if they serve the purpose of advising the public and conform to item 2 of this Resolution.

(...)*

2. In interpreting the recommendations provided in Annex "P" and in this Resolution, whether for the creation, production, and placement of advertisements or in judging any ethical violation for failure to comply with them, the following shall be taken into account:

- a. the content of the message;
- b. the medium used;
- c. the intention of allowing proper communication of the "warning statements" and facilitating their understanding by the public;

3. Publicity required by law, institutional campaigns, and the formats expressly specified in item 6 of Annex "P" are exempt from the "warning statement" requirement.

This resolution is effective on this date and shall be enforced from April 10, 2008.

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ANNEX T

MALT AND SIMILAR BEVERAGES

For the purposes of advertising ethics, an alcoholic beverage is one that is classified as such under the official standards and regulations governing their licensing. This Code, however, distinguishes three categories of alcoholic beverages: those usually drunk during meals, hence called table drinks (Beers and Wines, covered by Annex "P"); other alcoholic beverages, whether fermented, distilled, rectified, or mixed (usually served in doses, whose advertising is regulated by Annex "A"); and the category of "malt beverages", "coolers", "alcopops", "ready-to-drink beverages", "malternatives", and similar products, in which the alcoholic beverage is presented mixed with water, juice, or soft drink, covered by a specific Annex (Annex "T") and, where appropriate, by Annex "A".

The following ethical standards complement the general recommendations of this Code and obviously do not preclude compliance with the requirements of specific laws.

Advertising subject to this Annex:

1. **General rule:** for alcoholic beverage – a product prohibited and inappropriate for certain audiences and in certain situations – shall be structured in a socially responsible manner, without detracting from the primary purpose of promoting its brand and features, and shall not contain, in the form of text or image, directly or indirectly, including slogan, an imperative call to action or an offer of an excessive number of units of the product in any piece of communication.
2. **Principle of protection of children and adolescents:** shall not be targeted at children and adolescents. In light of this principle, Advertisers and their Agencies shall take special care in preparing their marketing strategies and structuring their advertising messages. Therefore:
 - a. children and adolescents shall not feature, in any way, in advertisements; any person appearing in them shall be and look older than 25 years;
 - b. messages shall be directed solely to an adult audience, and no compromise on this principle is acceptable. Therefore, the content of advertisements shall make it clear that the product is inappropriate for minors; shall not use language, expressions, graphics and audiovisual aids recognizable as belonging to the world of children and teenagers, such as humanized animals, dolls, or animations, which may arouse the curiosity or attention of minors, nor shall induce minors to adopt moral values or habits inconsistent with minority;
 - c. media planning shall take this principle into account and, therefore, shall reflect the restrictions and appropriate technical and ethical precautions. Therefore, such advertisement shall be placed only in programs, publications, or websites aimed mainly at people of legal age. In case of any difficulty in determining the main audience, the programming that best serves the purpose of protecting children and adolescents shall be adopted;
 - d. websites owned by brands of products falling within this category shall have an access control system to prevent minors from browsing them.

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3. **Principle of socially responsible consumption:** advertising shall not in any way encourage excessive or irresponsible consumption. Therefore, in light of this principle, advertisements for alcoholic beverages:
 - a. shall not use sex appeal as the main content of the message; shall not treat any models featured in advertising as sexual objects;
 - b. shall not include any scene, illustration, audio, or video showing or suggesting consumption of the product;
 - c. shall not use images, language, or arguments suggesting that consuming the product is a sign of maturity or that the product contributes to greater personal courage, professional or social success or provides consumers with a greater power of seduction;
 - d. when using the image of a celebrity, the same constraints shall apply as set forth in item 2, clauses "a", "b", "c", and "d", of Annex Q - Testimonials, Recommendations and Endorsements;
 - e. no arguments shall be used or situations shall be presented to make consumption of the product a challenge or to depreciate those who do not drink; no image or text shall be ever used to despise moderation in consumption;
 - f. recommending beverages due to their alcohol content or effects on senses shall not be allowed;
 - g. specific references to a reduction in the alcohol content of a product are acceptable, if there are no implications or conclusions as to the safety or quantity that can be drunk as a result of such reduction;
 - h. consumption of the product shall not be positively associated with driving vehicles;
 - i. consumption shall not be encouraged in inappropriate, illegal, dangerous, or socially reprehensible situations;
 - j. consumption of the product shall not be associated with the performance of any professional activity;
 - k. the product shall not be associated with any situation suggesting aggressiveness, use of weapons, and shift in emotional balance; and
 - l. shall not use Olympic sports uniforms to support the brand promotion.
4. **Warning statement:** Every advertisement, in whatever medium, shall contain a "warning statement" to be defined by a specific resolution of the CONAR's Superior Council, which shall reflect the social responsibility of advertising and the concern of Advertisers, Advertising Agencies, and Media Outlets for the general public. In view of such commitments and the need to give them full effect, the resolution shall take into account the peculiarities of each medium and determine the warning wording, format, running time and space. The "warning statement" shall be included in the advertisement and shall not encroach on the editorial content of the Media Outlet; shall be properly communicated, clearly legible, and prominently displayed. And further:
 - a. in Radio, it shall be included at the end of the advertising message;
 - b. in TV, including pay TV and in the movies, it shall be included in audio and video at the end of the advertising message; The same rule shall apply to advertising messages shown in theaters, concert halls, and the like;
 - c. in Newspapers, Magazines, and any other print media; in billboards and banners and Internet advertising pieces, it shall be written as approved by resolution;
 - d. in videos broadcast on the Internet and over the telephone, it shall observe the same requirements established for TV;
 - e. on packages and labels, it shall emphasize that the product is intended for sale to and use by persons above 18 years.

APPENDIX "A"

5. (...)
6. **Exceptions:** The formats listed below shall not be required to add a "warning statement" if they do not include a call to consume the product:
 - a. static advertising in stadiums, sambadromes, gymnasiums, and other sports arenas, if it merely identifies the product, its brand or slogan;
 - b. mere expression of the brand, its slogan or exposure of the product on racing vehicles;
 - c. promos and sponsorship idents of sponsored radio and TV programs, including pay TV;
 - d. sponsor mentions, break bumpers, and the like.
7. **Trade:** Whenever an advertisement signed by a wholesaler, importer, distributor, retail establishment, bar, restaurant, and the like mentions a product whose advertising is regulated by this Annex, it shall be subject to the standards set forth herein, especially those of item 4.
8. (...)
9. (...)
10. **Responsible consumption:** this Code encourages the implementation of advertising campaigns and initiatives designed to raise awareness of moderation in consumption, the prohibition on the sale and offer of alcoholic beverages to minors, and responsible driving.
11. **Applicability:** the standards of this Annex "T" do not apply to advertising for products that use a brand or slogan, advertising signs and expressions, campaigns, characters, or communication elements associated with alcoholic beverages, whose advertising is regulated by Annex "A". In these cases, the restrictions and recommendations of Annex "A" shall prevail.
12. **Interpretation:** due to the nature of the product, CONAR, Advertisers, Advertising Agencies, Advertising Film Producers, and Media Outlets shall adopt the most restrictive interpretation of the standards provided in this Annex.

Approved by the CONAR's Superior Council on Feb. 18, 2008

Resolution governing the form of "warning statements".

CONAR's Superior Council
RESOLUTION No. 03/08 ON ANNEX "T"
Complements Annex "T" – Malt and Similar Beverages,
to the Brazilian Advertising Self-Regulatory Code,
dated Feb. 18, 2008.

APPENDIX "A"

The CONAR's Superior Council resolves:

1. The "warning statement" provided in item 4 of Annex "P" shall include one of the following sentences:

- "DRINK WITH MODERATION"
- "SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ARE PROHIBITED FOR MINORS"
- "THIS PRODUCT IS INTENDED FOR ADULTS"
- "AVOID EXCESSIVE CONSUMPTION OF ALCOHOL"
- "DO NOT CONSUME IN EXCESS"
- "DRINK LESS, HAVE MORE FUN"
- "DO NOT DRINK IF YOU DRIVE"
- "SERVING ALCOHOL TO PEOPLE UNDER 18 IS A CRIME"

Note: The above sentences are in addition to any other that may serve the same purpose and reflect the social responsibility of advertising.

(...)*

1.2. In TV media, including pay TV and the Movies, regardless of the aids used for the advertisement, it shall be presented in audio and video during at least one tenth of the length of the advertising message.

The following format shall be used: single static image, in the video or on the screen, with a blue background and white lettering to provide good legibility and visibility. The image shall conform to the RTV template with a standard size of thirty-six and half centimeters per twenty-six centimeters (36.5 cm x 27 cm); lettering shall be Univers typeface, Medium weight, size 48, uppercase. Voice-over shall read only the selected sentence.

Note: Other alternative formats may be considered if they serve the purpose of advising the public and conform to item 2 of this Resolution.

(...)*

*Indicates that the original text has been deleted as it does not apply to the television medium.

APPENDIX "B"

TESTIMONIALS, RECOMMENDATIONS AND ENDORSEMENTS

Testimonial is a testimony, endorsement, or recommendation where a person or entity other than the Advertiser expresses an opinion, or reflects one's own view and experience, with respect to a product. According to this definition, a testimonial can be classified into:

1. Expert testimonial: is one rendered by an individual possessing specialized expertise or having above-average professional education or experience.
2. Celebrity testimonial: is one rendered by a person whose image, voice, or any other peculiarity is easily recognizable by the public.
3. Average person or Consumer Testimonial: is one rendered by a person not possessing special or technical expertise on the advertised product.
4. Recommendation or endorsement: is one issued by a legal entity, reflecting its official position. Recognizing that the testimonial, in any of its forms, is a technique capable of lending more power of communication, persuasion, and credibility to an advertising message, this Annex adopts the following special recommendations:
 1. Expert Testimonial
 - 1.1. The advertisement shall always name the individual and accurately state his/her professional or technical qualification.
 - 1.2. The advertised product shall be strictly related to the expert's specialty.
 - 1.3. An advertisement based on the testimony of a single expert shall not give the impression that it reflects a consensus of the professional community or of any entity or association to which he/she belongs.
 - 1.4. A testimony rendered by a professional shall be limited by the legal and ethical standards applicable to that profession.
 2. Celebrity Testimonial
 - 2.1. An advertisement including the testimonial of a celebrity shall, more than any other, strictly comply with the Code recommendations.
 - 2.2. An advertisement based on a celebrity testimonial shall not be structured to inhibit the Consumers' critical thinking about the product.
 - 2.3. An advertisement shall not be accepted that attributes the witness' success or fame to the use of the product, unless this can be demonstrated.
 - 2.4. An Advertiser using a celebrity testimonial shall bear in mind their responsibility to the public, subject to a rebuttable presumption of good faith.
 3. Average Person or Consumer Testimonial
 - 3.1. Whenever a consumer is identified, his/her name and last name shall be true.
 - 3.2. Professional models and employees of the Advertiser or Advertising Agencies shall not impersonate an average Consumer.
 - 3.3. A Consumer's testimony shall be limited to his/her personal experience with the product and shall not address technical or scientific matters in which he/she does not have appropriate professional qualification or training.

APPENDIX "B"

4. Recommendation or Endorsement
 - 4.1. A recommendation or endorsement issued by a legal entity shall reflect its official position on the matter.
 - 4.2. The recommendations of this Annex apply to a recommendation or endorsement, especially those for expert testimonial.

5. Standards Related to Testimonial Collection and Validity
 - 5.1. Every Advertiser, or their Agency, shall prove/demonstrate the veracity of a testimonial, upon request.
 - 5.2. A testimonial collected with a hidden camera shall be broadcast only with the express authorization of the witness or their guardian. It is acceptable to obtain such authorization upon compensation.

6. Standards Related to the Disclosure of Testimonies and Recommendations
 - 6.1. An Advertiser, or their Advertising Agency, shall obtain written authorization from the witness before the broadcast. Such authorization may be requested by media outlets.
 - 6.2. Competing advertisers shall refrain from using the testimonial of the same person or entity as long as it can cause confusion to Consumers.

APPENDIX "C"

ADVERTISING FOR PRODUCTS AIMED AT CHILDREN AND ADOLESCENTS

Parents, educators, authorities, and community should have the support of advertising in their efforts towards the development of responsible citizens and conscious consumers. In view of that, no advertisement shall direct an imperative call to action to children. And further:

1. Advertisements shall reflect special care about the safety and good manners and shall also refrain from:
 - a) debunking positive social values, including, but not limited to, friendship, urbanity, honesty, justice, generosity, and respect for people, animals, and the environment;
 - b) deliberately inciting any kind of discrimination, especially against people who, for any reason, are not consumers of the product;
 - c) associating children and adolescents with situations inconsistent with their status, whether illegal, dangerous, or socially reprehensible.
 - d) imposing the notion that the consumption of the product provides superiority or its lack, inferiority;
 - e) causing embarrassing situations to parents or guardians or disturbing third parties for the purpose of pushing consumption;
 - f) using children and adolescents as models to voice a direct call, recommendation, or suggestion of use or consumption; however their appearance in demonstrations of a service or product is allowed;
 - g) using a journalistic format, in order to prevent the advertisement from being confused with real news;
 - h) proclaiming that a product for use by children and adolescents contains particular features, which can actually be found in any similar product;
 - i) using situations of psychological pressure or violence that can instill fear.

2. Advertisements for products intended for use by children and adolescents shall:
 - a) seek to contribute to the positive development of parent/children, student/teacher relations and other relationships involving the target audience;
 - b) respect the target audience's dignity, naivety, credulity, and inexperience and sense of loyalty;
 - c) pay special attention to the target audience's psychological characteristics, presuming their lower discernment;
 - d) follow precautions to avoid psychological distortions in advertising models and target audience;
 - e) refrain from stimulating socially reprehensible behaviors.

APPENDIX "C"

Paragraph 1^º

Children and adolescents shall not feature as advertising models in advertisements promoting the consumption of any goods and services inconsistent with their status, such as firearms, alcoholic beverages, cigarettes, fireworks, lotteries, and all others that are also subject to a legal restriction.

Paragraph 2^º

The media plan of advertisements for the products referred to in item 2 shall consider that children and adolescents are especially attracted to them. Therefore, such advertisements shall reflect technically and ethically recommendable restrictions and adopt the most restrictive interpretation for all the standards provided herein.

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