

## **MLB NETWORK (“Network”) LOCAL ADVERTISING SALES REGULATIONS & STANDARDS**

All affiliates inserting commercial advertisements into local breaks must follow Network’s Advertising Standards & Policies and Procedures. Commercials must comply with Network Advertising Guidelines described below and available at [www.mlbnetworkaffiliates.com](http://www.mlbnetworkaffiliates.com) and all material telecast over the Network will be reviewed and must conform to governmental laws and regulations. All material telecast over the Network will be subject to the review of Network for compliance. All affiliates are prohibited from selling any local break inventory that guarantees Network inventory, or allows the buyers to specifically select or target Network inventory. All advertising sold by all affiliates must actually be used by the party purchasing such inventory from the affiliate and, for the avoidance of doubt, be subject to all of the Network Advertising Guidelines set forth herein.

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### **1. GENERAL ADVERTISING CONTENT REGULATIONS.**

Network advertising and sponsorships shall be lawful and of the highest possible standards of excellence, and in this regard, the affiliate and/or advertiser must ensure that the following conditions are observed with respect to all advertising and sponsorships. There shall be:

- (a) no commercial or material which is not of a suitable artistic and technical quality;
- (b) no commercial or material that may violate any rights of any entity;
- (c) no false, unsubstantiated or unwarranted claims for any product or service, or testimonials that cannot be authenticated. All testimonials must be accompanied by a signed affidavit of the testifier. All claims made in the testimonial must be substantiated;
- (d) no announcement for a product or service which is illegal per se or has no legal use in the state, county or municipality in which Network or any affiliate is distributing the announcement;
- (e) no commercial or material which is in whole or part defamatory, obscene, profane, vulgar, repulsive or offensive, either in theme or in treatment, or that describes or depicts repellantly any internal bodily functions or symptomatic results of internal conditions, or refers to matters that are not considered socially acceptable topics;
- (f) no false or ambiguous statements or representations that may be misleading to the audience;
- (g) no commercial that includes any element of intellectual property without the owner’s consent to such use, including but not limited to music master, mechanical, performance and synchronization rights, or gives rise to any other colorable claim of infringement, misappropriation or other form of unfair competition;

i. NOTE: The affiliate and/or advertiser shall be responsible for obtaining

- all clearances, including, without limitation, all such music master, mechanical, performance, and synchronization rights.
- (h) no disparagement or libel of competitors or competitive products;
  - (i) no commercial that is or may be injurious or prejudicial to the interests of the public, Network, Major League Baseball, its member clubs, players, media, or commercial partners or honest advertising and reputable business in general;
  - (j) no commercial that makes any appeal for funds or consists of, in whole or in part, political advocacy or issue-oriented advertising;
  - (k) no public service announcements (PSAs), paid or unpaid and regardless of source, unless approved in advance by Network;
  - (l) no interactive content of any format without Network's prior written consent;
  - (m) no advertising, promotions, or messages by a multichannel video programming distributor that (i) targets another distributor's subscribers by expressly referencing such other distributor, or (ii) explicitly solicits any other distributor's subscribers (as opposed to cable, satellite, or telco subscribers more generally) to switch to such distributor's service (or another system affiliated with such distributor);
  - (n) no competitive advertising permitted on the Network that promotes or features a television network or program other than Network or a program featured on Network unless Network approves any such advertisements in advance, and in writing on a case by case basis;
  - (o) without limitation of subsection (n) above, no programming or content on competitive media platforms that is date- and time-specific (e.g., tune-in), excluding advertising or other promotion of Network programming;
  - (p) no offering of official MLB products by online retailers other than the official MLB e-commerce retailer, excluding licensed MLB product manufacturers selling their own licensed MLB products (direct-to-consumer); and
  - (q) no programming or content that is otherwise prohibited or restricted by the MLB Collective Bargaining Agreement (CBA) or any then-current MLB rule or policy (and any related interpretations thereof), or that violates any other then-current MLB agreement.
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## **2. GENERAL ADVERTISING STANDARDS.**

The local affiliate will facilitate Advertising Standards Approval of commercials prior to broadcast on the Network. Please note the following:

### **(a) UNACCEPTABLE COMMERCIAL CLASSIFICATIONS OR RESTRICTED CATEGORIES:**

- (i) Any tobacco, e-cigarette, natural cannabinoid or synthetic THC product

and any related paraphernalia, unless (i) a cannabidiol (CBD) product is NSF Certified for Sport® (ii) any such Advertising is limited to the NSF Certified for Sport® CBD product and (iii) approved in advance in writing by MLB.;

- (ii) Firearms, fireworks, ammunition and other weapons;
- (iii) Distilled spirits (See Beer & Distilled Spirits Advertising Standards below);
- (iv) Contraceptive advertisements, remedies or treatments for sexually transmitted diseases, and sexual enhancement products;
- (v) FDA approved prescription drug advertisements (See FDA Approved Prescription Drug Advertising Standards below);
- (v) Non-FDA approved drug advertisements (See Non-FDA Approved Drug Advertising Standards below);
- (vi) M-Rated and A-rated games advertisements (including RP-Rated = Not Yet Rated), which are subject to Entertainment Software Ratings Bureau (ESRB) audience guidelines (See M-Rated/A-Rated Games Advertising Standards below);
- (vii) R-rated movie advertisements (including Not Yet Rated) in any programming that Network reasonably believes attracts younger viewing audiences. NC-17 rated movie advertisements will be considered on a case-by-case basis. Any such NC-17 rated movie advertisements may have time restriction as well as more restrictive program schedule restrictions. Any such plan and Schedule as well as commercial content must be reviewed and approved by Network prior to air by Network;
- (viii) "High Risk" Investment (e.g., commodities, options, foreign exchange) advertisements;
- (ix) "High Risk" business opportunities (e.g., "get rich quick" schemes and business opportunities) advertisements;
- (x) Presentations promoting belief in the efficacy of fortune telling, astrology, phrenology, palm reading, numerology; or other occult pursuits;
- (xi) Tip sheets and racetrack publications seeking to advertise for the purpose of promoting illegal betting;
- (xii) Gambling (See Network Guidelines for advertising gambling, betting lotteries and games of chance below);
- (xiii) Specific securities (e.g., stocks, bonds, notes, warrants, options, mutual funds), cryptocurrencies or similar digital asset tokens, initial public offerings, initial coin or token offerings, and other coin, token offerings, or cryptocurrency offerings;
- (xiv) "Adult" or sexual or sex-related materials or services or establishments (e.g., magazines, telephone lines, "900" numbers, "X-rated" movies, etc.);

- (xv) “Adult” or Sex telephone lines;
- (xvi) “900” phone numbers;
- (xvii) “X-rated” movies;
- (xviii) Abortion or anti-abortion services;
- (xix) Anti-law enforcement devices;
- (xx) Products, services or publications relating to illegal or habit-forming drugs;
- (xxi) Massage parlors and escort services; and
- (xxii) Any network or media platform (e.g., websites, apps, etc.) owned or controlled by any sports league (other than Major League Baseball or Minor League Baseball) or any team of any sports league (other than Major League Baseball or Minor League Baseball).
- (xxiii) Any product that is then-identified as, or contains, a “Prohibited Substance” under MLB’s drug programs (see <http://mlb.mlb.com/pa/pdf/jda.pdf>, as may be amended, supplemented or otherwise modified from time to time) unless approved in advance in writing by Network.
- (xxiv) Entities primarily engaged in blockchain-related products or services, cryptocurrencies, non-fungible tokens or other blockchain-based digital assets or technologies now known or hereafter created (e.g., fan token) unless (a) no cryptocurrency, initial coin offering or cryptocurrency sale is the subject of such Advertising, (ii) the name of the promoted entity is different than any specific cryptocurrency or coin referenced in such Advertising and (iii) approved in advance by Network.
- (xxv) Any person or entity that engages in the sale of MLB or MLB Club game or event tickets not authorized by MLB.
- (xxvi) Sports betting (see Sports Betting Advertising Standards below)

**(b) UNACCEPTABLE COMMERCIAL PRESENTATIONS. APPROACHES AND TECHNIQUES:**

- (i) Claims or representations, direct or implied, which are false or have the tendency to deceive, mislead or misrepresent;
- (ii) Claims considered puffery, which cannot be adequately supported;
- (iii) Unqualified references to the safety of a product whose package, label or insert contains a caution, or the normal use of the product presents a possible hazard;

- (iv) "Bait and Switch" tactics which feature goods or services not intended for sale, but designed to lure the public into purchasing higher priced substitutes;
  - (v) Promotion of unacceptable products/services through association to an acceptable product;
  - (vi) Disrespectful use of the flag, national emblems, anthems or monuments;
  - (vii) Direct or implied use of the office of the President of the United States or any governmental body without official approval;
  - (viii) Advertising disparaging to Major League Baseball;
  - (ix) Solicitation of funds, volunteer efforts for any cause/charity or religious institutions;
  - (x) Controversial issue advertising;
  - (xi) The use of news techniques and/or language, (e.g. "this just in");
  - (xii) Horizontal crawls in the bottom 1/3 of the screen; and
  - (xiii) Dangling comparatives (e.g. "Better than what?").
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### **3. VISUAL SUPERS.**

Visual supers must be a minimum of 22 scans lines and viewed on screen for approximately 3 seconds for the 1<sup>st</sup> line and 1 second for each additional line.

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### **4. GUIDELINES FOR RESTRICTED CATEGORIES.**

#### **(a) BEER & DISTILLED SPIRITS ADVERTISING STANDARDS:**

- (i) Beer and wine advertising may be permitted on the Network, provided, that the product does not contain more than 24% alcohol by volume. Network may accept malt beverage advertising with appropriate scheduling restrictions, provided the creative is otherwise acceptable and the commercial clearly and conspicuously communicates in audio and/or video that the product is an alcoholic malt beverage. Network may further program or time restrict any such advertising on a case-by case basis.
- (ii) Network may accept distilled spirits advertising that contains branding or prominent social responsibility messaging. 25% of each schedule must be used purely for social responsibility messaging.
- (iii) Branding messages may include, but are not limited to, the promotion of a distilled beverage, product or brand.

- (iv) Social responsibility messages may include, but are not limited to, the prevention of drinking and driving, moderation in consumption and references for assistance with drinking-related issues.
- (v) Spots must be pre-approved by Network. Submission of storyboards and/or scripts is strongly advised.
- (vi) Approved distilled spirits advertising is permitted to air on the Network within shows with an acceptable audience composition of viewers who are 21 or older but in no event before 8:00 PM EST. Guidance will be taken from industry norms on appropriate audience composition levels. Approved distilled spirits advertisements are not permitted in any programming that attracts younger viewing audiences, regardless of the time of broadcast. All such advertisements must be in good taste and compliant with industry guidelines.
- (vii) For all Network telecasts before 9:00 PM EST, 100% of all approved distilled spirit advertising must be social responsibility messages.
- (viii) For all Network telecasts after 9:00 PM EST, 25% of all approved distilled spirits advertising must be social responsibility messages.

**(b) FDA APPROVED PRESCRIPTION DRUG ADVERTISING STANDARDS:**

Prescription drug advertising may be permitted, provided, that each such advertisement complies with FDA Guidelines. Under the FDA's guidelines, a television commercial for a prescription drug must contain two elements: these are referred to as the "Major Statement" and the "Adequate Provision." The Major Statement includes all of the product's most important risk information (e.g., information relating to side effects and situations where use of the drug may be harmful) in a clear, conspicuous and neutral manner (the FDA believes this information can, in most cases, be communicated in sixty seconds (:60) or less). "Adequate Provision" refers to disclosure of the more detailed information contained on the medicine's labeling. The FDA will now accept dissemination of this information outside the commercial if the following guidelines are followed:

(i) The commercial includes an operating toll-free telephone number which consumers can call for approved package labeling. Upon calling, consumers must be given the choice of having the labeling mailed to them in a timely manner or read to them over the phone.

(ii) The advertiser must provide an alternative means of obtaining this information: for example, stating in the commercial that additional product information is available in concurrently running print advertisements, or making brochures available in publicly accessible sites like doctor's offices, pharmacies, grocery stores and public libraries (this is to reach people who do not have access to the Internet, or who are otherwise unlikely to call a 1-800 number).

(iii) The commercial must contain an Internet web page (URL) address that provides access to package labeling and a statement that pharmacists and/or physicians (or other healthcare providers) may provide additional product information to consumers;

**(c) NON-FDA APPROVED DRUG ADVERTISING STANDARDS:**

Non-FDA approved drugs or supplements advertising will not be permitted unless each such advertisement is submitted to Network in advance for review and approved in writing. All weight loss advertising must conform to FTC guidelines and documentation supporting any and all claims must be provided to Network upon request. Acceptable substantiation is at the discretion of Network;

**(d) M-RATED & A-RATED GAMES ADVERTISING STANDARDS:**

M-rated games advertising will not be permitted unless each such advertisement is submitted to Network prior to airing and Network approves each such advertising in writing. Network will not accept advertising for M-rated video games in any programming that Network reasonably believes attracts younger viewing audiences. Network may further program or time restrict on a case-by case basis. A- Rated games are considered on a case-by-case basis, and plan/schedule as well as commercial must be reviewed and approved by Network prior to consideration for air. E, EC and T- Rated games are all generally acceptable for air anytime subject to Network's review of content;

**(e) ADVERTISING AND PROMOTIONAL TIE-INS WITH LEGALIZED GAMING ENTERPRISES.**

**(i) General Rule:**

Subject to the conditions discussed below, affiliates may accept advertising from any federal, state and provincial lotteries ("Permitted Lotteries") and casinos, racetracks, off-track betting organizations and other legalized gaming enterprises ("LGE's"); provided, however, that with respect to LGE's other than Permitted Lotteries such advertising must not contain, involve or use Major League Baseball Club names, logos, uniform designs, trademarks/service marks, announcers (including announcer "lead-ins" or on-air "billboards"), personnel or mascots (including mascots owned by others and/or licensed to a club), or be identified in any way with a Major League Baseball Club, Major League Baseball, the Network or any of the marks owned by any Baseball entity. Also, advertising from or the establishment of any business relationship(s) with any entity that is owned by, or affiliated with, a company that engages in illegal gambling, including the various websites whose purpose is to teach one to play poker or other casino games with or without monetary gain, is prohibited. Advertising from Permitted Lotteries may be accepted only from a governmental authority that does not allow, and is not seeking to allow, legalized team sports betting or any other game that involves or refers to professional sports in any way.

**(f) SPORTS BETTING ADVERTISING STANDARDS:**

**(i) General Rule:**

Sports Betting Advertising may only be permitted from a sports betting operator that has a

then-current agreement with MLB with respect to such entity's sports betting operations (an "Approved Sports Betting Operator"), provided, that (x) each advertisement complies with the conditions set forth below, (y) each such advertisement is submitted to Network prior to airing, and (z) Network approves each such advertising in writing (in advance of airing). Network may program or time restrict any such approved advertisements on a case-by case basis. "Sports Betting Advertising" means any advertising that promotes or references (i) betting on any sport (including advertising that promotes or references betting on any sport placed by or on behalf of a casino that operates a sportsbook (e.g., MGM and Harrah's), a fantasy sports company that operates a sportsbook (e.g., DraftKings and FanDuel) or a pure sportsbook (e.g., William Hill)), (ii) iGaming products operated by a sports betting operator or (iii) products that serve as conversion platforms for sports betting on any sport (e.g., daily fantasy or free-to-play contests) that are operated by a sports betting operator.

**1. Conditions:**

- (a) All advertising from a sports betting operator may be accepted only from Approved Sports Betting Operators.
- (b) All Sports Betting Advertising must comply with applicable laws, rules and regulations in the territory(ies) in which it will be accessible or viewable.
- (c) All Sports Betting Advertising must reflect that sports betting is an entertainment activity that should only be consumed by responsible adults and be marketed accordingly to that audience.
- (d) No Sports Betting Advertising should be designed to appeal to individuals below the legal age for sports betting and should avoid elements that could attract underage groups. Features that should be considered or restricted include symbols, language, music, gestures, cartoon characters, and groups or organizations.
- (e) Sports Betting Advertising should not promote or condone irresponsible betting or gambling behavior, or excessive participation.
- (f) No messaging should suggest that social, financial, or personal success is guaranteed by engaging in sports wagering, nor should any message suggest that sports betting be considered as a viable profession.
- (g) Sports Betting Advertising must not be misleading and must not promote any illegal activity.
- (h) Any actors or bettors represented in Sports Betting Advertising should dress and look to be of an adult age (i.e., no participants in such Sports Betting Advertising should appear to be at or below the legal age for betting).
- (i) Unless highlights are expressly licensed by MLB for such use, Sports Betting Advertising may not feature (i) current MLB players or (ii) former MLB players if such former MLB player (A) is a current employee of MLB or an MLB Club, (B) is associated with his former MLB Club in such Sports Betting Advertising (e.g., appearing in uniform) or (C) references specific baseball bets or wagers in such Sports Betting Advertising (e.g., "Bet on Tonight's MLB Game").



- (j) Sports Betting Advertising may not promote “risk free bets”, “free bets” or similar calls-to-action.
- (k) Sports Betting Advertising must contain the responsible gaming messaging required by applicable law, and should contain, whenever commercially practicable, the following responsible gaming messaging:
  - (i) Appropriate references to the National Council on Problem Gambling – by including their 24-Hour Confidential National Hotline (1-800-522-4700), Online Chat Center ([ncpgambling.org/chat](http://ncpgambling.org/chat)), or referring people to their website to seek additional information ([ncpgambling.org](http://ncpgambling.org)) – or an equivalent organization outside of the United States.
  - (ii) A responsible-gaming appropriate tagline (for example, to close an on-air television commercial). While the tagline is at the discretion of the operator, appropriate examples include: “Winners know when to stop,” “Know your limit. Play responsibly,” “Bet with your head. Stay in control,” and “Have a game plan. Bet responsibly.”
  - (iii) Such responsible gaming messaging should be legible and in relative proportion to any script, logos, or operator branding. Messaging should also have sufficient duration to facilitate exposure (i.e., messaging should be present for at least 10% of the total ad-length or otherwise incorporated in a prominent manner).
  - (iv) Any audio-based script reads referring a sports betting promotion should end with references to an appropriate responsible gaming tagline, as well as references to NCPG assistance opportunities. These scripts should last for at least 10% of the total ad-length or otherwise be incorporated in a prominent manner.

- 2. **MLB Game Window.** Affiliate will only accept Sports Betting Advertising in any programming consisting of the live or delayed transmission of a MLB game (including the pre-game or post-game show associated with any such MLB game transmission) (“MLB Game Window”) (i) with Network’s prior written consent and (ii) subject to the following:

- (a) SBA Inventory.

- (i) Sports Betting Advertising during an MLB Game Window shall be limited to (i) spots no longer than thirty (30) seconds in duration during traditional commercial breaks (“Traditional SBA Spots”) and (ii) to the extent otherwise permitted, advertisements referenced or shown during gameplay and/or breaks in game action (“In-Game SBA Inventory”, and, together with Traditional SBA Spots, “SBA Inventory”).
  - (ii) Network must approve, in advance and in writing, the frequency of the Traditional SBA Spots intended to run within any MLB Game Window including any pre-game and post-game shows immediately preceding or following such MLB game.
  - (iii) In-Game SBA Inventory may only reference odds if they are

exclusively related to MLB and such references should only be contextual.

(iv) SBA Inventory may only promote a sports betting operator that is an Approved Sports Betting Operator.

3. ***Outside MLB Game Windows.*** Affiliate may accept Sports Betting Advertising that is displayed other than during an MLB Game Window; provided that any Sports Betting Advertising shall be limited to that of Approved Sports Betting Operators

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## 5. **Exclusive Categories**

Network may, from time to time, designate, and reserve for itself, certain exclusive categories of advertising (e.g., a specific product group (ex: spirits, beverage, etc.) or service group (ex: insurance, etc.)) for a period as designated by Network in all or any portion of the territory in which Network is distributed.

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## 6. **GENERAL PROVISIONS.**

All of the above is not intended to be comprehensive and is provided only as summary guidance with respect to Network's advertising standards & policies and practices. Network reserves all rights necessary to amend, modify and/or supplement this summary at any time. In some cases Network may have to exercise judgment in situations as to which the application of the policy may be ambiguous, or as to which it does not fully cover or even contemplate. In these cases, Network may look to the intended effect of these policies and act in accordance with its spirit. In addition, any commercial may be reviewed and temporarily suspended from air when any national or world event changes the environment. All commercials submitted to Network are subject to Network Standards and Practices review regardless of rating. The outcome of any specific review supersedes any general guidelines that may be in place. Any requested waiver from any restrictions set forth in these Advertising Standards & Rules shall be granted in the sole and absolute discretion of Network and may be withdrawn at any time