

Complaints About Broadcast Advertising

FCC Consumer Facts

Background

Consumers often complain to the Federal Communications Commission (FCC) about broadcast advertising: they complain about the nature of the products being advertised, the timing of certain ads (for example, during mealtime), or commercials that they believe are indecent or in poor taste. Other consumers complain about ads that they feel are poorly produced or grammatically incorrect. The FCC also receives complaints regarding false and misleading advertisements.

Are There Any Laws That Limit the Material That Stations Can Broadcast?

There are laws passed by Congress that restrict a station from broadcasting material that promotes certain lotteries, advertises cigarettes, little cigars, or smokeless tobacco products, or perpetuates a fraud. Additionally, there are federal laws that prohibit or limit obscene, indecent, or profane language. Also, some advertisements may violate laws that have been established by other government agencies, such as the Food and Drug Administration (FDA) or the Federal Trade Commission (FTC).

Obscene broadcasts are prohibited at all times, while indecent or profane broadcasts are prohibited during certain hours. Violators are subject to sanctions that include civil penalties, criminal fines, license revocation, and/or imprisonment of not more than two years. For more information about the FCC's authority regarding obscene, indecent, or profane broadcasts, visit the FCC's Enforcement Bureau Web site at www.fcc.gov/eb/oip or see our consumer fact sheet at www.fcc.gov/cgb/consumerfacts/obscene.html.

What If I Have a Complaint and/or Concern about a Specific Advertisement Being False, Misleading, or Offensive?

Broadcasters are responsible for selecting the broadcast material that airs on their stations, including advertisements. The FCC expects broadcasters to be responsible to the community they serve and act with reasonable care to ensure that advertisements aired on their stations are not false or misleading.

The FTC has primary responsibility for determining whether specific advertising is false or misleading, and for taking action against the sponsors of such material. To file a complaint with the FTC, go to [https://rn.ftc.gov/pls/dod/wsolcq\\$.startup](https://rn.ftc.gov/pls/dod/wsolcq$.startup) or call toll-free 1-877-FTC-HELP (1-877-382-4357).

If you have a complaint about an advertisement that you consider offensive because it is obscene, indecent, or profane, you can file a complaint with the FCC. There is no charge for filing a complaint. You can file your complaint using an on-line complaint form found at esupport.fcc.gov/complaints.htm. You can also file your complaint with the FCC's Consumer Center by e-mailing fccinfo@fcc.gov, calling 1-888-CALL-FCC (1-888-225-5322) voice, or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

(More)



What If I Have a Complaint and/or Concern about a Specific Advertisement Being False, Misleading, or Offensive? (cont'd.)

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, DC 20554.

What to Include in Your Complaint

The best way to provide all the information the FCC needs to process your complaint is to complete fully the on-line complaint form. When you open the on-line complaint form, you will be asked a series of questions that will take you to the particular section of the form you need to complete.

See our consumer fact sheet at www.fcc.gov/cgb/consumerfacts/obscene.html for details about what information to include in your complaint.

You can also direct complaints about an advertisement that you consider false, misleading, or offensive to the local station and the affiliated network that broadcast the advertisement. By notifying the station and network about your complaint, you make them more sensitive to community standards in selecting advertisements.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau Web site at www.fcc.gov/cgb, or contact the FCC using the information provided for filing a complaint.

###

For this or any other consumer publication in an accessible format (electronic ASCII text, Braille, large print, or audio), please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, visit www.fcc.gov/cgb/contacts/.

This document is for consumer education purposes only and is not intended to affect any proceedings or cases involving this subject matter or related issues.

10/20/08*

