



## **Nielsen Radio Measurement Ratings Distortion Guidelines**

Nielsen's view is that activities calculated to influence listening or to affect Nielsen samples in any fashion during measurement periods should be discouraged. In general, it is Nielsen's policy to decide in favor of a special notation, at a minimum. Since it is impossible to anticipate the precise nature of all such activities, Nielsen reserves the right to exercise its judgment in questionable cases.

It is also Nielsen's policy to advise users of its radio ratings data as to what activities have been conducted in the market(s) and by whom, to identify the programs and times during which the activities were conducted and to contact users of the data to obtain details of the activity. In addition, Nielsen may take such other actions as it, in its sole and absolute discretion, may deem necessary and appropriate to protect the integrity of its samples, data, and services.

Nielsen also calls to the attention of its clients the Media Rating Council (MRC) resolution regarding diary promotions:

"MRC reiterates its opposition to any attempt by a station to exhort the public to cooperate with station audience measurement services whether over the air or by other means because of its possible biasing effect...."

Further, the MRC Minimum Standards for Media Rating Research state,

"... if the ratings service becomes aware that a stations, channel, system, or network has employed special non-regular promotional techniques that may distort or "hype" ratings and/or exhortation to the public to cooperate in ratings surveys, the ratings service shall publish a description of this effort in the appropriate report."

It is the policy of Nielsen to refrain from editorializing as to how levels of reported audiences may have been achieved at a given time on a specific station. Without limiting the above, Nielsen's policy is to generally take action, such as notations in, or withholding of data from, relevant reports, but with minimum comment, under the following circumstances, in all cases regardless of the actual impact of such activities on listening:

### **Activities Designed or Likely to Affect Listening**

If Nielsen receives evidence of any activities conducted during a measurement period within 48 hours after the last day of the measurement period which may, in Nielsen's judgment affect listening, Nielsen generally will note such activities in the report, on the cover of the report (in appropriate instances) and/or on the subject published data files. Such activities include, but are not limited to, those conducted by any syndicator, program producer, network or station and any other co-owned or affiliated organization.

### **Activities Designed or Likely to Affect Nielsen's Sample**

If Nielsen receives evidence of attempts to influence or change the listening habits of Nielsen diary keepers, or to falsify their reporting, whether through the singling out of or contact with Nielsen diary keepers, through direct personal contact, through the use of the broadcast or other medium or otherwise, in addition to the right to make notations, Nielsen reserves the right to withhold the subject report(s) or any part(s) thereof as Nielsen determines appropriate. Such attempts include, but are not limited to, those conducted by any network or station or any other co-owned or affiliated organization which has taken any action which, in Nielsen's opinion, may affect any procedure of Nielsen, including, but not limited to, sample recruitment, ongoing cooperation, turnover, or respondent compliance, or in any way otherwise impact Nielsen samples or information in any fashion.

Following are examples of some of the activities that may give rise to either of the above circumstances:

#### Ratings-Related Features

Defined as programs, or portions of programs, which address, in whole or in part, any aspect of ratings, including but not limited to, the development or implementation of ratings services, the methodology utilized, the use of ratings services and/or the households and other persons or entities involved therein, and which are broadcast either during a measurement period for the affected market(s) or during a period of two weeks prior to the first day of a measurement period for the affected market(s). Nielsen generally will, at a minimum, note such features in and on the cover of the subject report(s) and on the published data files, regardless of the duration of the schedule during which the activity has aired. Any broadcast of a Ratings-Related Feature as defined above can also subject those responsible to legal action, including actions for violation of Federal trademark and/or copyright laws, for which Nielsen will seek the maximum available penalties, including attorney's fees and costs of enforcement.

#### Research Surveys or other attempts to Proactively Contact Households

Whether conducted via telephone, print, broadcast or otherwise during a measurement period, and whether respondent information is actually collected which require, request, or suggest, in any fashion, that a potential respondent listen to a particular station(s) or program(s), Nielsen generally will, at a minimum, note such surveys in and on the cover of the subject report(s) and on published data files, regardless of the duration of the schedule during which the activity has aired.

#### Activities Affecting Sample Procedures

Any activity which, in Nielsen's opinion, may affect any sample procedure of Nielsen, including, but not limited to, sample recruitment, ongoing cooperation, turnover, or respondent compliance or which in any way otherwise impacts any Nielsen sample or information in any fashion. Whether conducted via print, broadcast, telephone, or otherwise, Nielsen generally will at a minimum note such activities in the report, on the cover of the report, and/or on the subject published data files. In addition to making such notations, Nielsen reserves the right to withhold any affected subject reports or any parts thereof as Nielsen determines appropriate and to take whatever additional action it may deem appropriate.

#### Diary-Related Activities, Announcements and On-Air Announcements

Diary-related announcements, on-air announcements, or any advice, request, exhortation, etc. conducted by a station and/or any co-owned or affiliated organization either during a measurement period or during a period of four weeks prior to the first day of a measurement period for the affected market(s), whether via broadcast, print, telephone or any other means, including, but not limited to, transmission over the Internet, relating in any manner, directly or by implication, to the noting and/or recording of listening or returning of diaries, including, but not limited to, in either audio or video, mention of, or direct reference to, "diary", "diaries", or any semblance thereof for the purpose of keeping a record of listening or such phrases as "write it down", "If you are asked to participate", etc., but without direct reference to "diary", "diaries", or any semblance thereof.

Nielsen generally will note such activities as either an "On-Air Diary Announcement" (if reference to "diary", "diaries", or any semblance thereof) or "On-Air Announcement" "Diary-Related Announcement" in and on the cover of the subject report(s), including the call-letters of the station(s) conducting the activity, as well as a reference on the published data files, regardless of the duration of the schedule during which the activity has aired.

Once informed of such activity and provided with documentation sufficient in the judgment of Nielsen (e.g. an audiotape), Nielsen will review the documentation to verify that the activity qualifies as a diary-related activity. If the station or other source conducting the qualifying diary-related activity does not immediately cease conducting such activity upon being so informed by Nielsen, Nielsen reserves the right to not report any listening for the otherwise reportable station(s) or other source(s) conducting the qualifying activity in the subject report(s). Such stations will be de-listed from the entire subject report(s) regardless of the duration of the schedule during which the activity has aired.

#### Contests, Rewards, or Special Promotions

Contests, rewards, special promotions, etc., which attract "contestants" for a reward or prize and which require listening to enter or to learn the rules of the contest, rewards or special promotions activity, etc.,

or to win a prize generally will receive, at a minimum, a notation in the appropriate subject report(s) and on published data files, unless specifically excluded as described, below.

The following guidelines are offered as examples of contests, rewards, special promotions, etc., which may be subject to the foregoing:

1. In general, contests, rewards, special promotions, etc., as described above, whether conducted via telephone, print, broadcast, Internet, or otherwise, which are concentrated during and/or within a period of four weeks prior to a measurement period will, at a minimum, receive a notation in the subject report(s) and on published data files. In addition, if a station broadcasts information (including, but not limited to, winning numbers) relating to another station's activity and either station's broadcast qualifies for notation by Nielsen, such station(s) shall be noted for the broadcasting of that information.
2. Contests, rewards, special promotions, etc., as defined above, and which are "on going" generally will not warrant a notation, provided that the nature thereof (including the size and/or value of the prize offered) does not vary for a period of at least six weeks prior to and during the subject measurement period and had a previously announced duration of at least six months.
3. Some examples of contests, rewards, special promotions, etc., which require listening as described above, including but not limited to the following, are:
  - a. Those which include broadcasting of "code words", "clues" or other information, the knowledge of which is necessary to enter or win; e.g., the names of dramatic characters, performers, "product of the day" or "lucky numbers."
  - b. Those contests where winning contestants' names are drawn on-air and they must call in or appear within a specified period of time in order to collect a prize.
  - c. Those contests where entrants can only find out the contest rules and/or entry procedures by listening to the specific program(s) featuring the contest, reward, special promotion, etc.

Where a notation or withholding of the subject report(s) or any part(s) thereof is warranted, such action generally will be taken without regard to the extent of a station's involvement, if any, in the subject contest, reward, special promotion, etc.

It is the intent of Nielsen to take the actions noted above provided that their occurrence comes to the attention of Nielsen in a timely manner (in general, no later than 48 hours after the close of the subject measurement period for Contests, and by the close of the subject measurement period for all other activities). When feasible, Nielsen will attempt to contact the station or network or program producer involved and otherwise attempt to ascertain the details of the qualifying activity. In addition, Nielsen is only obligated to issue a post-survey product update for any occurrence subsequently brought to its attention in a timely manner (in general no later than 48 hours after the close of the subject measurement period).

Nielsen will include the following footnote on each data page of the report in which at least one station in the market has engaged in any activities encompassed by the above:

"Nielsen has been advised that a station(s) conducted a special promotional activity. See Special Notes."

In addition, Nielsen will continue to recognize situations brought to its attention concerning activities that justify either notations or further action and Nielsen reserves the right to change its policy accordingly at any time. Nielsen also recognizes the use of legitimate means designed to increase audiences including the use of guest talent on programs, rescheduling of programs, on-the-air program promotions, use of other advertising, etc., and thus Nielsen reserves the right to take such actions in such matters as Nielsen, in its judgment, deems appropriate.