

PBS Standards

Guidance for Depicting Products Within Content

The [PBS Funding Standards](#) provide that “Producers must actively avoid incorporating or featuring a product or service within PBS content in a promotional manner, i.e., product placement.” In order to implement this prohibition, PBS conducts the following analysis when a company’s products or services are depicted within PBS content.

(1) Consideration

PBS must first determine whether consideration was provided—i.e., whether anything of value was given in exchange for something else of value. This includes furnishing a product for free or at a below market price.

If yes, in the interest of transparency and to ensure FCC compliance, such an arrangement must be disclosed to viewers.

The use of a “special thanks” acknowledgment is not sufficient. At a minimum, producers should disclose that the product or service was “sponsored, paid for, or furnished, either in whole or in part” by the vendor or company, as required by 47 CFR § 73.1212(a)(1). For example: “Products furnished by XYZ Corporation.”

The disclosure credit should appear with the content. For instance, the credit could be included within the normal production credits (using the same style, font, color, and background, and placed after any other “special thanks” acknowledgments) or within the content itself (either voiced or text on screen).

(2) Promotion

Regardless of whether consideration was provided, producers must avoid overly promotional depictions of a company’s logo, brand name, or products. While incidental / fleeting depictions are generally acceptable, lingering / gratuitous depictions are generally unacceptable. Heightened scrutiny is applied to any depictions related to a program funder.

Incidental / Fleeting. Depictions that are 1 to 3 seconds are generally considered incidental or fleeting, provided that: (i) the depictions do not focus solely on a company’s logo or brand name; and (ii) the depictions are reasonably related to the educational and informational use of the products in the content. While any such depictions are presumptively permissible, subsequent shots of the same logo or brand name are less likely to be acceptable and will need to be closely evaluated based on their context within the program.

- Example: A program about a kitchen renovation may include a close-up shot of a construction worker installing a kitchen sink faucet. The shot, which focuses on the construction worker’s hands, could also happen to include the faucet brand name. The shot lasts only a couple seconds.

Lingering / Gratuitous. Depictions that are 4 seconds or longer are generally considered lingering or gratuitous, and shorter depictions may also be deemed impermissibly gratuitous based on the program context and the nature of the depiction.

- Example: A cooking program may not include a medium or wide shot that features a Cuisinart frying pan prominently displayed with the brand name visible for an extended period of time, particularly if consideration was involved.

Dialogue. The dialogue surrounding the depiction of a product will be relevant for determining whether the depiction is permissibly incidental or impermissibly gratuitous. Specifically mentioning a product's brand name and pairing such dialogue with images of the product is presumptively impermissible.

- Example: The Toyota branding on a truck may be briefly depicted on a program as the hosts travel from one location to another, but not if one of the hosts also remarks verbally on the Toyota.

If you have any questions, please contact PBS Standards & Practices at: standards@pbs.org