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September 13, 1976

Legal Review of Advertising Submissions

I recommend the adoption of the following review procedure. I recognize that much of this is not new; in the interest of completeness, however, all steps relevant to a legal review are included.

1. Copy is to be reviewed by Law at an early stage. It is not necessary that it be presented in connection with art work. In a majority of cases typewritten copy will be sufficient. Getting this out of the way early is an important aspect of the remainder of the procedure. It will also help in spotting incipient substantiation problems.

2. All agencies will be directed to have their creative people treat the placement of the warning and the T/N legend as an integral part of the creative process. It should not and need not be an afterthought. The agencies should be given technical guidelines relating to the size and placement of both items. I was surprised to discover that for five years PKG has been using the wrong break points for sizing the T/N legend. (See the attached 1971 Memorandum.) Luckily, because of the sizes of the ads we run, this has not created many problems. I will be glad to assist you in preparing the guidelines.

3. Ads are to be reviewed by Law for placement of the warning and the T/N legend as well as other technical items at some stage prior to the production of the mechanical or keyline.

4. Agencies are to be directed to use only master etches in placing the warning and the T/N legend on mechanicals. A system should be devised to make sure this is done and to assign responsibility.

5. Mechanicals are to be checked for technical compliance by the Brand group* and then forwarded to Law for a final legal review. I understand that time is always a big factor, and if all of the previous steps are followed, the Law Department will not hold on to mechanicals for more than 48 hours. To make this system work, mechanicals should be hand delivered to the appropriate lawyer. If he is not in the office, delivery should be made to one of the other lawyers assigned to handle advertising reviews.

Obviously, you will want to continue to also hold PKG responsible for reviewing these aspects.

*Some of the brand people tell me they don't even have the acetate overlays. This should be rectified.

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6. The engraver is to shoot the warning and the T/N legend directly from the mechanical. Again, a system should be devised to make sure this is done and to assign responsibility. In this way we can be assured that what Law reviews is exactly what is printed.

7. Tear sheets of all ads should be submitted to Law on a regular basis.

Bill, I believe that this procedure will save time and money and, at the same time, make the review procedure more meaningful.

Please let me have your thoughts on this.



R. H. S.

P.S. I have not discussed OOH or POS materials because of the special problems involved. I intend to address myself to the review procedures in these media at a later date.

R. H. S.

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