

Responsible Marketing Code for Sports Wagering

The American Gaming Association (AGA) represents the U.S. casino industry, including commercial and tribal casino operators, suppliers, and other affiliated entities. For decades, the casino industry has operated as a constructive and caring member of the communities where its venues are located, which currently are in forty states. Because legalized wagering on sporting contests is a relatively new activity in most states, AGA is extending its compliance commitments to answer fresh concerns that might arise with it¹. Accordingly, AGA members pledge in this code to adhere to certain practices in the marketing and advertising of sports wagering services -- practices relating to respect for our communities and the law, taste and sound individual decisionmaking by consumers of those services.

Advertising and marketing of sports wagering services informs consumers about the nature of those services and the terms on which they are available. In so doing, they support competition, multiply consumer choice, and can encourage consumer loyalty. Sports wagering is an entertainment activity that should be consumed only by responsible adults, and marketed accordingly to that audience. When AGA members market and advertise real-money sports wagering services, they commit that their advertising and marketing content will meet the following standards:

Respecting the legal age for sports wagering

- No sports betting message should be designed to appeal primarily² to those below the legal age for sports wagering by depicting cartoon characters or by featuring entertainers or music that appeal primarily to audiences below the legal age. Nor should any message suggest or imply that underage persons engage in sports wagering.
- Sports wagering advertisements should not be placed in media outlets (including social media) that appeal primarily to those below the legal age for sports wagering, nor should they be displayed at an event venue where most of the audience at many of the events at the venue is reasonably expected to be below the legal age for sports wagering.
- No sports wagering messages – including logos, trademarks, or brand names – should be used or licensed for use on clothing, toys, games or game equipment intended primarily for persons below the legal age for sports wagering. To the extent that promotional products carry sports wagering messages or brand information, AGA members and their employees will use commercially reasonable efforts to distribute them only to those who have reached the legal age for sports wagering.
- Sports wagering should not be promoted or advertised in college or university-owned news assets (i.e. school newspapers, radio or television broadcasts, etc.) or advertised on college or university campuses.

Supporting responsible gaming

- Messages will not promote irresponsible or excessive participation in sports wagering.
- Each message will contain a responsible gaming message, along with a toll-free help line number where practical.
- No message should suggest that social, financial or personal success is guaranteed by engaging in sports wagering. Nor should any message imply or suggest any illegal activity of any kind.
- Messages should adhere to contemporary standards of good taste that apply to all commercial messaging, as suits the medium or context of the message.

¹ In addition to this Code, AGA members also have adopted an overall Code of Conduct and a statement of Best Practices for Anti-Money Laundering Compliance.

² Sports wagering advertising and marketing should be placed in broadcast, cable, radio, print or digital communications only where at least 71.6 percent of the audience is reasonably expected to be of legal gambling age (determined by using reliable, up-to-date audience composition data).

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Controlling digital media and websites

- Messages placed in digital media – including third party internet and mobile sites, commercial marketing emails or text messages, social media sites, and downloadable content – shall comply with all applicable provisions of this Code concerning the content of such messages.
- Each AGA member-controlled website that includes advertising or marketing materials should include a responsible gaming message and a link to a site that provides information about responsible gaming and responsible gaming services.
- AGA member-controlled websites that include sports betting content, including social media pages and sites, shall include a reminder of the legal age for sports wagering. Age affirmation mechanisms, utilizing month, day and year of birth, will apply before a user can gain access to any page where individuals can engage in gambling.
- AGA will provide to managers of parent control software the names and website addresses of all member-company websites that enable consumers to wager on sports.
- AGA member-controlled websites will include geolocation mechanisms on those pages where individuals can engage in gambling, in order to screen any individuals who reside in jurisdictions that have not legalized sports wagering.
- User-generated content on a site or web page controlled by an AGA member will be monitored and moderated on a regular basis for compliance with the provisions of this code.
- Digital marketing communications will respect user privacy and comply with all applicable legal privacy requirements including those governing consent. All such messages targeting an individual recipient will be clearly identified as originating from the AGA member or otherwise attributable to the AGA member. In addition, each such message sent via email or text message will provide the option therein of opting out or unsubscribing.
- AGA member websites shall disclose to users – in their terms of use or other policy statements – any practices of the website that involve sharing user information with third parties unrelated to the AGA member sponsoring the site.

Monitoring Code Compliance

- AGA will offer biannual training opportunities for members and employees of members involved in the advertising or marketing of sports wagering services.
- AGA members will provide training on the provisions of this Code, including periodic refreshers and updates, to all individuals involved in the advertising or marketing of sports wagering services.
- AGA members will deliver a copy of this Code to advertising agencies, media buyers, and other third parties involved in the member's advertising or marketing.
- AGA members shall adopt an internal review process to evaluate whether promotional and marketing messages comply with this Code, and will conduct periodic reviews of promotional and marketing messages to evaluate compliance with this Code.
- The commitments in this code apply to persons or entities operating in partnership with or as agents of AGA members in conducting advertising and marketing activity related to sports betting