

Attachment 1: Customer Complaint

Complaint regarding violations of TPL advertising policy

This complaint concerns alleged violations of Toronto Public Library's advertising policy as it relates to ads on the obverse of date-due slips (and also hold slips, a use the Library never told the public about).

Policy claims

Throughout the development of this unnecessary, unremunerative, unwanted, ethically offensive advertising program, the Library swore up and down that advertising would be consistent with the Library's mission and would be in good taste.

1. Board Chair Paul Ainslie: "The policy would follow the Canadian Code of Advertisement Standards. We also have our advertisement policies and procedures in place. So it would be done in a tasteful manner, and I have a great amount of faith in our team" ("[Funding gap has library mulling more ads](#)," *National Post*, 2012.02.29).
2. In an interview on *Metro Morning*, CBC Radio One, on 2013.03.11, City Librarian Jane Pyper said: "The kinds of place that are expressing interest are other cultural organizations, some business that are involved in learning, some other nonprofits that are also in the learning business. So ones where they think that they might find a sympathetic audience." (She meant the advertisers would find a sympathetic audience among library users.)

But what kinds of ads would the Library reject? "I think anything that might undermine that message – a very clear, *clear* neutrality around information and exchange of ideas. "

3. The original request for proposals (TPL 018/2012) stated:

The Library reserves the right to reject advertising that, in the Library's sole opinion, may adversely affect public confidence in the Library or the value of the Library brand. [...]

The Library will *not* accept... advertising that detracts from the Library's public image or could place the Library at the centre of a controversy or sensitive issue[.]

Violations

The following advertisements on TPL slips violate the policy and stated objectives, I claim.

Diamond & Diamond Lawyers

These personal-injury lawyers are, to put it bluntly, ambulance-chasers and have no conceivable relationship with library usage. ("Pile of books graze your toe at the Reference Library? Call 1-800-567-HURT!" the ads insinuate.) Diamond & Diamond refused to explain to me how its advertising was remotely appropriate for a library setting.

MADD

The advertisement for Mothers Against Drunk Driving isn't actually an advertisement. It's a free placement as a public-service announcement, Deb Kelly of MADD told me via E-mail:

The message you've contacted us about is one of our public service announcements (PSA). We have some of these available for newspapers, magazines, and, in this case, the company which does those receipts. They generally promote one of our programs or a general sober-driving message. When the venues/companies have space available in their publications, on their receipts, etc., they donate it to us free of charge to help us share our message with their various audiences. In this instance, the company which does the receipts had some space available to donate and we graciously accepted it.

This particular PSA promotes our Campaign 911 public-awareness program, which lets people know they can call 911 if they see a driver they suspect is impaired. It is an important way in which the public can help police take impaired drivers off the roads. Given that impaired driving continues to kill more than 1,000 people each year and injures close to 64,000 others, this is a public-safety message which we want to reach as many people with as possible and one we believe is compatible with most audiences.

While MADD could be described as one of those "other nonprofits" Pyper mentioned, the fact remains that drunk driving has nothing to do with a public library. I can live with its advertisements. What I object to is the way this public-service announcement is misrepresented as a paid advertisement and not as the freebie it is.

Pizza Pizza and Pizza Nova

Fast food has no nexus with the purpose and operation of a public library. While not as offensive as, say, advertisements for condoms or tampons, the fact remains that neither Pizza Pizza nor Pizza Nova has anything to do with the Library.

As evidence of the alleged inability of the monopoly ad-sales vendor, Receipt Media, to actually sell ads, these pizza joints should have been given category exclusivity. That would mean library patrons would be subjected to ads from one and only one pizza outlet. There shouldn't be any such advertisements at all, but the fact there are two such ad campaigns, from chain-store competitors, adds insult to injury.

Pizza Pizza and Pizza Nova refused to explain to me how their advertising was appropriate for a library setting.

Receipt Media

Receipt Media, the monopoly ad-sales vendor for this misadventure, has its own advertisement on the back of Library slips. According to its [rate card](#), such advertisements are worth \$8,000 for a six-month insertion. (Or, as I would put it, the low, low price of \$15,000 per year – \$1,000 off!)

At no time did the Library inform the public that a paid vendor for the advertising program would also be able, in effect, to write cheques to itself in the equivalent of \$15,000 a year by running advertisements for itself. I doubt actual money changed hands; we are talking about nominal value.

The advertisements are unrelated to the Library and its purpose because they read, in their entirety: “Get your business noticed with Receipt Media. 416.646.2281” (plus an internal code number). They are straight-up ads for an ad agency.

If Receipt Media were actually informing would-be advertisers that its company is the vendor of record for the project, at first blush that might seem to be a reasonable usage. But even that would be inconsistent with the Library’s purpose and stated guidelines. Take the example of print magazines. Even when a third-party agency handles ad sales, where an advertiser looks for that information is *in the magazine* on its masthead, not in an advertisement in the magazine. Where an advertiser should go in order to inquire about advertising is the Toronto Public Library in first instance; staff could then refer the inquiry to the contracted agent. (Any really canny advertiser would just Google it. I am saying the correct protocol is to contact the Library first, not a third-party vendor.)

Here, Receipt Media double-dips: It gets a vig on all or part of advertising sales for the library and also runs ads for itself, presumably for free.

Receipt Media refused to answer questions about any of the foregoing insertions or its own.

Other facts

The following statements are not complaints but amount to information I am passing on to the Working Group.

- The advertiser billed as Learn4Life.CA is really the Toronto District School Board. Its representatives were initially surprised to learn that TDSB was advertising at all. Eventually I was told that its continuing-education division placed the advertisements. But one side of the operation did not know what another side was doing. (I expect this will come as a surprise to the Working Group.)
- H&R Property Management Ltd. is a marginal advertiser. You could really stretch it and claim that library users sometimes need to look for an apartment. I believe H&R is not eligible to advertise based on the Library’s stated policies, but I am willing to give them a bare pass.

Remedy requested

1. The Library’s original RFP for date-due advertising stated that it “reserves the right to remove any advertising, at no cost to the Library, even if it has been previously reviewed and approved.”

1. I need a statement from the Working Group that all current advertising insertions were reviewed and approved in advance, with full knowledge that MADD's insertion was a free PSA and that Receipt Media was advertising itself.
2. Consistent with policy, I request the immediate removal of the advertisements for Diamond & Diamond and both pizza chains and the removal of advertising for Receipt Media.
2. In all future printings (not all future campaigns – starting with the next production run of paper stock), labelling of free public-service announcements as such.

Next step

The Working Group is on notice that the next step is an organized public boycott of present and future Library advertisers.

Submitted by Joe Clark
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