[US] Audio-visual Industry Announces Ratings Scheme

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L. Fredrik Cederqvist
Communications Media Center at the New York Law School

On 19 December 1996, the U.S. audio-visual industry announced plans to rate television programmes according to six categories. The action came as a result of the "V-chip" requirement in the Telecommunications Act of 1996 ("Act") which essentially provided the audio-visual industry with a choice between adopting their own standards or having the Federal Communications Commission ("Commission") form a committee to do so. Not surprisingly, the industry chose self-regulation.

The six categories developed by the industry are: (i) TV-Y (suitable for all children); (ii) TV-Y7 (suitable for children seven years of age and above); (iii) TV-G (suitable for all ages); (iv) TV-PG (parental guidance suggested - material may be inappropriate for younger children); (v) TV-14 (parents strongly cautioned - material may be inappropriate for children under fourteen years of age); and (vi) TV-M (mature audiences only - material may be inappropriate for those under seventeen years of age).

All broadcast and cable networks are expected to begin using the new ratings by the end of January 1997. Applicable ratings will appear on the upper corner of the screen for 15 seconds at the beginning of each program. News and sports programs, however, will not be rated.

As stated, the new ratings were necessitated by the Telecommunications Act of 1996, signed into law on 8 February 1996 (see IRIS 1996-3: 7-10). The Act directs the Federal Communications Commission to establish an advisory board to develop a rating system for television programmes unless the industry voluntarily establishes a ratings system that is acceptable to the Commission.

The Commission has received conflicting messages from the executive and the legislative branches (jointly responsible for passage of the Act) on whether the Commission should accept the industry's proposal. President Clinton has stated that the new ratings should be tried for 10 months and then modified if necessary. However, Congressman Ed Markey, chief architect of the Act's requirement of a rating system, complains that the new ratings do not actually tell parents what type of offending material is contained in particular programming. Markey and many consumer groups prefer a rating system that would use letters such as "V", "S" and "L" to signify violent content, explicit sexual

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content and adult language, respectively.

Critics of the industry's ratings system charge that the ratings are intentionally ambiguous in order to protect revenue from advertising that may be lost if parents had more specific information as to the content of broadcast programming. The industry responds that more explicit ratings would become either unmanageable because of the amount of programming that would need to be reviewed or inaccurate due to the inability to account for the degree of violence, sexual conduct, or adult language contained in particular programming. The industry has warned that a modification of their rating system could trigger a First Amendment claim for violation of their free speech rights. Beginning in 1998, television sets (13 inches or greater in diameter) must be manufactured with a "V-chip" that will allow parents to program the television set to block out programming that they have determined will be inappropriate for their children. Present versions of the V-chip, however, do not block individual programs -- but rather general types of materials with certain ratings. The proposed ratings thus may become a means of censoring broad categories of programming. While the television industry hopes its ratings will be used, many consumer groups can be expected to work diligently to convince the FCC that more explicit ratings are necessary to allow parents the adequate information necessary to safeguard their children.

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