

INSURERS: BULLETIN NS-3

STATE OF CALIFORNIA

**DEPARTMENT OF INSURANCE
45 FREMONT STREET
SAN FRANCISCO, CA94105**

**BULLETIN No. NS-3
MAY 18, 1956**

TO: ALL ADMITTED INSURERS

SUBJECT: ADVERTISING – MAINTENANCE OF FILES OF ADVERTISING, COPY AND MATERIALS

Every insurer admitted to California, whether it is domiciled in the state of California or elsewhere, is requested to maintain in California a complete file of all advertising materials pertaining to any policy or contract of insurance or to its insurance operations which it has caused or permitted to be issued, circulated or used.

- (1) Anywhere, if it is an insurer domiciled in California; or
- (2) Within the State of California, if it is a foreign or alien insurer.

Insurers domiciled in California should maintain such file at the home office. Foreign or alien insurers should maintain such a file at the principal office in California.

All such advertising matter should be attached to copies of the policy contracts to which each item of such material relates so that an examination of all such material may be conveniently made. Such files should be complete with respect to the most recent 4-year period.

If an insurer has authorized any agent to use its name in advertisements originating with the agent the insurer has the responsibility of requiring each such agent to maintain such files in this State or of itself maintaining within this state such files as to each such agent.

“Advertising materials” as used herein has an all inclusive meaning. For example, it includes but is not limited to, proofs or clippings of newspaper and magazine advertising, publicity releases, brochures, radio scripts, throw-aways, prepared speeches, statements on back of applications, etc.

The purpose of this Bulletin is to facilitate the functions of this Department in the administration and enforcement of the California statutes which prohibit the issuance, circulation or use of false or misleading advertising and provide disciplinary action therefore. (The basic California statutes are Insurance Code sections 780 through 784 and Business and Professions Code Sections 17500, 17534 and 17535.) The maintenance of complete files referred to herein should result in greater efficiency in this Department’s examinations with resultant economy to

the companies. The examiners consider advertising in relation to the above-mentioned statutes in the course of regular examinations.

Your full cooperation in this matter is earnestly solicited and will, I am sure, prove of real benefit to the public, the industry and your own company.

F. BRITTON McCONNELL
Insurance Commissioner

San Francisco, California
May 18, 1956