E200 Periodicals

E210 Basic Standards

E212 Qualification Categories

Summary E212 describes the circulation, advertising, and eligibility standards for general publications, publications of institutions and societies, state department of agriculture, requester, and foreign publications.

1.0 GENERAL PUBLICATIONS

Basic Standards
1.1 General publications must meet the applicable basic standards for Periodicals in E210 and must be originated and published to disseminate information of a public character or be devoted to literature, the sciences, art, or some special industry.

Circulation Standards
1.2 General publications must meet these circulation standards:

a. General publications must have a legitimate list of subscribers who have paid or promised to pay, at more than a nominal rate, for copies to be received during a stated time.

b. Records for subscriptions to a publication obtained with subscriptions to one or more other publications must be kept so that individual subscriptions to each publication, by title, can be verified.

c. Persons whose subscriptions are obtained at a nominal rate and those whose copies bear an alternative form of address must not be included in the legitimate list of subscribers. These copies must be treated as nonsubscriber copies, subject to the applicable rate.

d. Subscriptions may be paid for with dues or contributions, if the dues or contributions and the subscription price are separated to show compliance with 1.2, including the amount paid for the subscription. The USPS may require evidence of compliance (e.g., the forms used to obtain payments for dues and subscriptions). For example, dues statements would read: "Annual membership dues of [$] include [$] for a 1-year subscription to *[Title]*."

e. To determine whether a subscription is genuine, it must be so separated from all other business transactions as to constitute a distinct, voluntary, and independent act. Publishers must be able to show that subscriptions to their publications are voluntary, that the subscription price is paid or definitely promised, and that the relationship of subscriber is understood and agreed to.

f. At least 50% of a publication's distribution must be to persons who have paid above a nominal rate. Nominal rate subscriptions include those sold at a subscription price so low that the rate cannot be considered a material consideration; or at a reduction to the subscriber (under a premium offer or any other arrangement) of more than 50% of the basic annual subscription rate that would entitle the subscriber to receive one copy of each issue published during the subscription period. The value of a premium is considered its actual cost to the publisher, its recognized retail value, or its represented value, whichever is highest.

g. Publications primarily designed for free circulation and/or circulation at nominal rates may not qualify for the general publications category. Publications are considered primarily designed for free circulation and/or circulation at nominal rates when more than 50% of all copies circulated are:
   (1) Provided free of charge to the ultimate recipients;

(2) Paid for at nominal rates by the ultimate recipients;
(3) Addressed with an alternative form of address; or
(4) Intended by the publisher to be circulated for free and/or at nominal rates.

h. For the standard in 1.2g, the distribution of all copies of a publication is considered, whether circulated in the mail or otherwise.

Advertising Standards
1.3 Advertising is defined in E211. General publications primarily designed for advertising purposes do not qualify for Periodicals mailing privileges, including publications that:

a. Contain more than 75% advertising in more than half of the issues published during any 12-month period.

b. Are owned or controlled by individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of any other business or calling of those who own or control the publications.

c. Consist principally of advertising and articles about advertisers in the publication.

d. Have only a token list of subscribers and that print advertisements free for advertisers who pay for copies to be sent to a list of persons furnished by the advertisers.

e. Are published under a license from individuals or organizations and that feature other businesses of the licensor.

2.0 PUBLICATIONS OF INSTITUTIONS AND SOCIETIES

Eligibility
2.1 A publication that meets the applicable basic standards in E210 and contains only the publisher's own advertising and not, under any condition, the advertising of other persons or organizations, is eligible for Periodicals mailing privileges if it is:

a. Published by a regularly incorporated nonprofit institution of learning, i.e., an organization of a permanent nature where instruction is given in the higher branches of education only, owing its origin to private or public munificence, and established solely for the public good and not for private gain.

b. Published by a regularly established state institution of learning supported in whole or in part by public taxation.

c. Published by any public or nonprofit private elementary or secondary institution of learning or its administrative or governing body.

d. A bulletin issued by a state board of health, a state industrial development agency, a state conservation or fish and game agency or department, or a state board or department of public charities or corrections.

e. A program announcement or guide published by an educational radio or television agency of a state or political subdivision thereof or by a nonprofit educational radio or television station.

Eligible Publications
2.2 The following types of publications are eligible for Periodicals mailing privileges if they meet the basic standards of E211, contain only the publisher's own advertising or general advertising subject to 2.3, and are published by:

a. A benevolent or fraternal society or order organized under the lodge system and having a bona fide membership of at least 1,000 persons (publications under the auspices of the society or order are also eligible).

b. A trade union (publications under the auspices of the union are also eligible).

c. A strictly professional society, i.e., a group consisting solely of persons who have obtained professional status by advanced educational training, experience, specialized interest, or peer examination. Where applicable, public certification in a particular field of the arts or sciences (such as engineering, law, or medicine) is considered in determining eligibility. The members must be engaged in their given profession under its binding standards of performance and conduct on which the public is entitled to rely.

d. A strictly literary society, i.e., an organization whose sole purpose is to encourage and cultivate an appreciation of general literature, a literary subject, or an author of recognized literary accomplishment. The membership must be composed of individuals who discuss or analyze the style, composition, or other characteristics of the literature or authors in which they have a common interest.

e. A strictly historical society, i.e., an organization whose sole purpose is to discover, collect, and systematically record the history of civilization or of a particular segment. Such a society should preserve this material and make it available to its members and the general public, and should extend education by producing published matter, holding regular meetings, presenting addresses and lectures, or using mass media.

f. A strictly scientific society, i.e., an organization whose sole purpose is to bring individuals together for scientific investigations and pursuits in the applied, pure, or natural sciences, and to disseminate technical information on these subjects.

g. A church (i.e., a congregation of worshippers who conduct religious services) or a church organization (i.e., organizations of individual churches, organizations that are subsidiary to individual churches, and national or regional organizations of churches).

Advertising Standards
2.3

Advertising is defined in E211. A publication qualifying for Periodicals mailing privileges under 2.2 may contain advertising of other organizations or persons if:

a. It is not designed or published primarily for advertising purposes.

b. It is originated and published to further the purposes of the qualifying organization.

c. Its mailed circulation is limited to copies mailed to members who pay, either as a part of their dues or assessments or otherwise, at least 50% of the subscription price regularly charged to other members; to other actual subscribers; to exchanges; and to 10% of such circulation as sample copies. When members pay for their subscriptions as a part of their dues or assessments, individual subscriptions or receipts are not required.

3.0 PUBLICATIONS OF STATE DEPARTMENTS OF AGRICULTURE

Eligibility
3.1

A publication issued by a state department of agriculture that meets the basic standards in E211 is eligible for Periodicals mailing privileges if it is published to further only the objectives of the department and contains no advertising (as defined in E211).

In-County Rates
3.2

For determining the number of copies qualifying for In-County rates, all circulated copies are considered subscriber copies and the total number of such copies is the total paid circulation.

4.0 REQUESTER PUBLICATIONS

Basic Standards
4.1 A publication, whether circulated free or to subscribers, may be authorized to be mailed at the Outside-County Periodicals rates if it meets the basic standards in E211 and:

a. Each issue contains at least 24 pages.

b. No issue contains more than 75% advertising (as defined in E211).

c. The publication is not owned or controlled by one or more individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control the publication.

Circulation Standards
4.2 Requester publications must meet these circulation standards:

a. The publication must have a legitimate list of persons who have requested the publication, and 50% or more of the copies must be distributed to persons who have made such requests.

b. Subscription copies of the publication that are paid for or promised to be paid for, including those at or below a nominal rate, may be included in the determination of whether the 50% request requirement is met.

c. Persons are not deemed to have requested the publication if their request is induced by a premium offer or by receipt of material consideration.

d. Records of requests for a publication obtained with subscriptions or requests for one or more other publications must be kept so that individual subscriptions or requests for each publication, by title, can be verified.

e. Requests that are more than 3 years old cannot be considered valid requests. Copies addressed using an alternative address format are not considered requested copies, and persons are not considered to have requested the publication if their copies are addressed in that manner.

f. When a requester publication is issued by a membership organization, the organization may adopt a resolution specifying that each member receive a copy of each issue of the publication. *For example: "Resolved: That a copy of [publication title] shall be sent to each member of [organization name]."* Records must be kept to show that the publication is sent to organization members. Form 3500 must be accompanied by a certified copy of the resolution adopted and the written assurance of a responsible official that the required records are kept.

5.0 FOREIGN PUBLICATIONS

General Character
5.1 Foreign newspapers and other periodicals that meet the basic standards in E211 and have the same general character as domestic publications entered as Periodicals may be granted Periodicals mailing privileges.

Known Office
5.2 The known office of publication may be the office of the publisher's agent.

Rates
5.3 Foreign publications eligible for Periodicals mailing privileges under 5.0 are subject to the same Periodicals rates as domestic (U.S.) publications.

Circulation
5.4 Review of applications is based only on U.S. circulation.

Copyright
5.5 This standard does not authorize the mailing of a publication that violates a copyright granted by the United States.

6.0 NEWS AGENT REGISTRY

Definition
6.1 The term *news agent* means a person or concern selling two or more Periodicals publications published by more than one publisher.

Authorization
6.2 A news agent must be authorized by the USPS before the agent may mail Periodicals publications at Periodicals rates.

Remailing
6.3 A news agent may not remove bundles of copies from a post office, write an address on each copy, and return them to the office for dispatch or delivery without paying additional postage.

Unsold Copies
6.4 Unsold copies returned to the publishers or other news agents, or copies sent to other news agents for purposes other than sale, or sent to persons not having subscriptions with news agents, are subject to the Outside-County Periodicals rates.

Parts Returned
6.5 Parts of publications returned to publishers to show that copies have not been sold are subject to the applicable Standard Mail or Package Services rates.