



# On Sale Date Compliance

---

## RECOMMENDED BEST PRACTICES

*Version 1*

Book Industry Study Group, Inc. (BISG)

Developed by the BISG Distribution Executives Interest Group *On Sale Date Task Force*

SEPTEMBER 2010

## Contents

---

1.0 Purpose .....	4
2.0 About BISG Best Practices.....	4
3.0 Definition of Terms .....	5
3.1 On Sale Date.....	5
3.2 New Release.....	5
3.3 Affidavit.....	5
3.4 Embargo Affidavit .....	6
3.5 Distributor/Wholesaler .....	6
4.0 On Sale Date Management.....	6
4.1 Exclusive Designation.....	6
4.2 Application .....	7
Textbooks and Professional Titles.....	7
4.3 Designating the On Sale Date .....	7
5.0 On Sale Date Notification and Publicity.....	8
6.0 Physical Distribution .....	8
6.1 Packing — Publishers .....	9
6.2 Packing — Distributors.....	9
6.3 Carton Marking .....	10
Product Label .....	10
Shipping Label .....	10
New Release Labels.....	11
Custom Cartons.....	11
Other Carton Marking Methods .....	11

Scheduling Shipping .....	12
7.0 Distributor Practices .....	12
7.1 Advance Receipt.....	12
7.2 Advance Order Acceptance (Backorder Requested).....	12
7.3 Electronic Shopping (Backorder Not Requested) .....	13
7.4 Inventory On Hand Posting (On Sale Date Included).....	13
8.0 Retailer Practices .....	13
8.1 Retail Distribution Centers.....	13
8.2 Retail Stores (Independent and Chain).....	13
Alert to Retailers of New Release Inclusion .....	14
8.3 Online Retailers.....	14
9.0 Library Practices.....	14
Alert to Libraries of New Release Inclusion .....	15

## 1.0 Purpose

---

The purpose of this document, titled *On Sale Date Compliance: Recommended Best Practices*, is to communicate best practice recommendations for enabling the simultaneous availability of new releases to consumers from all consumer purchasing sources, such as online or bricks-and-mortar retailers. The objective is to maintain a “level playing field” for all trading partners so as not to favor one consumer sales channel over another.

## 2.0 About BISG Best Practices

---

The best practices outlined in this document are the result of several months of work on the part of the Book Industry Study Group’s (BISG’s) Distribution Executives Interest Group (DEIG) *On Sale Date Task Force*. Task Force members included representatives from publishers, wholesalers (to retailers and to libraries), independent retailers and major chain retailers. A consensus of Task Force members agreed to the practices described herein before the document was submitted to the full BISG membership and Board of Directors for final review and approval.

As with all BISG best practice recommendations, the information herein provides voluntary guidelines intended to improve efficiency by promoting standard methods of conducting business in the book industry. The use of standardized methods of communication between trading partners wherever possible avoids costly redundancy, prevents needless reinvention of procedures and reduces training of operational personnel.

BISG strongly recommends and advocates the adoption of these best practice recommendations by organizations that are establishing procedures for the first time or have encountered problems with existing procedures. That said, there is no intent on the part of BISG to advocate change in existing procedures that are satisfactory for the organizations using them and compliant with overall policies in the industry, specifically the observance of on sale dates. Furthermore, BISG does not and cannot mandate the implementation of these, or any, best practice recommendations. Adoption of any best practices is a matter strictly to be determined between trading partners or groups of trading partners.

## 3.0 Definition of Terms

---

### 3.1 On Sale Date

The on sale date is the date specified by a publisher on which a title, usually a new release, is to be made available for sale to consumers.

### 3.2 New Release

A “new release,” for the purpose of these best practices, is a title offered for the first time in a given format (hardcover, mass market, electronic, audio, etc.) or format variation (such as a movie tie-in cover). Re-release of a title previously published is to be considered “new” if it is marketed as a new title. Titles that have been out of stock (for whatever period) and are made available again without new release management are not considered “new.”

### 3.3 Affidavit

Affidavits are signed legal agreements made between suppliers and the receivers of new release to permit advance receipt under specified conditions. Affidavits are structured to cover shipment to distribution centers, physical stores, online retailers and libraries as appropriate.

The purpose of the affidavit is to give the receiving organization time to receive and prepare the title for sale, while still providing for withholding it from retail sale before the on sale date.

Activities during the pre-sale period might include advance reading for local reviews, familiarization of booksellers or the preparation of displays. In addition, wholesalers and retail distribution centers need time to prepare and make shipments to stores.

Libraries and library wholesalers frequently need time to process books so that they can be shelved and offered to patrons immediately at the on sale date.

Affidavits issued by a publisher may be of a general or overall nature and apply to all (or a broad group of) new releases, or they may pertain to a specific title.

Affidavits of a general nature describe the conditions applicable to the specified group. As titles in that group are released, subsequent addenda are issued to identify the ISBN, title and on sale date of each. An annual statement of expected compliance with a general affidavit is recommended, with periodic updates to the affidavit when business circumstances dictate.

Affidavits pertaining to a specific new release state both the conditions of that release and the ISBN, title and on sale date of the release.

Publishers are encouraged to use the general affidavit approach as much as possible, to reduce time spent by all parties issuing and responding to specific affidavits.

### 3.4 Embargo Affidavit

In cases where a publisher wishes to exercise tight control over the manner in which a new release is introduced to consumers, they may specify an embargo of the title before the on sale date. The publisher may plan to stage the new release as a national activity with attendant publicity, broadcast events, etc. Requesting the execution of an affidavit related to the release is the usual method of conveying the conditions of an embargo. Embargo conditions normally apply to online retailers as well as physical stores.

The conditions of an embargo will vary from title to title and publisher to publisher; they also may depend on the recipient, so generalization of details is not possible. For example, retailers may be required to leave cartons containing an embargoed title unopened until the on sale date. On the other hand, libraries may be permitted to open cartons under strict management, so that cataloging and processing may be done. In all cases, usual pre-sale activities such as preparation of advance local reviews, reading by bookseller for familiarization and other similar activities are frequently restricted.

Designating an embargo is not intended by the publisher to indicate that **observing** the on sale date of the embargoed title is more critical than observing the on sale date of a non-embargoed title. Rather, the **only** intent is that the handling of the release is to be more strictly controlled as specified by the embargo affidavit.

### 3.5 Distributor/Wholesaler

In the book industry the terms “distributor” and “wholesaler” usually refer to organizations that operate under two different business models. Because the distribution processes covered in this guideline are essentially the same for both types of organizations, the term “distributor” is used here when describing these processes. The purpose of this approach is to avoid the somewhat cumbersome repetition of “distributor/wholesaler.”

## 4.0 On Sale Date Management

---

### 4.1 Exclusive Designation

Historically, there has been confusion between the on sale date and the “publication date” of a title. The primary cause of the confusion has been the lack of a precise definition or a consistent format for publication date across the industry.

***This document recommends the exclusive use of the term “on sale date” as defined in Section 3.1 above to designate the date a new release can be made available to consumers.*** The purpose of this recommendation is to standardize communication and minimize misunderstanding. A publisher may designate a publication date, if desired, but this guideline recommends that the on sale date be designated separately.

Further, although “street date” is used in the music and entertainment industry to designate the date for a new release, “on sale date” is recommended in this guideline as the sole designation in recognition of the historical precedent of its use in bookselling.

Other terms, such as “strict on sale date” and “laydown date,” have also been used. Again, the use of the term “on sale date” and only that term is recommended.

## 4.2 Application

This guideline recommends that on sale dates be established for all new releases. The establishment of an on sale date for every new release has not been the prevailing practice historically, when the predominant channels for sales to retail consumers were physical retail stores or mail order outlets. In those environments, a variation in availability of a few days did not result in a significant sales advantage or disadvantage.

However, with the growth of consumer purchasing over the Internet, titles are offered immediately to a worldwide customer base. Even a short difference in time between different outlets can be a significant determinant of the outlet that obtains the sale. Any difference in the availability of an ebook is even more pronounced.

### Textbooks and Professional Titles

It is recommended that the assignment of an on sale date to a textbook or professional title be left to the publisher’s judgment. Some textbooks are very unlikely to have significant appeal outside a classroom, and an on sale date is unnecessary. On the other hand, other textbooks may be as popular with practicing professionals or general readers as in educational settings. For the latter case, publishers should assign on sale dates and ensure that the dates are observed in education channels. Affidavits may be used as is done in retail channels when early shipment to distribution centers or depositories is required.

When trade titles are adopted as texts or as outside reading, participants in education distribution channels must comply with the same on sale date conditions as retail participants.

## 4.3 Designating the On Sale Date

It is recommended that publishers designate the on sale date of new releases as follows:

- **In general, the designation of on sale dates falling on Tuesdays is recommended.** This is in recognition of established promotional practices in place in many retail channels (such as previous weekend advertising). Publishers whose distribution channels are not thus affected may adopt days of the week appropriate to those channels.
- **The designation of on sale dates falling on Saturdays, Sundays or Mondays is specifically not recommended because of uncertain delivery situations over weekends.**

- **In exception to the recommendations above, the designation of an on sale date with some significance to the title**, such as a related appearance on a Sunday television talk show, an historical relationship (anniversary) or an appropriate calendar date (Fourth of July) **may be appropriate**. In this case, the selection of the significant date is acceptable, regardless of the day of the week on which it falls.

## 5.0 On Sale Date Notification and Publicity

---

Effective communication of on sale dates to all trading partners in the supply chain is crucial. All prepublication records and advertising should contain on sale date information.

Timely and redundant communication, through all available channels, is strongly recommended. A suggested checklist for channels of communication:

- All new title announcements
- Metadata, especially ONIX transmissions
- E-mail to organizations not receiving metadata
- Publisher websites
- Wholesaler/distributor websites
- Book industry databases
- Inventory position files provided by distributors
- Status inquiry responses to electronic shopping
- Printed industry publications
- Industry electronic newsletters

## 6.0 Physical Distribution

---

The objective of this section is to recommend practices that will result in a high degree of uniformity in the packing and marking of shipments from a number of different suppliers. The uniformity provided by the Product and Shipping labels recommended by BISG's *Guidelines for Shipping Container Labeling* (<http://www.bisg.org/what-we-do-12-6-guidelines-for-shipping-container-labeling.php>) has been recognized as contributing to reduced time spent interpreting incoming cartons and an overall improvement in the overall efficiency of the receiving process in general. In the same manner, the practices recommended in this section are structured to extend the benefits of uniformity to the recognition of new releases.

As noted in Section 2.0, there is no intent that these recommendations supersede arrangements where a shipper and a specific customer or group of customers have agreed upon other procedures that are appropriate to their situation. Similarly, retailers may employ whatever procedures are effective between their retail distribution center and their stores.

## 6.1 Packing — Publishers

It is recommended that publishers shipping new releases pack the titles separately from backlist titles in the same shipment whenever practical. When quantities of a given new release are not sufficient to fill a carton, it is preferable to combine the titles with other new releases having the same on sale date. When the total quantity of new releases and backlist in an order is sufficiently small that separate packing is not economically feasible, all titles may be combined.

In every case, cartons (or other packaging) are to be marked as recommended in Section 6.3 below to call attention to the inclusion of the new releases.

The presence of the new releases and their on sale date is to be indicated prominently on the packing list (when a packing list is provided). When new releases with different on sale dates are combined, displaying the on sale date on the respective line item is recommended.

Upon determination of appropriate encoding by BISG's Supply Chain EDI committee, the on sale date should be included in electronic transmission of the Purchase Order Acknowledgement (POA) and the Advance Ship Notice (ASN). This practice is intended as reinforcement to the original notification as described in Section 5.0, "On Sale Date Notification and Publicity," and not as the primary communication of on sale date.

## 6.2 Packing — Distributors

Distributors in the supply chain will usually be unable to pack new releases in separate cartons by on sale date, except when a full publisher carton is to be shipped. When this is the case, reshipping in the publisher's original carton is strongly recommended when possible, so that publisher new release labeling is preserved. Although the use of original publisher cartons is recommended, it may be impractical to use them for forwarding shipments to a library from a distributor who has performed processing services.

Otherwise, distributor shipments frequently consist of titles combined from many publishers, who may assign on sale dates on different days of the week. The process of sorting titles by on sale date, packing them in many smaller cartons and shipping them separately would be unnecessarily costly to both shipper and recipient.

However, even with shipping economies in mind, it is recommended that distributors pack new releases in cartons containing only other new releases whenever possible, even though on sale dates will be mixed. It is further recommended that distributors pursue methods for improved physical separation of new releases and to contribute solutions to future revisions of these best practice recommendations.

Whatever methods distributors use to pack new releases, the presence of the new releases and their on sale date is to be indicated prominently on the packing list (when a packing list is provided). When new releases with different on sale dates are combined, displaying the on sale date on the respective line item is recommended.

Upon determination of appropriate encoding by BISG's Supply Chain EDI Committee, the on sale date should be included in electronic transmission of the Purchase Order Acknowledgement (POA) and the Advance Ship Notice (ASN). This practice is intended as reinforcement to the original notification as described in Section 5.0, "On Sale Date Notification and Publicity," and not as the primary communication of on sale date.

### 6.3 Carton Marking

Uniformity and standardization are important considerations in labeling and marking shipping containers, in order to minimize interpretation during the stock receiving process. BISG's *Guidelines for Shipping Container Labeling*, downloadable from <http://www.bisg.org/what-we-do-12-6-guidelines-for-shipping-container-labeling.php> recommends standards for both product and shipping labels. This section recommends additional carton marking intended to alert receivers to the presence of new releases.

#### **Product Label**

The *Guidelines for Shipping Container Labeling* provide for printing the on sale date as optional data in Zone 1 of the product label.

Having the on sale date on the product label is very useful to distributors and retailers. Thus it should be included whenever there is a reasonable certainty that the title will be available to retailers and libraries by that date. Delays in distributing titles with an on sale date on the product label should be handled as exceptions, with notification of the delay to recipients.

When a book or other product is manufactured overseas, uncertainty as to the delivery date may arise as a result of variation in transit time to reach domestic distribution facilities. In other cases, the publisher may not have established the on sale date at the time of manufacture pending availability of associated products, promotional campaign planning, etc. In such cases, the on sale date should be omitted from the product label to avoid misunderstandings.

#### **Shipping Label**

The *Guidelines for Shipping Container Labeling* do not provide for printing the on sale date or any other notation indicating the inclusion of new releases on the shipping label. In most current implementations, there is little space available on the shipping label for additional information, regardless of its importance.

However, shippers may note the inclusion of new releases in either Zone F, reserved for the supplier, or Zone E, reserved for information requested by the receiver, when space is available.

### **New Release Labels**

When applicable, an additional label or labels indicating that a carton (or pallet) contains new releases are recommended. Labels with an attention-attracting background color are especially effective, although white backgrounds are acceptable when production constraints prevent the use of special stock.

Generic new release labels similar to the samples that follow are recommended.



**For a single title carton**



**For a carton with mixed titles**

Title-specific labels that carry the actual on sale date and other information pertaining to the release are beneficial when feasible. The wording “NEW RELEASE” as shown on the generic samples should be included.

### **Custom Cartons**

When a new release is packaged in custom printed cartons, indication that the title is a new release and the on sale date should be displayed prominently in a manner consistent with the release plan.

### **Other Carton Marking Methods**

Shippers should employ other methods to identify that cartons contain new releases whenever it is feasible to do so. For example, carton sealing tape carrying the wording “NEW RELEASE” is effective when it can be accommodated in the shipping facility. Care must be taken to use such tape only when the title is in the new release status; pre-sealed cartons shipped significantly after the on sale date could result in delays in stocking at the receiving facility.

### **Scheduling Shipping**

A shipper may obtain transit times from the origin ZIP code to the destination ZIP codes from all major freight providers. In general, the freight provider will not stage the shipments for uniform delivery; the sequential dispatch remains the responsibility of the shipper using the transit times provided. Therefore, the shipper of new releases must **make a best effort to** stage the shipping so that the arrival is uniform across the distribution area for each recipient type.

Organizations currently shipping new releases find that actual transit times are sometimes shorter than quoted, which can result in arrival earlier than anticipated. Shippers are therefore cautioned to monitor performance and adjust shipping schedules accordingly. Actual experience is solicited for future revisions of these best practice recommendations.

## **7.0 Distributor Practices**

---

### **7.1 Advance Receipt**

Distributors typically must receive new releases in advance of the on sale date in order to perform various functions required to serve their retailer or library customers.

Affidavit agreements are normally made with the publisher to specify the timing of receipt at the distributor and the conditions of handling and re-shipping the titles. The length of the pre-sale period will vary depending on the service requirements of the ultimate customer base, as discussed in the sections that follow.

New releases on which the publisher has specified an embargo must be handled in accordance with the terms of the embargo. The distributor has the additional responsibility of ensuring that the ultimate customer understands the conditions of the embargo.

### **7.2 Advance Order Acceptance (Backorder Requested)**

The acceptance of advance orders before the on sale date is a normal business function for distributors. These orders are typically communicated via hard copy or various electronic formats.

Because advance orders of this type are placed by a retailer or library without regard to whether or not the distributor has inventory, they are typically treated by the distributor as backorders. The orders are accumulated and shipped as agreed to by the distributor and the ordering party.

In the absence of affidavits, shipments of new releases are typically scheduled by the shipper to reach the retailer or library by the on sale date, with the goal of arrival no earlier than the working day prior to the on sale date. The retailer or library is expected to comply with specified on sale dates, even when titles are received early and whether or not affidavit agreements are in place.

### 7.3 Electronic Shopping (Backorder Not Requested)

Electronic shopping, as the name implies, is a form of order placement that searches for a title and places an order only if the title is available to ship. Such orders are said to “cascade” from supplier to supplier until available inventory is found.

Typically, this process takes place interactively, with an immediate response of the order having been accepted or rejected. Thus the placement of an order with a given distributor is dependent on whether or not that distributor has posted inventory as available.

When inventory is posted as available before the on sale date, actual time of shipment will be dependent on previous agreement with the retailer or library.

In the absence of affidavits, shipments of new releases are typically scheduled by the shipper to reach the retailer or library by the on sale date, with the goal of arrival no earlier than the working day prior to the on sale date. The retailer or library is expected to comply with specified on sale dates, even when titles are received early and whether or not affidavit agreements are in place.

### 7.4 Inventory On Hand Posting (On Sale Date Included)

There are a number of recommended channels for communicating on sale dates to the industry (See Section 5.0). However, experience has shown that there are still lapses in awareness of and compliance with the on sale date.

Thus the inclusion of the on sale date along with inventory availability in electronic shopping responses and inventory position file postings is made a part of this recommended Best Practice.

## 8.0 Retailer Practices

---

### 8.1 Retail Distribution Centers

As with distributors, retailer distribution centers generally have a need to receive new releases in advance of the on sale date in order to stage shipping to their stores. Affidavit agreements are normally made with the publisher to specify the timing of receipt and the conditions of handling and re-shipping the titles, in a manner parallel to that of other distributors.

New releases on which the publisher has specified an embargo must be handled in accordance with the terms of the embargo. The retailer has the responsibility of ensuring that the stores served by the distribution center understand and abide by the conditions of the embargo.

### 8.2 Retail Stores (Independent and Chain)

Retail stores may request early receipt of new releases so that promotions may be prepared and booksellers may familiarize themselves with the titles. When early receipt has been agreed to, affidavit agreements are typically used to specify any special conditions related to the early

receipt, including embargos if applicable. Compliance with the early receipt conditions may be a factor in having the opportunity to be granted early receipt of new releases in the future.

In the absence of affidavits, shipments of new releases are typically scheduled by the shipper to reach retailers by the on sale date, with the goal of arrival no earlier than the working day prior to the on sale date. The retailer is expected to comply with specified on sale dates, even when titles are received early and whether or not affidavit agreements are in place.

The acceptance of advance orders from consumers is a natural part of retail bookselling. Again, on sale dates must be observed in actually delivering titles to consumers.

### **Alert to Retailers of New Release Inclusion**

Retailers should be aware of the recommendation for their benefit that shippers clearly mark cartons indicating the inclusion of new releases, as discussed in Section 6.3 on Carton Marking above. Carton marking of this sort is especially important to smaller stores where there may not be dedicated staff for stock receiving.

## **8.3 Online Retailers**

The soliciting, accepting and holding of advance orders from consumers prior to an on sale date are natural parts of on line bookselling. However, the on line retailer must clearly display to a consumer that while an advance or pre-order will be accepted, the title will ship only in accordance with the on sale date. Wording such as the following is recommended:

Title may be pre-ordered now.  
It will be available on (insert on sale date)

It is recommended that shipping be staged so that the title arrives at the consumer address on, or immediately after, the on sale date.

An on line retailer using consumer direct fulfillment services from a supplier must take the on sale date into account and display an accurate message as above to consumers, even when the supplier posts inventory on hand in advance of the on sale date.

## **9.0 Library Practices**

---

Having new releases available for circulation at the on sale date is an important factor in patron service for a library. However, it is equally important that the handling of the new release be consistent with that of other industry segments, including observance of embargoes. To achieve both goals, libraries also make affidavit agreements with publishers or distributors when appropriate to enable receipt in advance of on sale date so that books and other products can be prepared for circulation.

Some library systems maintain consolidated processing centers that function much like retail distribution centers. Services such as spine labeling, insertion of anti-theft devices and insertion

of RFID tags are performed at these centers. New releases must be received in time for these services to be completed and the titles then sent to the individual libraries.

Libraries for which distributors provide processing services may still need staging time in advance of the on sale date. Some libraries schedule new release workdays when extra help is brought in to unpack and prepare acquisitions for shelving.

**Alert to Libraries of New Release Inclusion**

Libraries should be aware of the recommendation for their benefit that shippers clearly mark cartons indicating the inclusion of new releases, as discussed in Section 6.3 on Carton Marking above. Although the use of original publisher cartons is recommended, this may not be possible if a distributor or consolidated processing center has performed pre-shelving services.