



## NMSBA Code of Ethics

The NMSBA Code of Ethics for the Application of Neuroscience in Business.

Adoption of this code is a condition of membership to the NSMBA. The code may be revised from time to time to ensure that it adequately reflects the highest ethical standards for the neuromarketing research industry.

The NMSBA code accepts the principles enshrined in the [ICC/ESOMAR code](#)

### DEFINITIONS

1. **Neuromarketing research**, is the systematic collection and interpretation of neurological and neurophysiological insights about individuals using different protocols allowing researchers to explore non-verbal and physiological responses to various stimuli for the purposes of market research.
2. **Neuromarketing researcher** is defined as any individual or an organization carrying out, or acting as a Neuromarketing consultant on, a Neuromarketing research project, including those working in organizations buying services from a neuromarketing research company.
3. **Neuromarketing Client** is defined as any individual or organization that inquires, buys or sponsors or a Neuromarketing research project.
4. **Neuromarketing Research Participant** is defined as any individual or an organization from which insights are collected using neuroscientific methods for the purposes of market research.
5. **Neuromarketing Study** is defined as a session with a participant during which Neuromarketing insights are collected
6. **Neuromarketing Insights** are informed deductions supported by analyzing the amount of brain activity produced by marketing stimuli (advertisements, websites, packaging, etc.)
7. **Functional brain imaging** is defined as any technique that permits the in vivo visualization of the distribution of brain activity.

## Articles

### ARTICLE 1: CORE PRINCIPLES

- a. Neuromarketing researchers shall comply with the highest research standards enforced in their respective countries and use accepted scientific principles.
- b. Neuromarketing Researchers shall not act in any way that could negatively impact the reputation and the integrity of the Neuromarketing research profession.
- c. Neuromarketing findings shall be delivered to clients without exaggerating or misrepresenting the neuromarketing insights beyond what is scientifically accepted.

### ARTICLE 2: INTEGRITY

- a. Neuromarketing researchers shall take all reasonable precautions to ensure that participants are in no way harmed or stressed as a result of their involvement in a Neuromarketing research project.
- b. Neuromarketing researchers shall not deceive participants or exploit their lack of knowledge of neuroscience.
- c. No sales offer shall be made to a participant as a direct result of his/her involvement in a project.
- d. Neuromarketing researchers shall be honest about their skills and experience,

### ARTICLE 3: CREDIBILITY

- a. Concerns or critics about publicly known neuromarketing projects shall be first presented to the attention of the NSMBA before they are shared widely.
- b. Neuromarketing researchers involved in functional brain imaging shall disclose a protocol for dealing with incidental findings.



#### **ARTICLE 4: TRANSPARENCY**

- a. Participation in a Neuromarketing research project shall always be entirely voluntary
- b. Neuromarketing researchers shall maintain a public website describing their services and the credentials of their core team members as well as post a physical address where officers of the company can be contacted.
- c. Neuromarketing researchers shall allow their clients to audit the process by which neuromarketing insights are collected and processed.
- d. Neuromarketing researchers shall ensure that Neuromarketing research projects are created, delivered and documented with transparency and reported with as many details as the clients would require to understand the scope and relevance of the project.

#### **ARTICLE 5: CONSENT**

- a. Neuromarketing researchers shall explain the tools they use to participants in layman terms.
- b. Before providing consent, participants in Neuromarketing research shall explicitly express their understanding of the protocols as well as the general objectives of the study.
- c. Participants shall be fully informed about the project before any Neuromarketing technique can be used to collect their neuromarketing insights.
- d. Once a Neuromarketing study has commenced, participants shall be free to withdraw.

#### **ARTICLE 6: PRIVACY**

- a. Neuromarketing researchers shall ensure that participants are made aware of the purpose of collecting insights.
- b. Neuromarketing researchers shall have a privacy policy which is readily accessible to participants from whom they collect insights.
- c. The identity of participants will not be revealed to the client without explicit consent.
- d. Personal information collected shall be collected for specified Neuromarketing research purposes and not used for any other purpose.
- e. Personal information may not be kept longer than is required for the purpose of the neuromarketing project.
- f. Neuromarketing researchers shall ensure that adequate security measures are used to protect access to the insights collected during any project.
- g. The Neuromarketing research data itself, including brain scans and brain data shall remain the property of the research company and will not be shared.

#### **ARTICLE 7: PARTICIPANT RIGHTS**

- a. Participants to any neuromarketing research project shall confirm that they are not obligated to participate in the project.
- b. Participants to any neuromarketing research project shall be able to withdraw from the research at any time.
- c. Participants to any neuromarketing research project shall be guaranteed that their personal data is not made available to others.
- d. Participants to any neuromarketing research project shall be guaranteed that the insights will be deleted or modified upon request.
- e. Particular care shall be taken to maintain the data protection rights of participants when personal data is transferred from the country in which they are collected to another country. When data processing is conducted in another country, the data protection principles of this Code must be respected.



**ARTICLE 8: CHILDREN AND YOUNG PEOPLE**

Neuromarketing studies involving participants less than 18 years of age shall only take place with the informed consent of the participant’s parents.

**ARTICLE 9: SUBCONTRACTING**

Neuromarketing Researchers shall disclose prior to work commencing, when any part of the project is to be subcontracted outside the neuromarketing researchers’ own organization (including the use of any outside consultants).

**ARTICLE 10: PUBLICATION**

When results of a project are publicly shared, neuromarketing researchers shall clearly articulate which part of the report represents interpretation of the data vs. which part of the data represent the key findings.

Neuromarketing researchers shall not associate their names to a Neuromarketing research project unless they have actively participated in the project and are able to defend the findings

**ARTICLE 11: COMMITMENT**

Neuromarketing researchers shall commit that they will apply this code and ensure their own clients and other parties will comply with its requirements. Failure to do so will result in the termination of their membership.

**ARTICLE 12: IMPLEMENTATION**

- a. Neuromarketing researchers and their clients shall acknowledge that they know the code and also respect other self-regulatory guidelines that are relevant to a particular region or project; The Code is applicable for all involved in a Neuromarketing project.
- b. The NMSBA Members shall show their acceptance of the code, by publishing the code on their website or by publishing a link to [www.nmsba.com/ethics](http://www.nmsba.com/ethics)