



Native and Social Media Advertising: Mobile Devices

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Division of Advertising Practices
Federal Trade Commission



FTC Disclaimer

- My comments reflect my own views and do not necessarily reflect the views of the Commission or any individual Commissioner.

Native Advertising

“The Commission will find an advertisement deceptive if the ad misleads consumers as to its nature or source, including that a party other than the sponsoring advertiser is its source. Misleading representations of this kind are likely to affect consumers’ decisions or conduct regarding the advertised product or the advertisement, including causing consumers to give greater credence to advertising claims or to interact with advertising content with which they otherwise would not have interacted.”

Disclosure

- Unless it is apparent from the context, a disclosure is required
 - Use clear and unambiguous language.
 - Place disclosures as close to the native ads as possible.
 - Use a font and color that's easy to read.
 - Use a shade that standouts against the background.
 - Video ads – insure that disclosure is on the screen long enough to be noticed, read, and understood.
 - Audio disclosures – read at a cadence that's easy for consumers to follow and in words consumers can understand.

Disclosure

- Place disclosures on the main page of a publisher site where consumers will notice them and easily identify the content to which the disclosure applies.
- Place disclosures in front of or above the headline of the native ad.
- If a native ad's focal point is an image or graphic, ad disclosure might need to appear directly on the focal point itself.

Disclosure

- Ad, Advertisement, Paid Advertisement, Sponsored Advertising Content
- Others are possible but don't be ambiguous

Disclosure

- A single disclosure that relates to more than one native ad should be accompanied by visual cues that make it clear the disclosure applies to each ad in the grouping.
- Disclosures should remain when native ads are republished by others.

Lord & Taylor

#NYLON
shop

FROM OUR FASHION CLOSET TO YOURS [SHOP NOW >>](#)

[f](#) [t](#) [p](#)

this season's must-have line

lord & taylor's design lab

by:nylon — march 31 2015

#NYLON*shop*

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more nylon

prev rihanna finally speaks out about dating leonardo dicaprio 

next stop what you're doing and watch the new 'mad max' trailer 

[view gallery](#)

photos via @shreyasingh Instagram [f](#) [t](#) [p](#)

from our friends



Bobbi Kristina Brown



9 Must-Know Tips For

Every season, there's one collection that you see everywhere—and yet, instead of getting sick of it, you just after it until one day, you finally cave in and get it for yourself. This time around, we're taking out the guess work and introducing you to spring's must-have line: **Lord & Taylor's Design Lab**. You've probably already seen the new contemporary line's asymmetric bandana dress everywhere—from Instagram to your favorite blogs to the streets. But **Design Lab** is filled with many more amazing statement pieces, like festival-ready lazer cut tanks and fringed kimonos.

Click through the gallery to see how your favorite bloggers style their **Design Lab** pieces.

CSGO Lotto

- Allegations:
 - Owners endorsed online gaming service CSGO Lotto without disclosing they owned company
 - Paid other well-known influencers thousands of dollars to promote the site on YouTube, Twitch, Twitter, and Facebook, without requiring them to disclose the payments in their social media posts

- First case against individual influencers
- YouTube videos: “HOW TO WIN \$13,000 IN 5 MINUTES (CS-GO Betting)” and “\$24,000 COIN FLIP (HUGE CSGO BETTING!) + Giveaway.”
- 5.7 million views
- Influencers paid \$2,500 - \$55,000
- Prohibited from saying anything negative

Influencer Letters

- 90 “education letters” sent to brands and influencers in April
- 21 follow-up warning letters have been sent
- Clearly and conspicuously disclose material connections
- Tagging a brand is an endorsement of the brand
- Requested response by September 30, 2017



giulianarancic

Follow

9,729 likes

1w

giulianarancic Can you spot my latest obsession? (Hint: it's on my heel but you can barely see it!!!) Love high heels. Hate Blisters. Not leaving the house without #CompeedUS in my bag this summer. Check it out @Walgreens #musthave #partner #gsessions 🐾

view all 133 comments

teresakiryakoza @chanel509

melis_henry @jen_mir not sure how it works

brig_mo @marykate_no_ashley_

rosellaloduca @akrzewski heeeee giultyyy

kat_hamilton @laneborgida

4vrmygrlz I need this 🐾

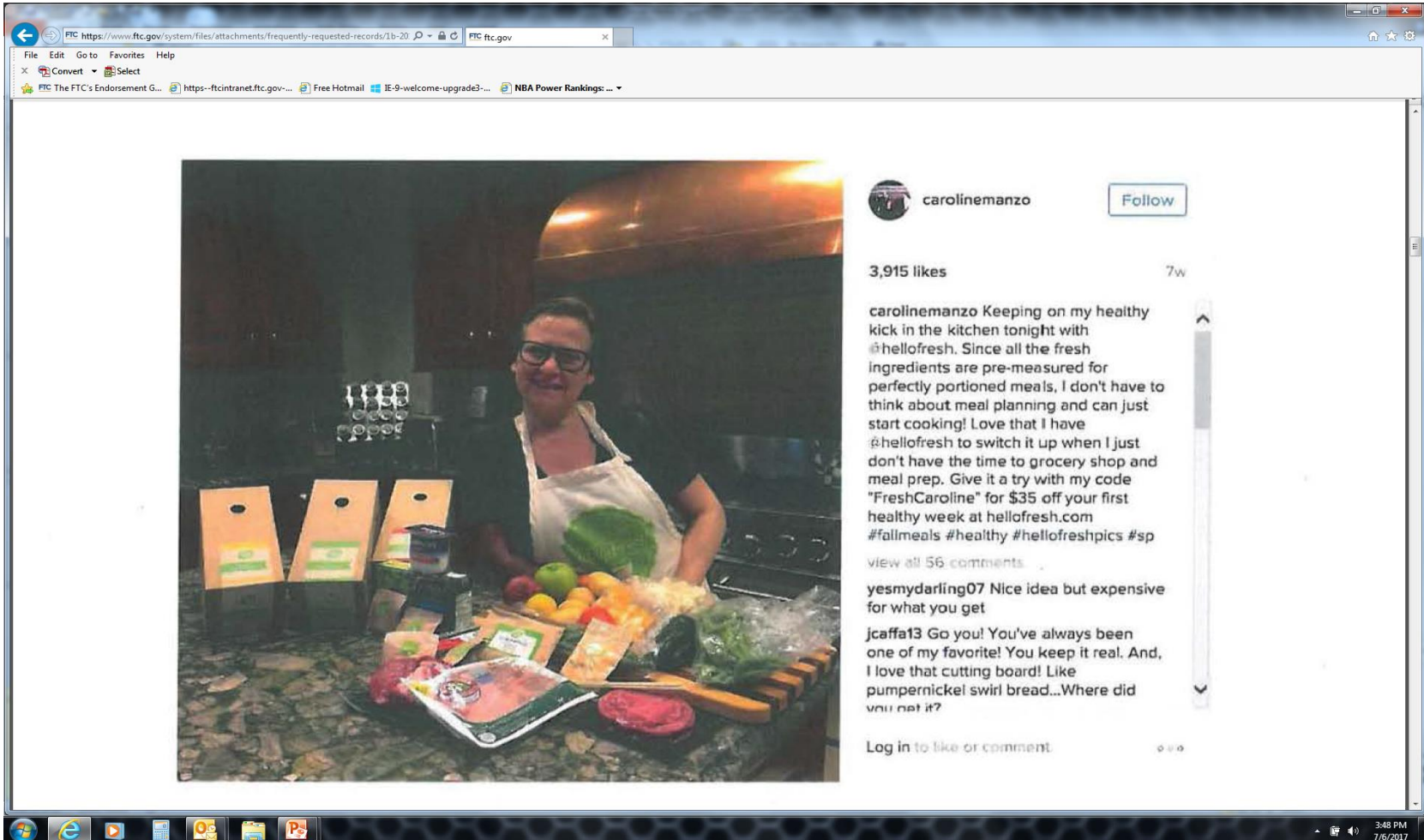
mapy0110 Me too! 🐾🐾🐾

tammycruz47 Cute shoes



Add a comment...





carolinemanzo

Follow

3,915 likes

7w

carolinemanzo Keeping on my healthy kick in the kitchen tonight with @hellofresh. Since all the fresh ingredients are pre-measured for perfectly portioned meals, I don't have to think about meal planning and can just start cooking! Love that I have @hellofresh to switch it up when I just don't have the time to grocery shop and meal prep. Give it a try with my code "FreshCaroline" for \$35 off your first healthy week at hellofresh.com #fallmeals #healthy #hellofreshpics #sp

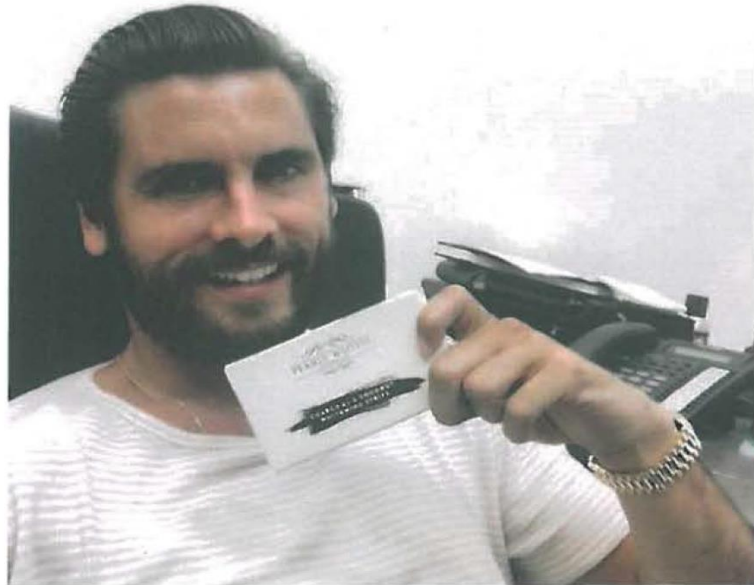
view all 56 comments

yesmydarling07 Nice idea but expensive for what you get

jcaffa13 Go you! You've always been one of my favorite! You keep it real. And, I love that cutting board! Like pumpernickel swirl bread...Where did you get it?

Log in to like or comment

0 0 0



letthelordbewithyou

Follow

118k likes

7w

letthelordbewithyou Getting my teeth 4th of July ready! #pearlywhitesaustralia introduced me to coconut & charcoal infused whitening strips! Check out pearlywhitesaustralia.com #nosensitivity #ad @pearlywhitesaustralia

view all 679 comments

zsofiszenyeri @xjoyyx of niet, laat maar

bebyfacee Handsome my husband
saydeekuh Tom cruise

ariannegladu @christina.oz

princessterter Charlie ! @alwayssunnyfx

8paau @23lauri

23lauri @8paau

23lauri @8paau

heks1967

subhalkanonlu Don'T SMi E AGAIN

Add a comment...

6/9



kristincavallari

Follow

8,140 likes

4d

kristincavallari My tried and true crew. I don't go anywhere without em #FavProducts #Austin #BacheloretteParty

View all 14 comments

morganmcilster @oliviawilliamz

beautifulfacesbymelissa What's the pencil?

laumastrehl I love Lorac Unzipped, use it everyday. Did you know Sephora quit carrying the Lorac line and Kohls has picked it up?! wth. At least Kohls is closer to my house :-)

kelianarusso @mer_hanley looooooook for her

jessica_assomull H

hollypie05 @sheennn that oribe tho

lydia_jorraine YOU'RE IN AUSTIN!?! 🤔

whatsmineinthisworld Can someone pls tell what the pencil is?

♡ Add a comment

000



|woww

Follow

20.5k likes

10w


|woww This is some serious #boxgoals right here. So in love with my fall box from @fabfitfun. The ModCloth scarf is so cute and cozy and there are so many new beauty products that I can't wait to try (like the night serum, eyeshadow palette by Pure Cosmetics, brow gel and so much more! Use code JENNI at www.fabfitfun.com for \$10 off if you don't already get their boxes. You will not be disappointed! #fabfitfun #fffpartner

[view all 75 comments](#)

- nessapngilinan** Jwow is seriously so beautiful ! ❤️
- datawesometrio** You're so beautiful 😊
- lesliewilliams2010** Love mine too! Wish we could hang out with our scarves on and sip coffee from our new cups!!! 😊
- enchantedvoyages** @jwoww what kind of

FTC <https://www.ftc.gov/system/files/attachments/frequently-requested-records/1b-20-0> FTC ftc.gov

File Edit Go to Favorites Help
Convert Select
FTC The FTC's Endorsement G... https--ftctrinet.ftc.gov... Free Hotmail IE-9-welcome-upgrade3... NBA Power Rankings...



sleepinthegardn [Follow](#)

114k likes

sleepinthegardn My favorite new way to kick the sht out of Sunday. Thank you @understatedleather & @matisse_footwear

View all 129 comments

stylelitu.p Fashion fashion <<<<<<<<

leila_1534 That is cute

abigailtori You inspired me to start aerial yoga/silks thank you I love it @ I really admire you for everything & hope life lets you see into its crazy adventures and its memorising moments for many years to come. I think you're deffo NOT an odd one out in PLL everyone is beautiful 🙌 hope you're well and keep going T ❤️

ravi2157 Nice

kamialmiron Babyyyyyy

elle5297 @kamialmiron fa

♡ Add a comment...

4:11 PM
7/6/2017

The **Do's** and **Don'ts** for Social Media Influencers

FTC RECOMMENDATIONS



Clearly **DISCLOSE**
when you have a
financial or family
relationship with a
brand



Ensure your
sponsorship disclosure
is **HARD TO MISS**

PRACTICES TO AVOID



DON'T ASSUME
followers know about
all your brand
relationships



Don't assume
disclosures **BUILT INTO**
social media platforms
are sufficient



Treat sponsored tags, including tags in pictures, **LIKE ANY OTHER** endorsement



Don't use **AMBIGUOUS DISCLOSURES** like "Thanks," #collab, #sp, #spon, or #ambassador



On image-only platforms like Snapchat, **SUPERIMPOSE DISCLOSURES** over the images



Don't rely on disclosures that people will see only if they **CLICK "MORE"**

Source: Federal Trade Commission

Revised Endorsement FAQs

- More than 20 additional questions and answers
- Tags in pictures, Instagram disclosures, Snapchat disclosures, obligations of foreign influencers, disclosure of free travel, whether a disclosure must be at the beginning of a post, and the adequacy of various disclosures like “#ambassador.”

- Family relationships and free service and merchandise are material connections
- Tagging a brand in a photo is an endorsement
- Foreign endorsements
- Instagram (no more)
- When #ad isn't good enough
- #ambassador vs. XYZ-Ambassabor

- Platform disclosures
 - Responsibility of endorser and brand
 - Placement
 - How do consumers view the screen
 - Contrast with background

Contact Information

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