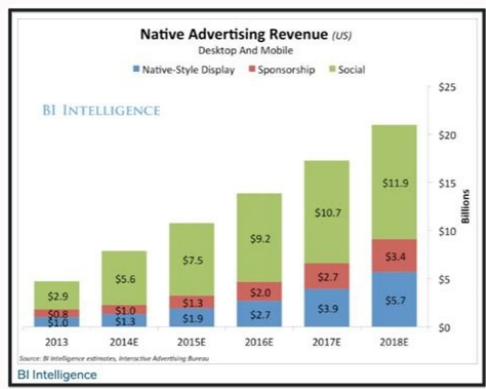
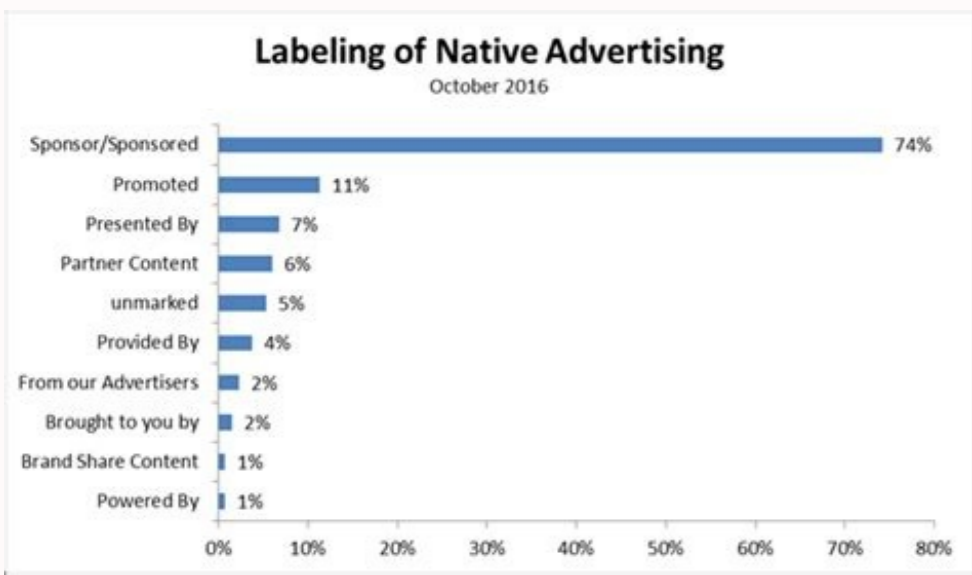


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DETROIT FASHION NEWS



Ftc price advertising guidelines. Ftc advertising guidelines. Ftc guidelines for online advertising. Ftc truth in advertising guidelines.

Click below to listen to our Consumerpedia podcast episode on how to spot deceptive advertising tactics. Endorsements can be highly persuasive, which is why they're used in so many advertisements. But to avoid misleading consumers, endorsements should be genuine and honest, and any relationships (such as compensation) between the advertiser and the endorser should be disclosed. The Federal Trade Commission's Endorsement Guides, last updated in 2009, require "clear and conspicuous" disclosure if there is a "material connection" between an endorser and the marketer that consumers would not expect, and that would affect how they evaluated the endorsement. Endorsers are also cautioned not to talk about their experiences with products or services they have not tried, or make claims they can't back up. In May, the FTC proposed several revisions to its guides that would clarify and strengthen rules for traditional media, plus apply guidelines to cover influencer endorsements on podcasts, social media, and elsewhere. "We're updating the guides to crack down on fake reviews and other forms of misleading marketing, and we're warning marketers on stealth advertising that targets kids," said Samuel Levine, director of the FTC's Bureau of Consumer Protection. "Whether it's fake reviews or influencers who hide that they were paid to post, this kind of deception results in people paying more money for bad products and services, and it hurts honest competitors." The updates would clarify what qualifies as "a material connection" that needs to be disclosed, and how such disclosures should be made. Here are the key proposed changes: Specify that material connections can include business, family, or personal relationships; monetary payments; free or discounted products or services (even if they are unrelated to the endorsed product); receiving other benefits, such as early access to the product, the chance to win a prize, or the opportunity to appear in media promotions. While the required disclosures do not need to explain the complete details of the relationship, they must "clearly communicate the nature of the connection sufficiently for consumers to evaluate the significance." Expand the definition of an "endorser" to include virtual influencers, such as computer-generated avatars and fictional characters, a growing trend on social media. Specify that "tags" in social media posts are considered an endorsement covered by the FTC's guidelines. The commission's proposed revisions clarify that a "clear and conspicuous" disclosure is "difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers." For example, a visual disclosure should "stand out" from any accompanying text or other visual elements—by size, contrast, location, and length of time it appears—so that it is "easily noticed, read, and understood." Further, if a disclosure meets the guidelines when the content is viewed on a computer browser, it must also be clear and conspicuous when accessed on a smartphone. With audio disclosures on a radio commercial or podcast, the disclosure should be "delivered in a volume, speed, and cadence sufficient for ordinary consumers to easily hear and understand it." Other proposed guidelines to increase transparency: If a celebrity has a material connection to an advertiser, and talks about its products or services on a talk show, that celebrity needs to disclose that relationship during the interview. Disclosure in the credits would no longer be considered adequate. If product review bloggers include affiliate links that earn them a commission when their readers make a purchase, that compensation needs to be disclosed, even if those reviews are independently generated. The FTC revisions make it clear that endorsers who make statements "they know or should know to be deceptive," may be subject to liability, along with the companies involved in the creation and dissemination of that deceptive endorsement, such as public relations firms and advertising agencies. The commission reminded advertisers that they are responsible for providing guidance to their endorsers on the need to make truthful statements and disclose material connections—and monitoring the endorsers' compliance. Note: The endorsement guidelines are not regulations, so there are no civil penalties for those who don't follow them. But the FTC can investigate advertisers who disregard the guidelines, and potentially charge them with "unfair or deceptive practices" under the FTC Act, which could result in legal action. Why Focus on Social Media Influencers? Social media has become an efficient and effective platform for advertising and marketing. Instagram and TikTok are saturated with influencers. Companies that want to sell their products to younger consumers know they need to be there. For those born between 1998 and 2006 (Generation Z), social media influenced half of their purchases, according to a survey last year by Statista.com. The best way to reach this audience is often with a subtle mention or testimonial (that doesn't come across as a sale pitch) by an online influencer—someone who has established credibility and trust for some reason. That influencer could be an actor, celebrity, musician, sports figure, or someone who has a huge social media following, and can persuade their audience to act based on their recommendations, which seem authentic, and therefore, trustworthy. "Influencers rival friends in building consumer trust," according to a 2016 survey by Twitter. When looking for product recommendations, 49 percent of survey respondents said they relied on influencers, second only to the 56 percent who said they relied on Tweets from friends. Some advertisers are using virtual influencers, computer-generated characters that pose with products and promote brands, just like human influencers. According to a report by the non-profit watchdog group Truth in Advertising (TINA.org), these virtual characters (some that look very life-like) can be powerful influencers that are "easier to control, cheaper and less regulated—at least for now." (The image below shows a few examples of computer-generated virtual influencers from TINA.org.) The influencer marketing industry is expected to grow to approximately \$16.4 billion in 2022, according to a report by InfluenceMarketingHub.com. More than 75 percent of brand marketers contacted for the report said they intended to dedicate a budget to influencer marketing this year. "Social media marketing is really the Wild West right now," said Bonnie Patten, TINA.org's executive director. "We have a lot of influencers basically doing anything they want on these platforms. And a lot of times, if they don't tell us that it's an advertisement, we have no way of knowing it, so that our defenses are down, and we're not looking at it as marketing material, but rather organic content." And there's the rub. While an endorsement may seem spontaneous and sincere, it's often highly controlled by the advertiser. "It can be very, very calculated, about how they want their products to be seen, and how they want them to be shared," said Regina Luttrell, an associate dean at Syracuse University's Newhouse School of Communications. "For example, they may say, 'We want you to be sitting outside, and have the beach behind you.' So, they script it out, give it to this influencer, and the influencer basically creates that video around their product." How can you spot a plug that's paid for? If you've followed someone for a long time because they're genuine and passionate about something—maybe makeup, fashion, or tech—and they suddenly start mentioning or showing brand-name products without any disclosure, "that's a red flag," Luttrell said. "Clearly, something changed, and it's likely there's some kind of affiliate relationship." In its comments to the FTC, TINA.org said it would like to see the commission "more aggressively pursue endorsers who advertise deceptively online," and it suggested that enforcement actions that included monetary judgments would "maximize the deterrent effect." What About Influencers Who Target Children? Advertising to children is a special concern because they may react differently than adults to endorsements or disclosures. The FTC plans to deal with this issue separately. It plans to hold a public event on October 19 that focuses specifically on children's capacity at different ages and developmental stages to recognize and understand advertising content and distinguish it from other content, and the need for and effectiveness of disclosures to children. Contributing editor Herb Weisbaum ("The ConsumerMan") is an Emmy award-winning broadcaster and one of America's top consumer experts. He is also the consumer reporter for NW Newsradio in Seattle. You can also find him on Facebook, Twitter, and at ConsumerMan.com. Native advertising — or ads designed to mimic the look and feel of editorial content — is an important practice for publishers trying to engage today's savvy, ad-blocking web users. Poynter suggests that though estimates vary, "spending on native ads has passed revenue from other forms of digital display in 2017 and that the gap will widen quickly in the years ahead." As native advertising continues to evolve, the Federal Trade Commission (FTC) is concerned that consumers may not be able to differentiate advertising from other content. What are the FTC Native Ad Guidelines? The FTC is a "bipartisan federal agency with a unique dual mission to protect consumers and promote competition. The FTC protects consumers by stopping unfair, deceptive or fraudulent practices in the marketplace." When it comes to native advertising, the FTC wants brands to be transparent with consumers by clearly disclosing their content as an advertisement. In 2015, the FTC published Native Advertising: A Guide for Businesses. These guidelines provide clear recommendations and examples of what is and is not acceptable in terms of digital native advertising. The general consensus among marketing and PR pros is that the guidelines simply reinforce the same principles they have been following all along: As long as sponsored content is compelling, entertaining and tells a valuable story to your audience, it will comply with FTC guidelines. However, you can avoid crossing over into deceptive territory by clearly labeling that your content is an ad. How to label native ads and comply with guidelines As always, your goal as a marketer is to be as transparent as possible. Because a native ad is meant to look and read like the editorial content around it, consumers may not know it is an ad. Disclosures on native ads should be easily identifiable to alert consumers that they are reading paid content. Disclosure tips and considerations: The disclosure should appear as close as possible to the native ads to which they relate. Communicate in clear, unambiguous language. The FTC recommends terms such as "Advertisement," "Paid Advertisement," "Ad" or "Sponsored Advertising Content" rather than "Promoted" or "Presented By," which can be misleading. Utilize conspicuous visual cues to distinguish sponsored content, such as easy-to-read fonts, colors and shading. For shared or linked ads, the disclosures must travel with the ad content. Native ad content has the opportunity to appear in organic search results long after it's published. To maintain compliance, include a disclosure in the URL (example.com/advertisement/), in the title at the beginning, in the meta description and in structured data on the page. In multimedia ads (such as video), disclosures should be delivered to consumers before they see or hear the related message to avoid deceptive "door openers" that entice users to click on ad content. Disclosures should be visible on all devices and platforms consumers may use when encountering the ad. At Brandpoint, we take complying with FTC regulations and protecting our clients seriously. We distribute MAT releases, infographics, slideshows and videos that are all considered a form of native advertising. As such, we take the following precautions when distributing this content: Disclosure: When paying for placement, we work closely with our publishers to ensure prominent disclosures are featured, following the above guidelines. Deceptive or outrageous claims: We also reserve the right to push back or not publish client-provided content we feel is deceptive in nature or makes outrageous claims. As it relates to Earned Media, Brandpoint still adheres to rejecting client content that is deceptive or outrageous in nature. However, we are not under a burden to label Earned Media as sponsored or advertising, since an editor has chosen to run the content based on its merit, and did not receive financial consideration for running it. The FTC's "Screening Advertisements: A Guide for the Media" may be an oldie, but it's still a goodie. It helps the media identify deceptive ads, but it can help advertisers avoid creating deceptive ads, too. In the guide, the FTC also lists "buzz words" usually associated with fraudulent ads. Not only will avoiding these words save you from getting into trouble with the FTC, but your ads may appear more favorable to consumers. Penalties for not following the FTC's guidelines So far, no penalties for violating the guidelines have been released, but since the debut of the native ad guidelines, the FTC has cracked down on a few brands. One of the most high-profile cases comes from Warner Bros. They worked with video game YouTube celeb PewDiePie and other influencers to promote a new video game. In 2016, the FTC called out Warner Bros. for not requiring influencers to disclose their partnership sooner in the copy of the video. Some influencers did not include this disclosure until later in the copy and it could not be seen unless viewers clicked the "show more" button. Also, the influencers' language was vague — they said they had "early access" or "partnered with" Warner Bros. Instead, the FTC wants to see words like "paid" or "advertising" to disclose the partnership. The very first case that the FTC explored was also an influencer campaign. The retailer Lord & Taylor did not require the influencers they worked with to disclose that they were paid to wear one of Lord & Taylor's dresses in their Instagram posts. In both cases, the brands — not the influencers — were at fault. This acted as a wake-up call from the FTC to other brands and influencers that disclosures are mandatory in native ads. Perhaps if the FTC releases an update (which would be the first one in over two years), it will cover more information about disclosures on influencer posts. In the meantime, this blog does a great job of explaining how to properly label your influencer posts, with information taken from an FTC Twitter chat. Always aim for transparency if you build explicit disclosures into your content from the beginning, you'll avoid any potential for breaking the FTC's guidelines. They clearly convey their stance that everyone participating "directly or indirectly in creating or presenting native ads" is responsible for ensuring transparency — so be sure to ask how the content will appear on-site when placing an ad with a third-party publisher. If FTC guidelines make you nervous, Brandpoint will work with you and third-party publishers to ensure FTC compliance. We can also create the native ad content, set up the campaign and optimize it for top performance. Learn more about our native ad solutions. Editors Note: This post was originally published in January, 2016. It has been updated for comprehensiveness and clarity.

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