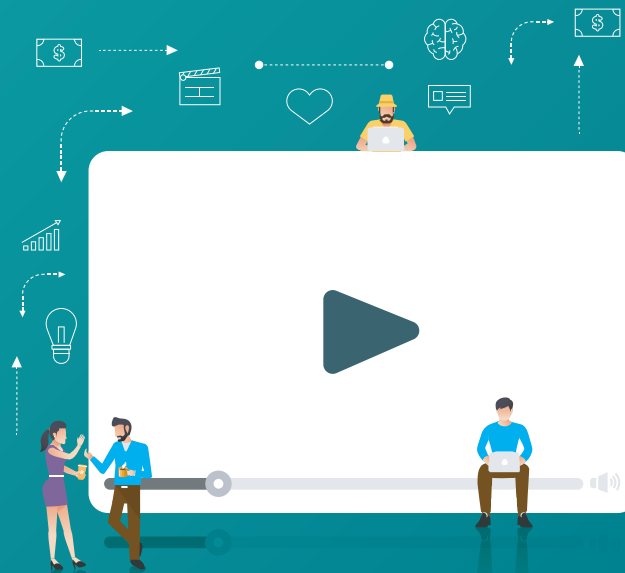


INFLUENCER MARKETING AND ENDORSEMENTS: A QUICK REFERENCE GUIDE

As influencer marketing and brand ambassador campaigns continue to gain traction and become a more integral part of the marketing mix, so too does regulation of this channel. Marketers need to understand how the FTC views compliance relative to these new marketing avenues. Highlights of FTC Endorsement Guidelines are below to help you ensure compliance within your marketing campaigns.

Disclaimer: the information provided is not intended to serve as legal advice. You should seek legal advice to determine if you are impacted by disclosures.



Endorsement (en-dorse-ment)

Any “material connection” between an endorser and an advertiser – or a connection that might affect the weight or credibility that consumers give the endorsement—that connection should be clearly and conspicuously disclosed, unless it is already clear from the context of the communication.

Who is impacted by FTC Guidelines:	Influencers	Individuals	Organizations
Difference between Endorsers & Influencers	Influencer- “An individual or organization that provides an endorsement.”	Endorser- The party whose opinion, beliefs, findings, or experience the message appears to reflect will be called the endorser and may be an individual, group or institution, according to the Federal Trade Commission 16 CFR Part 255. An endorser role in the online marketing arena is to endorse products, which could be deemed as an endorsement. Often, we see the term “Endorser” bucketed in with other such terms like, “blogger or other endorser.”	Affiliate- The Federal Trade Commission’s Endorsement Guidelines references affiliate links and within the guide it says, “You are endorsing the specific online retailer to whom you are linking. Knowing that you are getting paid if they buy an item from that retailer, rather than from another one, might affect the weight that readers give your endorsement of the retailer.”
What is a disclosure?	A disclosure is a statement that modifies a claim.	<ul style="list-style-type: none"> Unsubstantiated claims about an advertiser’s product need proper disclosure language included in said advertisement. This helps prevent consumers from being misled or deceived. It’s critical that influencers provide all the information a consumer needs to make an informed purchasing decision. 	
Tips for ensuring proper disclosures		<p>Prominence Is the disclosure big enough for consumers to read easily?</p> <p>Presentation Is the disclosure worded in a way that consumers can easily understand?</p> <p>Placement Geography matters. Is the disclosure where consumers are likely to look?</p> <p>Proximity Is the disclosure close to the claim it modifies?</p>	
Disclosure examples:	“Ad” “Advertisement” “Sponsored Advertising Content”	<ul style="list-style-type: none"> An endorsement (of any kind) must be properly disclosed. Don’t bury #ad in the middle of other content. Instead the guide suggests placing #ad at the beginning of a post to convey to a majority of reasonable consumers the message is commercial in nature. Consumers may not identify short-form text like “#sp,” “Thanks [Brand],” or “#partner”—or even “promoted” or “presented by X” in an Instagram post as a disclosure of sponsorship. Consumers typically only see the first 3 lines unless they click “more” which many may not do. The FTC advised disclosing any material connection above the “more” button. In Stories, disclosures must be superimposed. 	

For additional details about FTC Endorsement Guidelines or more strategic insight and support when it comes to Influencer Marketing, visit us at: pepperjam.com/ase-influencer

