

Online Endorsements: being open and honest with your audience

Blogs, videos and other online publications influence people's buying decisions. Businesses know that securing a positive endorsement can help sell their product. Consumers need to know when the endorsement they are reading or viewing has been paid for.

It's not illegal for businesses to pay people or publications to promote their products in blogs, vlogs, tweets or other online articles - but the people that publish such content, businesses that want to get their products endorsed and any media agencies that place endorsements all need to make sure that the consumer knows the endorsement has been paid for. If not, they risk breaking the law.

How should people that publish content online make it clear that they've been paid to endorse or review something online?

If someone who publishes content accepts payment to endorse something, they need to make sure that the content is clearly identifiable as being paid-for. For example, they could label posts or videos as "Advertisement Feature" or "Advertisement Promotion".

What should businesses which approach online channels to endorse their service or product do?

If a business wants to pay someone to endorse their service or product online, they should work with the people that run the channel to make sure that the content published is clearly labelled as paid for, and help ensure they understand that their endorsement might be considered an advert.

What do PR or marketing agencies which engage with online publishers on behalf of a client need to do?

Media companies who arrange for the publication of content on behalf of businesses also risk breaking the law if it is not clear when content is paid for. They should always make sure that such content is clearly identifiable. For example, they should:

- Provide clear instructions to the person publishing the content, and anyone else involved, on how paid-for content should be identified
- Ensure that the marketing agency's staff training materials, internal policies, corporate brochures, contracts and related material, accurately reflect the requirements of the law

The UK Advertising Codes contain similar industry rules on making sure that marketing communications are easily identifiable. You can get fast, confidential advice on complying with the Codes from the Committee of Advertising Practice (CAP).

If paid endorsements aren't identified, you may be breaking the law



Why is this important?

Checking blogs, vlogs and other online endorsements is an increasingly common way for consumers to decide which product or service to buy.

Around 6% of consumers use blogs or vlogs before making purchases.

If you mislead consumers you may breach consumer protection law. You might also breach industry rules on advertising.

Where can I find more information?

The Committee of Advertising Practice:

www.cap.org.uk

Consumer Protection Regulations:

www.gov.uk/government/publications/consumer-protection-from-unfair-trading-regulations-traders

Business Companion:

www.businesscompanion.info

For more information on reviews and endorsements:
<http://bit.ly/CmaOnlineReviews>

These materials do not constitute legal advice and should not be relied upon as such.