

From: Jennifer West  
*Project Manager*

4 April 2016

Dear Sir/Madam,

### **An open letter to online publishers and bloggers**

You may be aware that the Competition and Markets Authority (CMA) has been investigating the use of online reviews and endorsements to ensure that they are being used in line with consumer protection law. You can find more information on this on the [case page](#).

The CMA has recently concluded an investigation into the failure of three businesses to clearly identify where they had paid bloggers or online publications to feature particular products in their blogs and articles (paid promotions). You can read more about the case on the CMA's [webpages](#).

Blogs, videos and other online publications have become part of everyday life and influence people's buying decisions. It is our view that everyone involved in online endorsements is responsible for ensuring that paid promotions are clearly labelled or identifiable as paid-for content. This includes bloggers, vloggers, micro bloggers (who comment on social media, including celebrity tweeters), and online newspapers and magazines.

### **What does this mean for you?**

Online publishers and bloggers should make sure that, if they are paid (whether financially or otherwise) to feature products in the content on their sites, then the paid promotions are clearly labelled or identifiable as paid-for content.

This is more than just a question of good practice: consumer protection law does not allow for the use of editorial content in the media to promote a product where a trader has paid for the promotion, unless this has been made clear to the consumer.

Further guidance on consumer protection law can be found on the CMA's [webpages](#) or by visiting the [Business Companion](#).<sup>1</sup>

The CMA has also produced a [brief guide](#) for businesses commissioning paid-for endorsements, summarising how to comply with consumer protection law.

## **In conclusion**

Blogs, videos and other online publications influence people's buying decisions. While paid-for editorial content is perfectly legal, it is important that you are open and honest about it with your audience, so that they do not think they are getting independent information when a business has in fact paid to influence the content.

Misleading readers or viewers may not only damage your reputation – it also falls foul of consumer protection law and could result in enforcement by either the CMA<sup>2</sup> or Trading Standards Services, which could lead to civil and/or criminal action.

Thank you for reading this letter. We hope you will find it helps you to handle paid-for editorial content in a way that gives your audience the full picture.

Yours faithfully,

Jennifer West  
*Project Manager*

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<sup>1</sup> Online publishers and bloggers should also comply with the [UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing](#), in particular Section 2 on the Recognition of Marketing Communications (including any subsequent amendments). The Advertising Standards Agency (ASA) has provided guidance on labelling, including in social media. The Committee of Advertising Practice (CAP), the ASA's sister body, also has a Copy Advice Team that advertisers and publishers can use if they want expert guidance on the CAP Code rules.

<sup>2</sup> In deciding whether to take forward any future action, the CMA will have regard to its published [CMA Prioritisation Principles](#).