

Facebook – response to CMA concerns

1. As part of its programme of work to tackle the problem of Fake and Misleading Online Reviews,¹ the CMA wrote to Facebook Ireland Limited ('Facebook') to say that it had identified a number of Facebook groups where people were offering to trade Fake and Misleading Online Reviews. The CMA told Facebook to take steps to prevent the illegal trading of Fake and Misleading Online Reviews when it occurs on, or is facilitated through, the Facebook Service.²
2. In particular, and as detailed below, Facebook agreed to (a) immediately remove the Fake and Misleading Review Content³ identified by the CMA, (b) take steps to identify and remove similar Fake and Misleading Review Content, and (c) take steps to prevent the Fake and Misleading Review Content from reappearing on the Facebook Service.
3. **In relation to (a) Facebook has taken the following action:**
 - Promptly removed 25 groups and pages that were identified by the CMA as being used to trade, or facilitate the trade of, Fake and Misleading Online Reviews.
 - Disabled 24 accounts that were identified as facilitating the trade of Fake and Misleading Online Reviews.
4. **In relation to (b) Facebook has identified and removed a further 163 groups and pages that were being used to trade, or facilitate the trade, of Fake and Misleading Online Reviews.**

¹ 'Fake and Misleading Online Reviews' means:

- fake reviews, that is any review that is not an actual consumer's honest and impartial opinion on a product, service or business or does not reflect a consumer's genuine experience of a product, service or business; and
- other incentivised reviews for which the consumer has received (or will receive) payment, reward or other similar inducement on condition that they leave a review on a Review Site which may lead to consumers being misled (for example, by the effect on a product, service or business's overall or aggregate rating on the Review Site). For the avoidance of doubt, this definition does **not** include reviews by technical experts or endorsements by online influencers which will be clearly labelled and identifiable as paid-for content. Nor does it apply in circumstances where Facebook is aware that such reviews are permitted on the Review Site and are intended to be posted with the Review Site's knowledge or consent. 'Review Site' means any website that hosts customer reviews, whether or not that is its primary purpose.

² 'Facebook Service' means www.Facebook.com and any other internet-based site, platform or facility (in any form, including but not limited to 'mobile' and 'App' based formats) branded as the Facebook service, operated by Facebook and which is directed to UK consumers.

³ 'Fake and Misleading Review Content' means any content that Facebook has reasonable grounds to suspect engages in, promotes, encourages, facilitates or admits to the offering, solicitation or trade of Fake and Misleading Online Reviews. This content may include listings, posts, groups, pages, profiles, online advertising, and similar.

5. Facebook also told us that it had removed advertisements identified as promoting Fake and Misleading Online Reviews and the accounts associated with those advertisements.

6. In relation to (c) Facebook has:

- Updated and revised its Community Standards and Commerce Policy to clarify that it prohibits Fake and Misleading Review Content across the Facebook Service. Facebook specifically prohibits its users from:
 - soliciting misleading reviews or ratings; or
 - engaging in, promoting, encouraging, facilitating or admitting to the offering, solicitation and trade of fake user reviews.
- Committed to the following package of measures to help prevent Fake and Misleading Review Content from appearing on the Facebook Service:
 - Facebook will, for the purposes of disrupting and deterring the posting of Fake and Misleading Review Content on the Facebook Service, undertake sufficiently regular action to identify and remove Fake and Misleading Review Content on the Facebook Service (“Sufficiently Regular Action”) until 31 March 2020.
 - For the purposes of disrupting and deterring the posting of Fake and Misleading Review Content on the Facebook Service, Facebook is actively testing the deployment of automated detection technology to identify Fake and Misleading Review Content on the Facebook Service so that it can be removed promptly.
 - Facebook will confirm to the CMA by end March 2020 whether, based on the results of the testing up to that point, it is in a position to implement such technology across the Facebook Service and, if not, explain why that is the case.
 - With effect from 1 April 2020, Facebook will either:
 - Implement such automated detection technology to identify Fake and Misleading Review Content on the Facebook Service so that it can be removed promptly; or
 - Continue with the Sufficiently Regular Action until 31 December 2021 or earlier if it implements such automated detection technology or agrees an alternative long-term solution with the

CMA. Where no such automated detection technology or alternative long term solution has been implemented, Facebook and the CMA shall conduct a review, based on the results of the Sufficiently Regular Action, and shall agree the measures that are required with effect from 1 January 2022 (if any) to effectively identify and remove Fake and Misleading Review Content on the Facebook Service (including whether such Sufficiently Regular Action should continue).

- Facebook will implement revised policies by 30 June 2020 to further deter users from posting Fake and Misleading Review Content. Facebook will at a minimum ensure that measures are in place to restrict the ability of users to post advertisements that constitute Fake and Misleading Review Content, or to create and/or administer groups/pages/profiles, where Facebook has detected that those users have repeatedly carried out such activities before.
- Committed to provide the CMA with:
 - regular updates on the progress of its development and implementation of automated detection technology until the earlier of (i) implementation of such automated detection technology; or (ii) the decision is taken to abandon the development of such technology; and
 - the results of its Sufficiently Regular Action taken until 31 December 2021 or earlier if it implements such automated detection technology or it agrees an alternative long-term solution with the CMA.
- Committed to regularly reviewing the continued effectiveness of its systems and policies in relation to the prevention, identification and removal of Fake and Misleading Review Content, including, as appropriate, by revisiting and updating its:
 - existing processes for reviewing Facebook advertisements when it receives or becomes aware of new information concerning Fake and Misleading Review Content (whether notified by users/external parties or through its own checks);
 - Sufficiently Regular Action or automated detection technology (insofar as applicable) when it receives or becomes aware of new information concerning Fake and Misleading Review Content (whether notified by users/external parties or through its own checks);

- its policies to deter users (including administrators) from posting Fake and Misleading Review Content on the Facebook Service.

7. Facebook will maintain its policies and procedures:

- To allow third parties to effectively notify it of Fake and Misleading Review Content.
- To promptly consider and determine whether, in its judgement, content that is brought to its attention (for example, by a third party) contravenes its policies and where such content does so:
 - to take appropriate and prompt action to remove the Fake and Misleading Review Content that has been posted on the Facebook Service; and
 - to apply appropriate actions promptly against the users concerned to deter the posting of Fake and Misleading Review Content across the Facebook Service.
- That aim to prevent advertisements that constitute Fake and Misleading Review Content from being posted on the Facebook Service.