



## **Introduction**

In March 2013, the Federal Trade Commission (FTC) released its .com Disclosures. This document was meant as a clarification of the agency's previous online advertising rules, but many viewed it as a drastic change to the way sponsored relationships with bloggers had to be disclosed. Because of confusion with the disclosures, many agencies and blogger networks have adopted internal policies. The policy below represents the views of Sway Group LLC ("Sway") and is not meant to replace guides that you have in place with other agencies and networks with which you are affiliated. These guidelines will be used for all Sway Campaigns and the specific disclosure language should be utilized unless your individual campaign contract provides for different phrasing.

## **FTC Disclosures - General Guidelines**

The goal of the FTC is to protect consumers against "unfair or deceptive acts or practices" and all online advertisements must be compliant.

The key for appropriate FTC disclosure is that it must be clear and conspicuous. This means:

- The disclosure should appear as close to the advertisement as possible;
- The disclosure should be prominent;
- The disclosure should be unavoidable;
- Other parts of the ad should not distract from the disclosure;
- The disclosure should be understandable to the intended audience;
- The disclosure should be appropriate for the medium in which the ad is presented; and,
- Space constrained ads are still subject to appropriate disclosure.

## **FTC Disclosures: Sponsored Campaign Disclosures**

As stated above, you may work with other entities that take different positions on the interpretation of the FTC guidelines. This guide is not meant to challenge the authority of their position; rather, these are the guidelines that must be used for all campaigns with Sway.

## **Blog Posts**



All sponsored campaign posts must contain proper disclosure. If the post does not contain proper disclosure, you will be contacted by Sway to make appropriate changes.

Your post must contain the following disclosure **at the beginning and at the end** of every sponsored post:

This is a sponsored post written by me on behalf of *[Company Name]*.

### **Image Disclosures**

If you prefer to disclose your sponsored posts with an image, this is also acceptable. The language listed above must be included, but use of an image is approved. Many bloggers prefer a uniform image that they use to indicate all sponsored posts. As long as the required language for a blog post is included, this method is acceptable.

This is an example of an image with an appropriate disclosure:



You may include the image at the top of the post and then a separate non-image statement at the bottom of the post as long as the statement appears at both the top and the bottom.

### **Space Constrained Ads (Twitter)**

For space constrained ads, such as tweets, you must state at the beginning that it is "Sponsored" or "Ad." Use of a hashtag on this particular word is not required, although it is preferred by some.

#Sp and #spon are not acceptable disclosures as they are not understood by the general public. In addition, the disclosure must appear at the beginning of the mention, not at the end, which was often the practice prior to the FTC's updates.

### **Social Media Disclosure**



On other channels where there are no space requirements for your post (such as Facebook, Twitter or Tumblr), a disclosure is still required. You may use either of the following options:

1. Sponsored or Ad at the beginning of the post. (See rules for Space Constrained Ads.)
2. Use the blog post disclosure language provided above to demonstrate that it is a sponsored post.

### **Special Circumstances and Mentions**

Campaigns that involve supplements or weight loss methods often require additional scrutiny, depending on the claims you are making. If you are disclosing results and these results are not typical, this must be disclosed.

Example: Ad. I tried these supplements and lost 15 lbs. in a week. Thank you, X!

This is not sufficient if these results are not typical. An appropriate disclosure would read:

Example: Ad. I tried these supplements and lost 15 lbs. in a week. Thank you, X.  
Typical loss: 1 lb/week.

### **Promotional Mentions that link back to a post with a disclosure**

A commonly asked question is whether or not promotional links, such as tweets or Facebook posts should contain a disclosure. Sway policy is that these posts must contain the disclosure.

[Or, this is dependent upon the title. If the title specifically contains a testimonial for the product, such as "I love this product from [Company Name]. Read my review here: [link]" then it should contain a disclosure. If it does not contain a testimonial, such as "Lazy weekends with my kids. Check out this new blog post [link]," then a disclosure is not required.]

### **Video Disclosures**

The medium of the disclosure should match the medium that you are using. If you are creating a video for a sponsored campaign, please make a video disclosure for both the beginning and end. This should be clear and conspicuous and use the statement for the



blog disclosure listed above. Ensure that the volume and cadence are natural. The disclosure should also be displayed in writing on your video at the same time.

### **FTC Disclosures: Natural Language Disclosures**

The FTC also provides for natural language disclosures that are compliant with their standards for clear and conspicuous disclosures. Natural language disclosures do not follow a specific scripted language, but they convey the same message. They must be placed prior to any type of advertisement so that the statements are not misleading. Here are examples of how to use natural language disclosures.

#### **In a blog post:**

I received X product to try as a part of a sponsored campaign for [Company Name].

#### **On Twitter (much harder due to space):**

Working on a sponsored campaign with X. Check out my new [product].

#### **Social channels without space constraints:**

I love the X that I received as a part of a sponsored campaign with [Company Name]. Check out my post here.

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