INFLUENCER DISCLOSURES

PFEIFFER LAW

To avoid exposure to liability, Influences must comply with all applicable laws, rules and regulations including the following:

- Section 5(a) of the Federal Trade Commission ("FTC") Act (15 USC § 45) which prohibits "unfair or deceptive acts or practices in or affecting commerce."
- The FTC's Guides on the Use of Endorsements and Testimonials in Advertising (16 CFR § 255)
- .com Disclosures; How to Make Effective Disclosures in Digital Advertising (2013)
- The FTC's Endorsement Guides: What People Are Asking (May 2015)

We recommend the following disclosures on Status updates on Social Networks:

- "I received [product] from [Brand]"
- "I was paid by [Brand] to review [product]"
- "[Brand] sent me [product]"

If status updates are limited by character restrictions, Influencers should us a hash tag notation of #ad, #sponsored or #paid. Do not hide or bury the disclosure. Disclosures should appear at the beginning of the endorsement or testimonial statement being posted.

We also recommend the following disclosures on Video and Photo Sharing Websites:

- "I received [product] from [Brand]"
- "I was paid by [Brand] to review [product]"
- "[Brand] sent me [product]"

If video is long, Influencers may need to repeat the disclosure in the video.

Finally, we recommend that disclosures should:

- Be located at the beginning, on top of or next to any related communication
- Be understandable for the intended audience
- Be clearly visible or audible

If you have any questions, call Pfeiffer Law Corp at (310) 451-5800.