

# Making ads clear: The challenge for advertisers and vloggers

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A key principle of the Advertising Code is that ads should be obviously identifiable as ads. In most cases it's clear; whether it's on TV, a poster on the side of a bus shelter, in a magazine or newspaper, or online, we know an ad when we see one. This is usually because of the context the ad appears in – it's often clearly in advertising space, like the commercial break on TV or it's sitting entirely on a company's website. Sometimes, however, it's not always obvious, in particular on digital media platforms, which is why our **ruling** involving a series of YouTube videos by vloggers serves as a timely reminder of the importance of advertisers being up front and clear with an audience when they're advertising to them.

What's a vlog or a vlogger? Vlog is essentially shorthand for 'video blog'. Vloggers are the people who write and/or appear in a vlog.

How does a vlog become an ad? It's all about payment and control. Where an advertiser has paid for and has editorial control over content produced by a third party, in this case the vlogger's YouTube videos, this has to be made clear upfront.

Why is it important to make clear an ad is an ad? It's important that we understand when we're being marketed to so that we can make informed decisions about what we're being told. Plus if it's appearing in a format that we'd normally expect to be non-promotional, we should be told up front about whether it's an ad so that we can decide whether we want to continue viewing. In simple terms, it's not fair to falsely promote a product.

Our ruling against **Mondelez UK Ltd** sets out why the advertiser got it wrong. It involved five YouTube videos, presented by vloggers, who encouraged viewers to participate in a 'Lick Race' challenge in which people compete to lick cream off an Oreo cookie as quickly as possible. The problem was the videos didn't clearly indicate that there was a commercial relationship between the advertiser and the vloggers.

In this case because the ads were on online video channels that were usually non-promotional, the commercial intent should have been made clear before viewers clicked on the content.

As outlined last year in our 'Blurring advertising and blogs' piece, it's perfectly legitimate for vloggers (or bloggers, tweeters etc) to enter into a commercial relationship and be paid to promote a product, service or brand. We're not here to regulate that relationship or to stop vloggers earning money. But when that commercial relationship is in place then the onus is on the advertiser, and by extension the vlogger, to be upfront about it and clearly disclose the fact that they're advertising.

We're going to be communicating clearly to advertisers the outcome of this ruling and raising awareness amongst vloggers of the need to disclose when the content of their blogs is paid for. We're also encouraging advertisers or vloggers who are unsure about the rules to take advantage of our free advice and guidance, including on "**Video Blogs**" "**Recognising marketing communications**" "**Celebrities**", "**Remit: Affiliate Marketing**".

Ultimately, it pays to be honest. Vloggers build their fan base on the originality and authenticity of the material they produce. It's potentially damaging to their reputation to be found to have hidden the fact that the content they're producing is paid for and controlled by an advertiser. It's important to note that, if advertisers and vloggers aren't upfront, not only could they be in breach of the Advertising Code, they could also be breaking the law. By dealing fairly and honestly with their followers vloggers can enjoy the benefits of their commercial relationships with advertisers without alienating their fan base.

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