

Influencer Marketing Disclosure Guidelines

Industry best practices created by:
Influencer Marketing Steering Committee

Update: Fall 2023



From Ad Standards' Influencer Marketing Steering Committee

Ad Standards, in collaboration with an industry panel of companies that engage in influencer marketing, presents these Disclosure Guidelines to illustrate industry best practices. The guidelines that follow are meant to educate the influencer marketing industry about their disclosure obligations and to give a practical framework for providing disclosure.

The members of the Ad Standards Influencer Marketing Steering Committee came together from across the influencer marketing sector and developed a set of guidelines and tools to provide clarity on how, when, and what to disclose when engaging in influencer marketing on any social media channel.

With rapidly evolving technology and marketing trends, it is impossible to predict every possible scenario. These guidelines are a living document and this is the most recent update. We invite your comments and feedback at info@adstandards.ca.

These guidelines do not replace or supersede regulatory requirements on influencer marketing that exist in certain sectors.

Further, the disclosure best practices that follow in this document do not constitute legal advice nor do they ensure compliance with the *Canadian Code of Advertising Standards* or the *Competition Act* on material connection disclosure; product performance representation not based on adequate and proper tests; nor false or misleading representations. The full context of any communication must always be considered to determine what may be required.

Application

Please encourage members of your team, from the inception of any influencer marketing campaign, to use these Disclosure Guidelines as a roadmap for providing truthful, fair, and accurate influencer marketing content.

The Disclosure Guidelines apply to anyone involved in influencer marketing practice. It is important to note that the same principles underlying these industry best practices may apply in contexts outside of influencer marketing. For more information, see our discussion about Canada's Self-Regulatory Framework on page 3.

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Regulatory Landscape

In Canada, the Competition Bureau is the primary government body responsible for enforcing laws about misleading marketing practices. An arm of the federal government, the Competition Bureau oversees the Competition Act with the goal of preventing fraud and eliminating deceptive marketing practices.

Breaching the Competition Act can result in civil or criminal action by the Competition Bureau (see Sections 52 and 74.01 of the Competition Act). The misleading advertising and deceptive marketing provisions apply to influencer marketing just as they do to any other form of marketing.

As a practice, there is no issue with advertisers compensating influencers, or with influencers accepting compensation. However, when influencers post about a product, service, or brand more generally, they are making a marketing representation and are therefore subject to the Competition Act, both in terms of the claims being made and the requirement to disclose their relationship with the advertiser. If a consumer believes that an influencer made the representation organically, they would likely value the claim differently than if they knew that the influencer was incentivized to make their representation. That is why it is important for consumers to understand that the influencer has been compensated in some way for their marketing message to avoid any deception.

Shared Responsibility for Compliance

The onus for mandatory disclosure compliance is on all parties involved in the influencer marketing collaboration. There is a shared burden on any agency, PR firm or company responsible for facilitating the sponsorship – in addition to the brand advertiser and influencers involved.

The Competition Bureau has published resources on influencer marketing:

- [Influencer marketing and the Competition Act](#)
- [The Deceptive Marketing Practices Digest – Volume 4](#)

Self-Regulatory Framework

Ad Standards, the Canadian advertising industry's self-regulatory body, administers the Canadian Code of Advertising Standards (the Code). When a consumer complaint about influencer marketing gets evaluated by Ad Standards or is adjudicated by the Standards Council (Council), there are several provisions of the Code that come into play. Council meets regularly and is composed of representatives from the advertising industry and the public who volunteer their time to support the consumer complaint process.

Accuracy and Clarity

When considering a complaint about an advertisement and whether there has been a contravention under the Code, the general impression conveyed by the advertisement is assessed. Under **Clause 1, Accuracy and Clarity**, advertisements must not omit relevant information if the omission makes the advertisement deceptive or misleading. In the case of influencer marketing, omitting a disclosure of a material connection may be considered misleading advertising and could result in a violation of Clause 1(b) and 1(f).

Disguised Advertising Techniques

Clause 2, Disguised Advertising Techniques, states that an advertisement cannot be presented in a way that conceals the fact that it is an advertisement. In the guidelines that follow, there are many examples given for a variety of platforms that demonstrate how to avoid contravening this Clause by using upfront disclosures.

Testimonials

Another relevant section of the Code is **Clause 7, Testimonials**, which requires that testimonials, endorsements or other representations of opinion or preference, must reflect genuine and current opinions and be based upon adequate information. To enhance industry and public understanding of how to interpret and apply the Code, Ad Standards develops Interpretation Guidelines. Interpretation Guideline #5 provides guidance on disclosure that is required in order for a testimonial, endorsement, review, or other representation (in any medium) to comply with Clause 7 of the Code. The Interpretation Guideline states that a testimonial, endorsement, review, or other representation must disclose any material connection between the reviewer and the entity making the product or service available. If such a material connection exists, that fact and the nature of the material connection must be clearly and prominently disclosed.

Council may consider the best practices set out in these guidelines in reaching its decision on whether or not there has been a Code violation related to an influencer advertisement.

These principles apply to influencer marketing, as well as to any other instance where there is a material connection between the reviewer and the entity making the product or service available, such as employer-employee relationships or family relationships. Similarly, affiliate marketing and refer-a-friend programs may also trigger disclosure requirements where the individual is receiving compensation or other benefits for making the referral.

About this Update

Given the plethora of new and continually emerging social media platforms, the Influencer Marketing Steering Committee felt it would be helpful to industry to provide guidance based on post type (i.e. video, static, story, etc.) as opposed to guidance related to specific platforms. As a result, this guide sets out examples and best practices that apply by post type. While the underlying principles remain the same as previous versions of these guidelines, this update allows best practices to be easily applied to new platforms as they arise.

Global Connections

Ad Standards is a member of the International Council for Ad Self-Regulation (ICAS), a global platform that promotes effective advertising self-regulation. Canada is among the countries with self-regulatory codes and guidelines for influencer marketing. ICAS includes these Disclosure Guidelines in its online overview of the many ICAS markets worldwide that have guidelines to ensure transparent disclosures in influencer marketing.



Definitions

Term	Definitions
Advertising	“Advertising” and “advertisement(s)” are defined as any message where the content is controlled directly or indirectly by the advertiser and which is communicated in any medium to viewers with the intent to influence their choice, opinion, or behaviour.
Affiliate Marketing (or Network Marketing)	A marketing strategy whereby one party receives a commission (or something else of value) for generating traffic, leads or client acquisitions to the other party’s website, page, post or other content. This may be accomplished through links, tags, or through any other means that drives consumers to the promoted brand’s content.
Brand	This includes the professionals who work with the advertisers and their affiliated parties, which may include media agencies, PR agencies, creative agencies, or influencer marketing companies that work with the advertisers.
Brand Ambassadorship or Exclusivity	A material relationship for a long-term engagement, including employment, often with both defined and undefined content production and distribution expectations. This typically includes roles, responsibilities, deliverables, and a set time period outlined in a contract.
Influencer or Endorser	Someone who possesses the potential to influence others, regardless of the number of followers or viewers they may have. The people whom influencers affect are defined as a person or group who take action or change opinion/behaviour as the result of exposure to information provided by an influencer. This may occur on a blog, social media platform, or in other media publications. Influencers may also be known as ‘Talent’ or ‘Content Creators’.
Material Connection and any employment, personal, or family relationship	Any connection between an entity providing a product or service and an endorser, reviewer, influencer or person making a representation that may affect the weight or credibility of the representation, and includes: benefits and incentives, such as monetary or other compensation, free products with or without any conditions attached, discounts, gifts, contest and sweepstakes entries, and any employment relationship, or any personal or familial relationship.
Payment	Payment means any form of consideration, including financial compensation or other arrangements, such as provision of free products (see definition of Material Connection). The disclosure guidelines apply to all exchanges of value between an advertiser—or a party working on behalf of an advertiser—and an influencer. This may include free products, monetary exchange, or other perks with the expectation—explicit or implied—that a promotion or inclusion of the advertiser’s products in a post occurs.

The Do's and Don'ts of Disclosure

Upfront is best.

Disclosures are meant to provide transparency and honesty for all viewers of the sponsored post.

These best practices are intended to catch the viewer's attention and ensure the disclosure is clear, conspicuous, and broadly understood.



When in doubt, spell it out.

The Disclosure Guidelines are not intended to be prescriptive, as it is difficult to keep up with rapidly changing social media platforms and viewer habits.

Should you be using a platform not mentioned in these guidelines, or if you encounter a situation outside its current scope, please continue to apply the principles that disclosure is necessary and must be **clear, conspicuous, and broadly understood.**

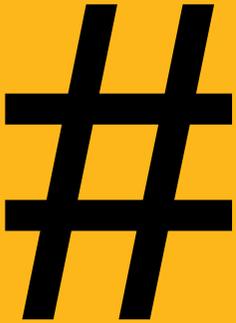


Do:



Disclosures should be clear.

One way to ensure clarity is to use widely accepted hashtags.



Hashtags that have been recognized as clear and widely accepted include:

#ad, #sponsored, #XYZ_Ambassador, #XYZ_Partner (where “XYZ” is the brand name)

In contrast, when combining a company name, such as “Cool Style” with “ad” to make “#coolstylead”, there is a good chance that viewers will not notice and understand the significance of the word “ad” at the end of a hashtag, especially one made up of several words combined like “#coolstylead.”

Do:



Disclosures should be specific about the brand, product and what was given.



Disclosure to the brand or product can be included within the content itself, organically – it does not necessarily need to be in a hashtag or @ statement.

Where the influencer receives payment other than financial compensation, such as free product or an exclusive invite, and the influencer talks about the product or the event, they should disclose the nature of the material connection in order to be transparent, such as #GiftedProduct.

Don't: Ambiguous Hashtags

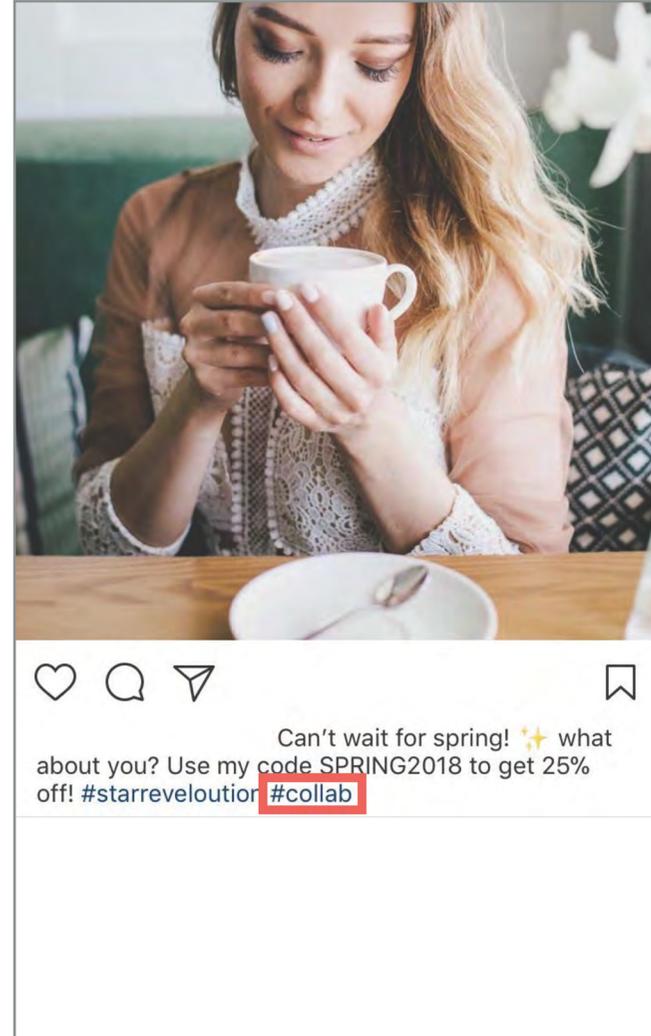


Effective Disclosure Tips

- The use of ambiguous phrases or hashtags does not make it clear to the viewer that there is a material connection. Examples include using: #Ambassador, #Partner, #Spon, #PR, #Promo, #PRHaul, #Brand, #Collab.

Highlights in the Example

- Usage of hashtags like “#collab” are not clear indicators that this was a sponsored post or the product was gifted.
- The disclosure attempt was also buried in a list of hashtags, which is not considered a clear indicator for viewers.



Don't: Hidden Disclosure

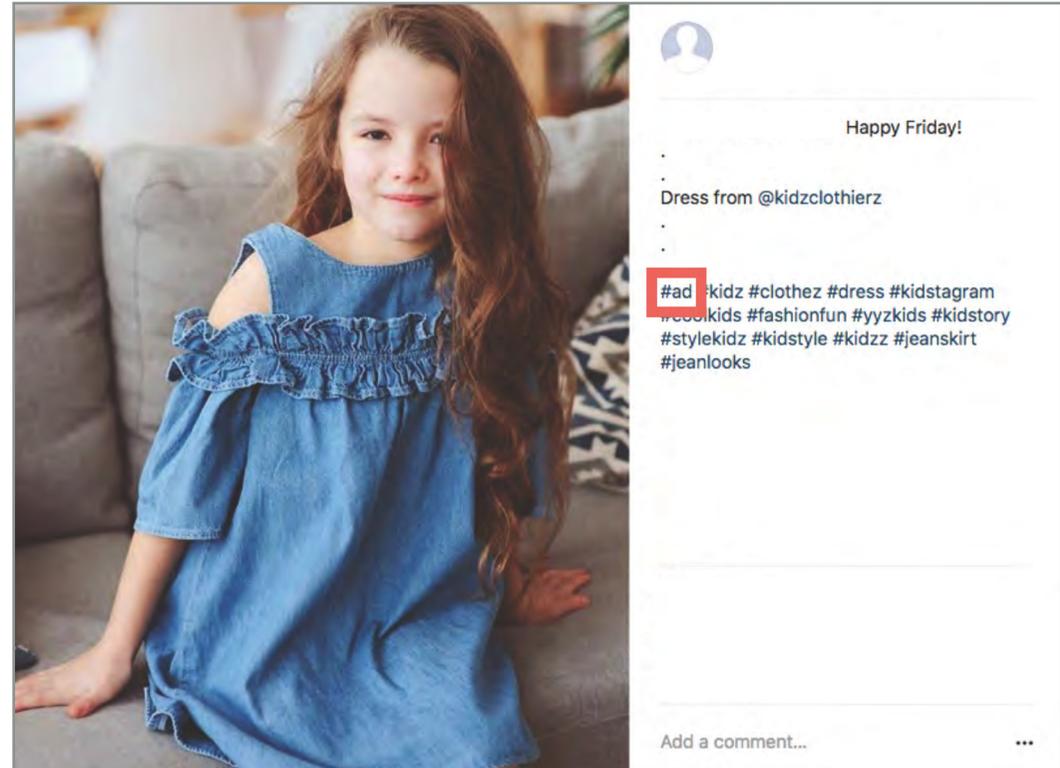


Effective Disclosure Tips

- If a creator uses a lot of hashtags/mentions at the end their content, then the disclosure should always be prior to those hashtags/mentions.
- If disclosures are buried in a hashtag list; or are in overlays that are too small or faint, they could be considered hidden.
- Disclosures need to be clear and conspicuous.

Highlights in the Example

- While this endorsement included the disclosure #ad, it was buried below the main message of the post and included in a hashtag list that does not make the disclosure clear and conspicuous.



Don't: Hidden Disclosure

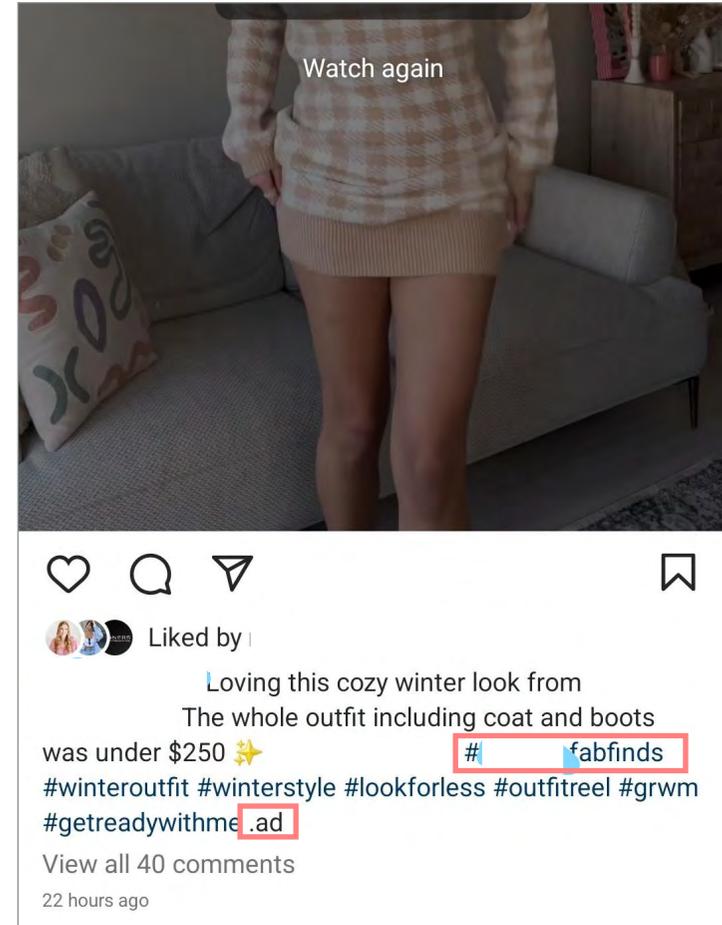


Effective Disclosure Tips

- Do not use misspelled versions of disclosure, including adding spaces within the disclosure.
- While hashtags are not mandatory, they are commonly accepted. If an influencer uses a disclosure that doesn't include a hashtag, care must be made to ensure that the disclosure is clear and conspicuous.

Highlights in the Example

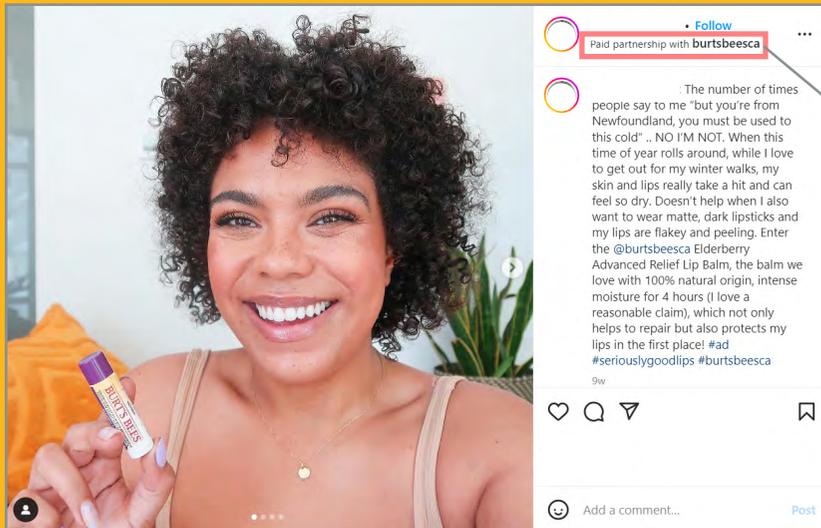
- Using .ad at the end of a list of hashtags is not effective disclosure. The rest of the copy does not make it sufficiently clear that it is a paid influencer piece.
- Including the brand name or “#brandfabfinds” is not sufficient disclosure to indicate that there is a material connection.



Do:

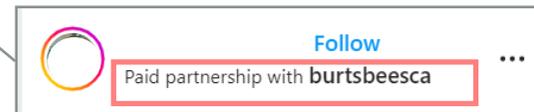


Disclosures should be independent of social media network or channel-specific settings



Many social media platforms offer a tool to disclose an advertising relationship. Where these tools are available they should be used *in addition to* the influencer's own disclosure within their post. While the tool may be a prominent, clear, and effective disclosure of an influencer's material connection to a brand, the influencer has to be very careful as these tools do not necessarily carry from one platform to another when a post is shared. Adding disclosure in addition to the tool is recommended.

The disclosure should catch viewers' attention and be placed where they are not likely to miss it. A key consideration is how viewers see the screen when using a particular platform.



Do:



In videos, disclosure should be upfront and identifiable



There is no guarantee that viewers will read, hear or see a message unless it is presented prominently at the beginning of a piece.

It is more likely that a disclosure at the end of the video will be missed, especially if someone does not watch the whole thing. Having it at the beginning is a more effective disclosure method. Having multiple disclosures during the video is most effective.

In the written text of the post accompanying the video, disclose before the viewer needs to click for more (i.e. in the first couple of lines of the post).

Do:



Disclosures should be made in the language of the endorsement



The connection between an endorser and a marketer should be disclosed in whatever language or languages the endorsement is made, consistent with the viewer's interpretation. If the content and captions are in French, disclosures should be made in French. Likewise, if the content is in English, disclosures should be made in English.

Don't: Blanket Disclosure



Effective Disclosure Tips

- Blanket disclosures in a profile/bio/about section may fall below the recommended standards for disclosures because people visiting the site might read individual reviews or watch individual videos without seeing the disclosure on another page.
- Many readers may not see this blanket disclosure clause and may not clearly understand the relationship between the advertiser and influencer.

Highlights in the Example

- This blanket disclosure does not meet the standards of mandatory disclosure because each individually sponsored post is not connected to a specific brand or product, and does not describe the nature of the material connection.
- In addition, the reference to the influencer's own disclosure of "c/o" is not sufficiently clear, as a viewer would not likely understand that disclosure to mean that the influencer received merchandise from a company. One cannot assume that people will read the bio to understand disclosures used.



Where I have received merchandise from a company, I make that clear in the copy of the post or in the outfit details by marking it 'c/o.' Where I have received monetary compensation in return for promotion, I disclose that the post was sponsored in the body of the post. While I attempt to make this as clear as possible on my social media channels, the abbreviated nature of a medium may impact my ability to do so."

Do:



Disclosures should be made in close proximity to the endorsement



The disclosure should be as close as possible to each message and placed in such a way that it travels with the message. This means including a disclosure before a URL (clickable or non-clickable), ensuring that sponsored brand mentions are seen with the specific disclosure, and ensuring it makes contextual sense. Include the disclosure in each post, in the video (where applicable), and not just in the comments.

Don't: Simply “tag the brand”

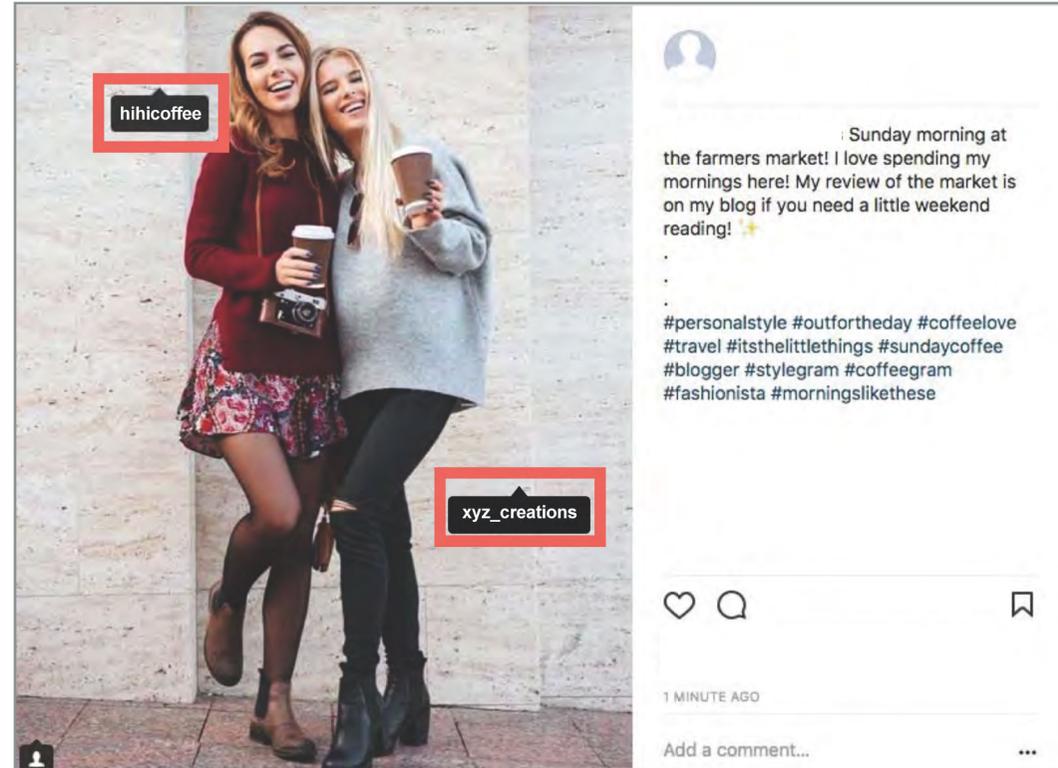


Effective Disclosure Tips

- Some influencers only tag their sponsors, some tag brands with which they have no relationships, and some do a bit of both. Viewers cannot be sure that simply tagging a brand indicates material connection.
- If there is a material connection between the brand and influencer, it needs to be specifically mentioned in addition to referencing the brand or product.

Highlights in the Example

- Tagging a brand may not be viewed and interpreted by viewers as clearly indicative of a material connection between the brand and the influencer.



Do:



Disclosures should be clearly communicated



Context matters. Viewers should be able to see or hear the disclosure in context with the brand mention.

Some mediums may require both visual and audio disclosures.

Disclosures should be written, said, and/or displayed somewhere it can be easily read, heard, or seen.

- For example, Facebook/Instagram videos often play without sound, so a visual disclosure would be needed within the video itself in addition to disclosure within the caption. For Instagram photo posts, inclusion in the caption should suffice.
- If disclosures are buried in hashtag lists, or are displayed in overlays too small or faint, they could be considered hidden.

Don't: Fabricated Hashtags

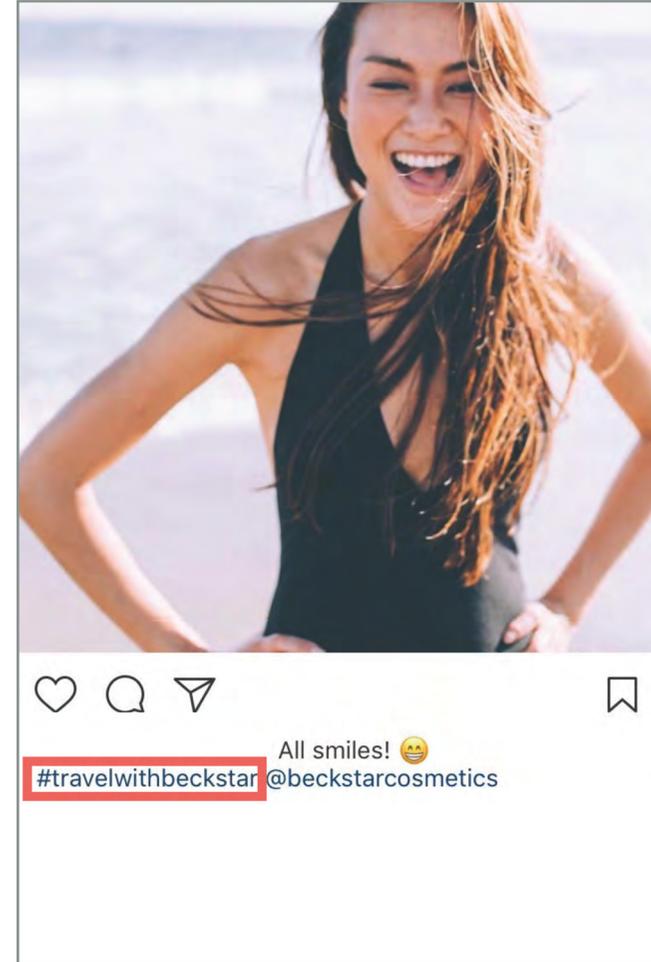


Effective Disclosure Tips

- Knowing that influencers received access to a private event, or free experience—sometimes including travel and accommodations—could affect how much weight readers give to influencers' thoughts about the product or brand.
- Inclusions like “thanks to X brand for inviting me” or “I’m at X event with X brand” would suffice.
- If a brand creates its own disclosure format, it needs to ensure that the material connection is obvious.

Highlights in the Example

- Fabricated disclosure hashtags may not be clear about the nature of the material connection.
- In this example, there should be additional disclosure beyond the fabricated hashtag to make it clear that the influencer received a free trip.



Don't: Ambiguous Phrases

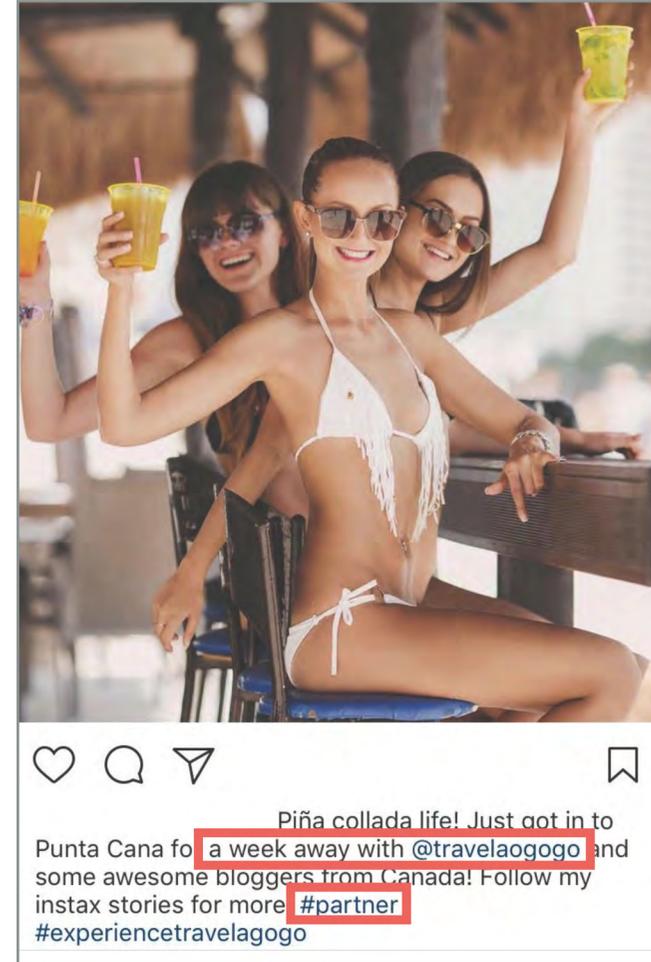


Effective Disclosure Tips

- When creating disclosures (notices, hashtags, etc.), it is important to use clear and commonly understood language. Influencers and brands should not assume that viewers will understand industry-specific terms and jargon. Disclosures should be simple, straightforward, and easy to understand.

Highlights in the Example

- Usage of “a week away with @travlaogogo” does not make the material connection clear.
- The “#partner” disclosure attempt does not make clear that there is a material connection between the influencer and brand.



Do:



Disclosures should be written with unambiguous language



Influencers and brands should not make any assumptions that the viewer will interpret language as a disclosure of a material connection.

Treating “Thank Company Name” as an effective disclosure is not advisable. A “thank you” to a company or a brand does not necessarily communicate that the endorser received something for free or that they were given something in exchange for an endorsement.

The person posting could just be thanking a company or brand for providing a great product or service. But “Thanks XYZ for the free product” or “Thanks XYZ for the gift of ABC product” would be sufficient – provided you did not also get paid for the endorsement by XYZ.

Examples of When to Disclose

Do I Need to Disclose?

Example	Do I need to disclose?	Guidance
Gifted items: “I was gifted an item from a brand for me to try out, but there wasn’t an agreement or obligation for me to post about the brand or product.”		Viewers may assess the review differently if they knew the product was gifted or discounted, so it is advised that disclosure be included.
Employees: “I’m an employee at company XYZ, a clothing retailer, and am excited to be at XYZ’s event, so I post about it.”		It is a relevant connection that the person posting is an XYZ employee, even if s/he does not post specifically about the retailer’s products. The employee is promoting XYZ’s brand and a disclosure is required, such as #XYZemployee.
Tagging brands: “I received products from a brand, so I’ll tag the brand in my Instagram post and assume my audience knows it was given to me.”		Some influencers only tag their sponsors, some tag brands with which they have no relationship, and some do a bit of both. If there is a material connection between the brand and influencer, it needs to be specifically mentioned using disclosures beyond tagging.
Experiences/Events: “I got invited to a private event by a brand to see some of their new products.”		Knowing that influencers received access to a private event, or free experience—sometimes including travel and accommodations—could affect how much weight readers give to influencers’ thoughts about the product. Inclusions like ‘thanks to X brand for inviting me’ or ‘I’m at X event with X brand’ would suffice, provided the influencer only received access to the event (and not travel/accommodations which would require more details within the disclosure).
Non-contractual brand mentions: “I’m doing a photoshoot with a brand and want to show my audience a sneak peek of me on set with the brand.”		If the influencer is working in a material relationship with the brand and creates content, even if it was not the contractually obligated post, they are obligated to disclose.

Do I Need to Disclose?

Example	Do I need to disclose?	Guidance
<p>Paid, but genuine endorsements: “I’m getting free products from the brand but I REALLY like them and would post about them even if I wasn’t paid.”</p>		<p>The viewer has the right to know that there is a material connection between the brand and the influencer, even if they would post about the brand without getting paid.</p>
<p>Replies or direct messages to a “follower”: “One of my followers asks me questions about the brand I just posted about. Do I need to include disclosures in my reply?”</p>		<p>When responding to someone’s questions about a specific endorsement via email, text, or direct message, that person should already have seen the disclosure on the post—thus a disclosure is not necessary. (This is context-dependent.)</p>
<p>Testimonials with no material connection: “I didn’t receive any product, compensation, or experience from the brand, but I want to endorse a product.”</p>		<p>If no material connection exists between a brand and the influencer, no disclosure is needed.</p>
<p>Well-known partnerships: “I’m a professional athlete with a high-profile partnership with a brand. My audience and the public knows about my ambassadorship. Do I need to disclose every mention?”</p>		<p>When the material connection is one that viewers reasonably expect to exist due to widespread exposure in other media, such as when a celebrity endorses a product or service, then a disclosure may not be necessary. It depends on whether his/her followers understand that mentions about products are paid endorsements. <i>This can be difficult to determine, so when in doubt, spell it out.</i></p>
<p>Informative blast to influencers: “I received information about an upcoming event open to the public, with nothing else included in the package (i.e. no swag, no tickets, and no promise or expectation of compensation or incentive). If I go to the event and post about it, is there a material connection that requires disclosure?”</p>		<p>Information about events that are open to the public (where no swag or tickets are provided to the influencer) does not create a material connection that requires disclosure.</p>

Do I Need to Disclose?

Example	Do I need to disclose?	Guidance
<p>Gifted product but no endorsement: “I was surprised by a gifted snowboard and posted a video of me receiving it from the brand.”</p>		A brand can give an influencer a gift. If the influencer posts about the item, even if it is not an endorsement, the fact that the item was received as a gift must be clear. Otherwise, the implication is that the influencer chose to purchase the item which amounts to an endorsement.
<p>Posting beyond contractual obligations: “What if I post beyond the contract range? Do I need to disclose every mention?”</p>		The viewer has the right to know that there is a material connection between the brand and the influencer, even if the influencer genuinely loves and endorses the brand. Check with the advertiser first.
<p>Avatar influencer: “My company is paying to have an avatar influencer endorse my product.”</p>		The fact that the avatar is not a real person doesn't impact the requirement to disclose the material connection. In addition, make sure that the avatar doesn't provide a testimonial about your goods/services that it obviously cannot experience (i.e. this food sure tastes great!).
<p>Avatar used by a brand on its own postings: “My company created an avatar that looks like our mascot. The avatar is used on our social accounts talking about our products.”</p>		This is clearly an advertisement when used on the advertiser's own social pages. If the avatar has its own independent page or following, and the advertiser enter into agreements with third parties for use of the avatar as an endorser, then that material connection would need to be disclosed when used by the third party.

Specific Examples of Disclosure by Post Type

Paid Partnerships: Static Post

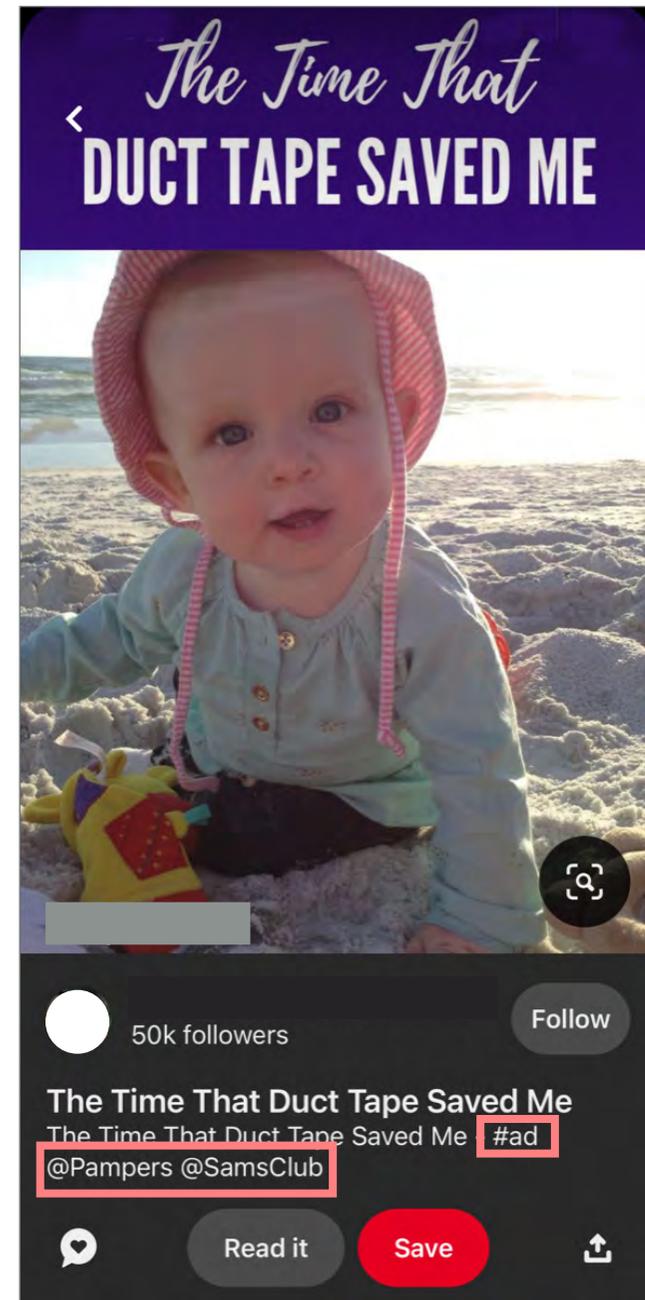
such as Instagram, Facebook, TikTok, Pinterest

Best Practices

- Disclosure should appear in the caption as part of the main message. Disclosure should not be buried amongst hashtags.
- The brand with the material connection should be clearly indicated.
- Use the “Paid partnership” or similar tool if the influencer has access to that feature. It should be used in addition to, not instead of, disclosing in the caption.
- Recommended hashtags are not mandatory; clearly written communication may suffice.
- When sharing affiliate content, do not use #ad but rather disclosure that you are a partner of the entity, i.e. #CompanyPartner or #CompanyAffiliate.
- When resharing from other platforms, ensure that the disclosures remain clear and conspicuous.

Highlights in the Example

- #ad is prominently displayed.
- The brands with the material connection are tagged in the post.



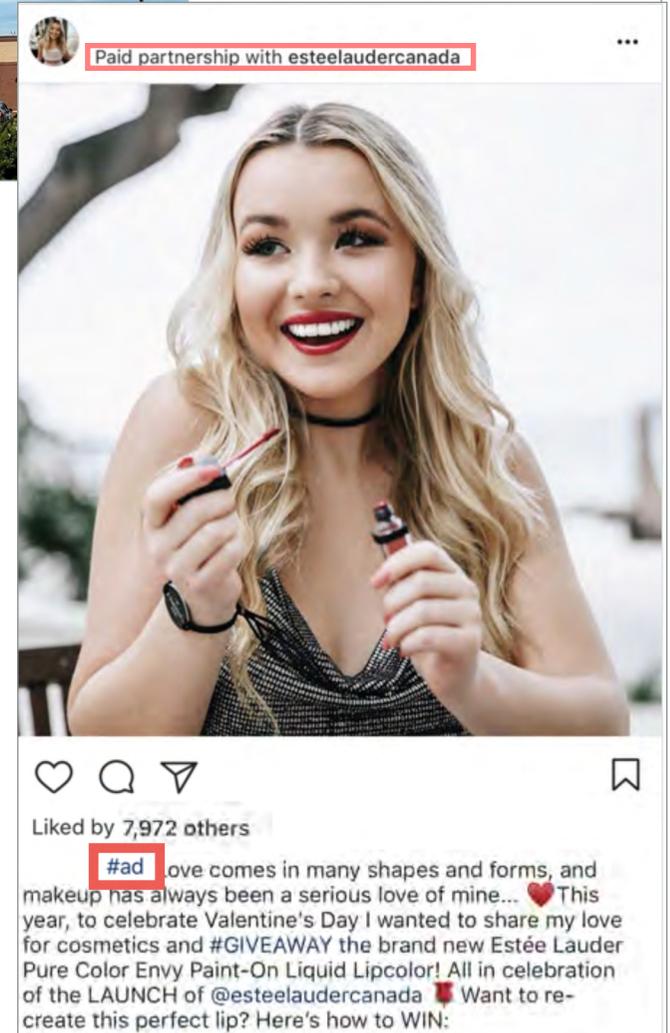
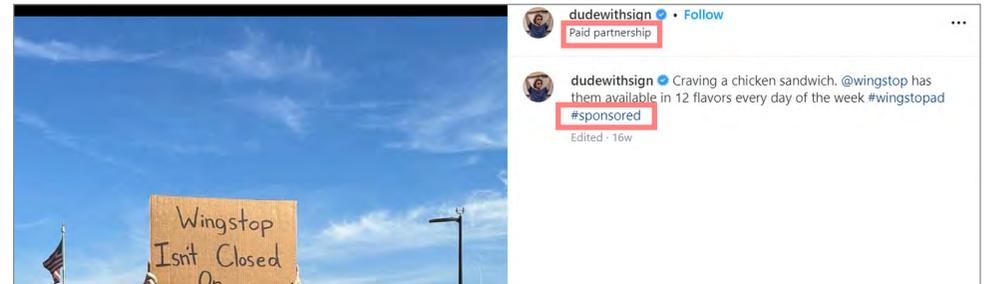
Paid Partnerships: Static Post

Highlights in the Example

- Use of paid disclosure is used in addition to #sponsored.
- The disclosure of the material connection is made at the end of the post, however given the length of the post, the disclosure is clearly and prominently visible at first glance.

Highlights in the Examples

- The influencer utilizes Instagram’s built-in “Paid partnership” tool to indicate the material connection.
- Disclosures are made in the main message and not buried in the comments or buried amongst hashtags.



Paid Partnerships: Character-Limited Posts

such as X (formerly Twitter), Threads

Best Practices

- Given character limitations, the following recommended hashtags are most commonly used: #ad, #sponsored.
- Each post should have its own disclosure, as they can be consumed independently, even when they are intended to be consumed as a series
- The sponsoring brand must be clear in the post.

Highlights in the Examples

- Brand and disclosure are clearly visible in the text of the post.
- Where the post links to another piece of content, the disclosure can be consumed independent of the linked content.



Paid Partnerships: Video Posts

such as YouTube, TikTok, Instagram/Facebook, Pinterest

Best Practices

- Disclosure should be prominently included in the video description/caption as well in the video itself. This ensures the disclosure is maintained across platforms.
- The brand with the material connection should be clearly indicated.
- Disclosure should appear at the beginning of the video and be verbally mentioned or displayed visually in the video itself (within the first 30 seconds).
- For longer videos, having multiple disclosures throughout the video is most effective.
- If the brand helped shape the content of the video, that should be disclosed in addition to the paid partnership. E.g. “Thank you to X for sponsoring and collaborating with me on this video.”
- Use the “Paid partnership” or similar tool if the influencer has access to that feature. It should be used in addition to, not instead of, disclosing in the caption.

Highlights in the Example

- “Paid partnership” is clearly visible, in addition to #ad and the name of the brand.
- #ad is not buried in a list of hashtags.



Paid Partnerships: Video Posts

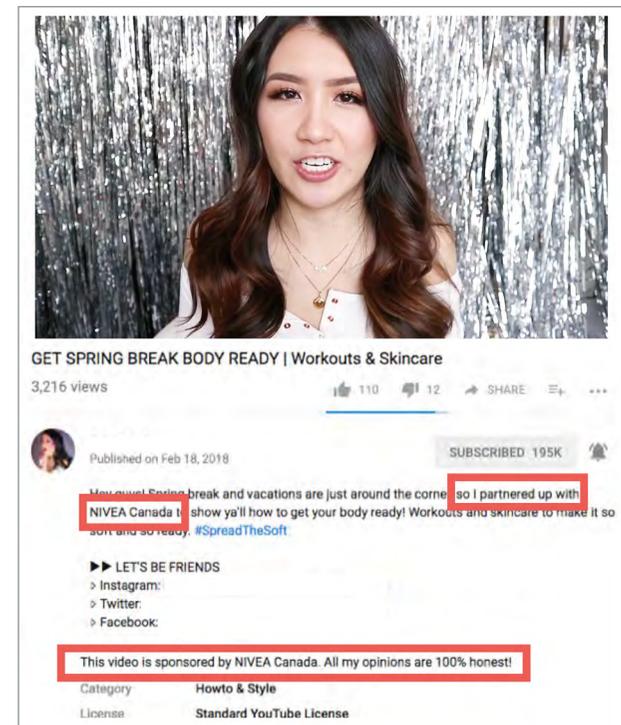
such as YouTube, TikTok, Instagram/Facebook, Pinterest

Highlights in the Example

- Disclosures are both prominently displayed during the video and in the description beneath the video and includes #ad.
- Video description is in audio and visual

Highlights in the Example

- Disclosures are made through both audio (in the first 30 seconds) and visual cues (above the fold, in the description) in both natural language and an explicit call out in the description.



Paid Partnerships: Stories

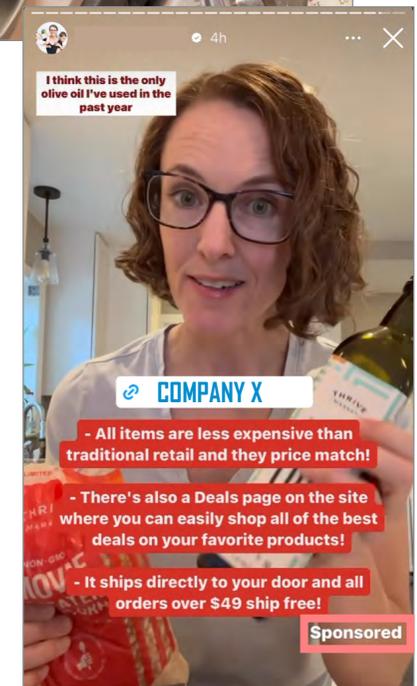
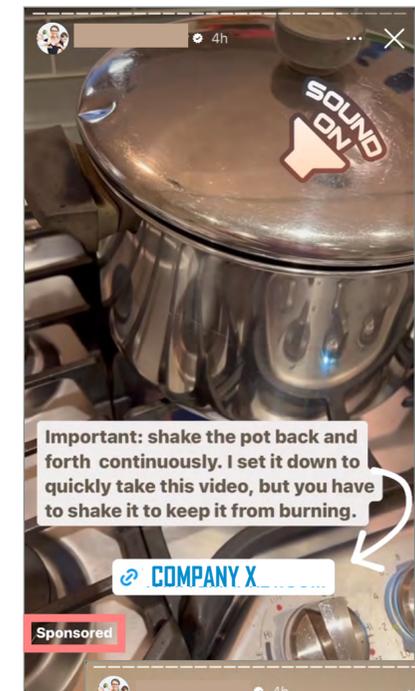
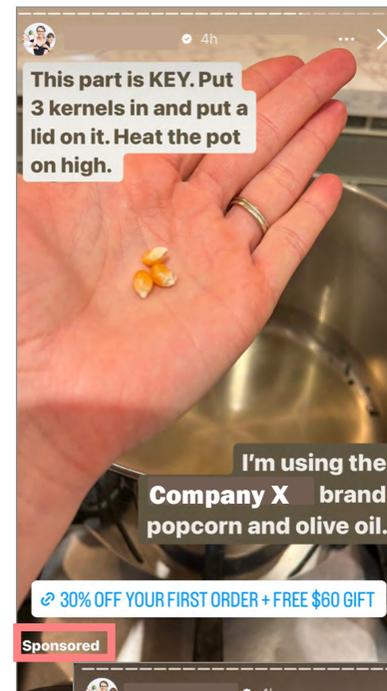
such as Instagram, Snapchat, Facebook, TikTok

Best Practices

- Disclosure should appear at the beginning of the story and be verbally mentioned and/or displayed visually.
- For a series of stories meant to be consumed consecutively, disclosure is necessary at the beginning of the series.
- For multiple stories posted independently, each story should have its own disclosure.
- Disclosures should indicate that a brand paid for a collaboration and helped shape the content (e.g. thank you to X for sponsoring and collaborating with me on this video) or include one of the recommended hashtags, such as #Sponsored.

Highlights in the Example

- Each story in the series includes the word “Sponsored.”
- The disclosure is featured prominently.



Paid Partnerships: Blogs

Best Practices

- Disclosures should be made before a URL (clickable or non-clickable).
- The description of the material connection can be written out, as hashtags do not have functionality on a blog.
- The brand with the material connection should be clearly indicated.

Highlights in the Example

- The influencer clearly outlines the material connection in the main body of the blog post.
- Disclosures are made before any links to sponsoring brands.

French Fridays: Double Chocolate Financier Loaf Cake

dessert, French, French Fridays, recipes | April 1, 2022 by Mardi Michels



This post is sponsored by Cuisipro.

If you read this blog often, you'll know what a huge *financier* fan I am (**see: [here for other financier recipes](#)**). I love them because they sound (and often look) fancy, they don't use many ingredients, the ingredients they do use are pantry and fridge staples

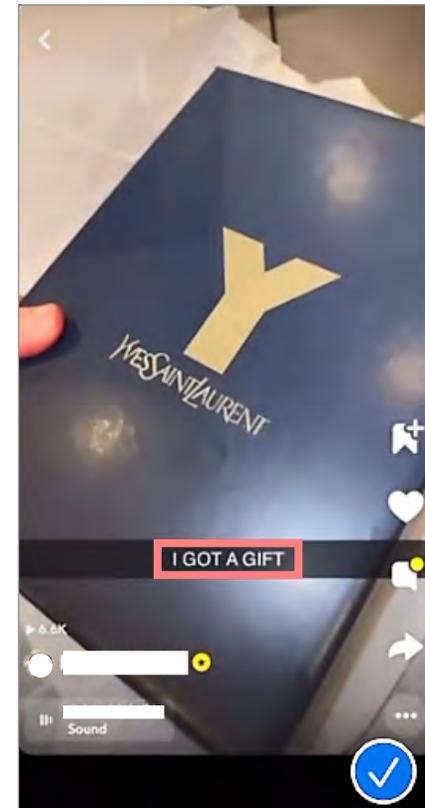
Gifted Products

Best Practices

- Every effort should be made by the brand to ensure disclosure, even if the exchange is gifted products, experiences or events and no monetary compensation is provided. The brand should recommend that the recipient tag the brand, and use #GiftedProduct or language such as “I received a gift!”
- Disclosure should appear in the caption as part of the main message, and should not be buried among hashtags.
- Hashtags are not mandatory; clearly communicated written or audio disclosure may suffice.
- A recommended disclosure hashtag: #GiftedProduct.

Highlights in the Example

- Clearly articulates the material connection to the viewer.
- Video also included verbal “I got a little gift here from...”



Events and Experiences

Best Practices

- Disclosures should be included, even if the post is about a gifted experience or private event, and no monetary compensation was provided.
- Recommended hashtags are not mandatory; clearly written or verbal communication may suffice.

Highlights in the Example

- The influencer clearly indicates that she was invited by the two brands hosting this event.
- Disclosures are made in the main message and not buried in the comments or buried among hashtags.



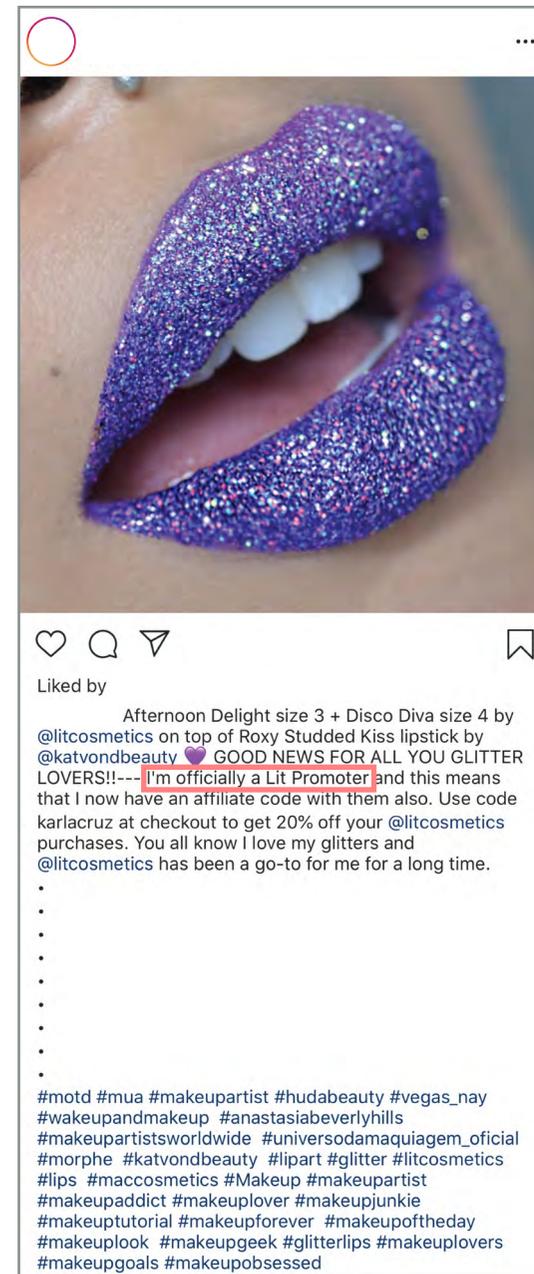
Affiliate and Refer-a-Friend Marketing

Affiliate Marketing

The same legal and self-regulatory principles apply to affiliate marketing as to other forms of advertising. This means that consumers should understand through clear and conspicuous disclosures when there is a material relationship between the person posting the content and the brand. It is material, for example, if:

- A third party paid to curate or be on a list of recommended products; or
- If the person who posts a link receives compensation (or something else of value) for each click-through to a link provided; or
- If the person who posts a link receives compensation (or something else of value) for products purchased or customers acquired at the link provided.

Disclosure such as '#Ad' may not be appropriate where an affiliate link is provided as it does not adequately disclose that the person who posted the link receives compensation when a consumer clicks on their link or makes a purchase using their link. Using hashtags like '#CompanyPartner' would be clearer.



Refer-A-Friend

If a consumer is asked to make a post on behalf of a brand, the reader of that post should understand if the consumer received something of value. In other words, if the consumer will get a discount for posting, or a discount for each new customer who signs up using that consumer's code, the reader should understand this. It is material to know that the consumer chose to post in order to get something in return, and not just because of their love of the product.

The text to be posted by the consumer could include:

- "I'll get \$1 off future purchases for each person who signs up."
- "If you sign up using my code, I get a \$5 credit."
- "When I post this, I'm saving \$5 off my bill."
- "Woohoo! For posting this, I get one contest entry."

Depending on the content of the post, it may also be appropriate to include '#ad'. When in doubt, spell it out.



Influencer Marketing Steering Committee Participants

#paid



Hill & Knowlton



INF



North

PLATFORM



STRATEGIC/OBJECTIVES



Ad Standards' mandate is to support the advertising industry. We are proud to work with the influencer marketing sector on this project.

About Ad Standards

Ad Standards is the self-regulatory body for Canada's advertising industry. Through member support and cooperative industry initiatives, we build public confidence in advertising by helping ensure ads, in all media, are truthful, fair and accurate. We administer the *Canadian Code of Advertising Standards*, which sets criteria for acceptable advertising, and provides a mechanism for adjudicating and resolving consumer complaints and competitive disputes. We also review advertising creative and offer consultative services to help ensure compliance with relevant laws and regulatory guidelines. Our collaborative relationships with Canadian regulators and global self-regulatory organizations provide a diversity of valuable insights, which inform our initiatives and goals.



info@adstandards.ca
www.adstandards.ca

About the Influencer Marketing Steering Committee

The Influencer Marketing Steering Committee is composed of influencer marketing professionals in agency, brand, and media organizations. The Committee meets several times a year. Together with Ad Standards, the Committee spearheads initiatives that aim to guide marketers and creators in producing influencer marketing content that is truthful, fair and accurate.

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