

# FTC Recommends Sharpening Blurred Lines When Advertising to Kids

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September 18, 2023

In October, we [posted](#) about the FTC's day-long workshop on "Protecting Kids from Stealth Advertising in Digital Media" and wondered what the FTC might be planning. Last week, we got an answer when the FTC released a "Staff Perspective" on [Protecting Kids from Stealth Advertising in Digital Media](#). With a foreword written by Sam Levine, Director of the FTC's Bureau of Consumer Protection, the staff recommends advertisers implement five key practices to protect kids from the harms of "stealth advertising."

Here's the summary:

- **Don't blur advertising.** FTC staff starts with the obvious, stating that "the best way to prevent harms stemming from blurred advertising is to not blur advertising." Instead, there should be a clear separation between entertainment and educational content and advertising. For example, advertisers can use visual and verbal cues to signal to kids that they are about to see an ad.
- **Provide prominent just-in-time disclosures.** These disclosures should appear when a sponsored product is introduced into content and in language that kids are likely to understand. For example, the staff suggests that "Company ABC paid me to show you this so you will think about buying it" is better than "paid promotion" or "sponsored content."
- **Create icons to flag advertising.** FTC staff encourages members of the digital ecosystem to work together to create and use an easy-to-understand icon to signal to kids that an advertiser provided money or other benefits to a content creator to advertise a product. Notably, the staff suggests the icon be used in conjunction with disclosures, not in place of them.
- **Educate kids, parents, and teachers.** Stakeholders should work together to find ways to educate kids, parents, and teachers about how digital advertising works and to help kids recognize and evaluate ads. This education could also play an important role in helping promote and support the use of an icon suggested above.
- **Platforms should consider policies, tools, and controls to address blurred advertising.** Platforms should consider (a) requiring content creators to self-identify content that includes advertising through policies and tools and (b) offering controls that allow parents to limit or block their children from seeing ads.

The guidance echoes the broad principles that the FTC outlined in 2016 in its Enforcement Policy Statement on Deceptively Formatted Advertisements and related business guide on Native Advertising – see our report [here](#) – but encourages stronger measures because techniques that may be sufficient to help adults differentiate content from ads may not be sufficient for kids.

A [post](#) on the FTC site warns that "the FTC will be monitoring this area and may take law

enforcement action when blurred advertising is an unfair or deceptive practice prohibited by the FTC Act." We'll continue to watch what the FTC does in this space, and will keep you posted.