

# NAD Worries Consumers Will Jump To Wrong Conclusions Over Trampoline Reviews

Gonzalo E. Mon

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A growing number of consumers read reviews before they decide to purchase a product. Because of this – as we’ve [posted](#) various times – regulators and competitors are keeping a watchful on eye reviews that seem biased or inauthentic. The latest challenge comes from a world that isn’t known for its advertising challenges: the world of trampolines.

The Trampoline Safety website evaluates trampolines based on over 40 metrics and provides product reviews, videos, and articles. If you visit the site, you may notice that the top-rated trampolines are all made by a



company called JumpSport. But unless you look closely at the disclosure at the bottom of the page, you may not notice that the Trampoline Safety website is run by the same family that runs JumpSport.

The NAD determined that consumers who visit the website are likely to believe “that the content was independently generated editorial content, rather than content created by JumpSport.” The website is unbranded and there is “nothing to alert a consumer to the fact that this is an advertisement,” that the site is run by JumpSport, or that the tests were “devised and conducted by the company that produces the three trampolines that achieved, far and away, the best results.”

The disclosure at the bottom of the page did not cure the problem for two reasons. First, the NAD held that an advertiser can’t use a disclosure to contradict the main message of an ad. Here, the NAD thought the main message was that the reviews were independent. And, second, even if the disclosure hadn’t contradicted the main message, the NAD held that the disclosure failed to meet the “clear and conspicuous” standard. Because consumers wouldn’t see the disclosure unless they scrolled to the bottom of the page, it was “not easy for consumers to notice, read, and understand.”

The decision covers a lot of ground. (For example, the NAD also took issue with JumpSport’s testing methodology and found that its tests were not sufficiently reliable to support the claims on the site.) But our focus for this post is the manner in which the reviews were presented. If your company has

any connection to a product review – regardless of whether the review was written by your company or some third party who has received an incentive from you – that connection needs to be disclosed in a meaningful way. A fine-print disclosure is unlikely to help.