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Influencers, Hashtags and Disclosures: The FTC's Response and Commercial Considerations

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The Federal Trade Commission ("FTC"), after reviewing Instagram posts by celebrities, athletes, and social media influencers, recently issued 90 letters reminding these influencers and marketers about the FTC's requirements that marketers clearly and conspicuously disclose their relationships to brands when promoting or endorsing products through social media. In this case, the FTC focused on influencers' posts on Instagram.