

FTC warns food industry trade groups and influencers about disclosures on paid social media posts

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The Federal Trade Commission on Wednesday said it issued warnings to two food and beverage industry groups, as well as a dozen online

influencers, for failing to adequately disclose paid social media posts that promoted a sweetener and sugary products.

The letters point to Instagram and TikTok posts made by the influencers who were apparently hired by the American Beverage Association, a lobbying group whose members include Coca-Cola Co. and PepsiCo, and the Canadian Sugar Institute, which represents Canadian sugar manufacturers.

The warnings follow updated guidelines the agency published this summer requiring influencers to prominently disclose advertisements and paid social media posts that promote products for companies.

The FTC said it reviewed posts by health influencers—including registered dietitians—who endorse "sugar-containing products" and appear to be paid by the Canadian Sugar Institute.

Meanwhile, the agency warned the American Beverage Association about posts that tout the safety of aspartame, a sweetener found in diet soda and countless other foods. In July, the World Health Organization's cancer agency [deemed the sweetener](#) could be a possible cause of cancer, though other experts assembled by the health organization have said aspartame is safe to consume in small quantities.

William M. Dermody Jr., a spokesperson for American Beverage Association, said the trade group took "meticulous steps" to be transparent about its partnership dietitians who "spoke to the science behind the safety of aspartame and the FDA's determination that it is safe."

"Importantly, no question has been raised about the substance of these posts," Dermody said. "We will continue our ongoing commitment to disclose the relationship between dietitians and American Beverage and

we appreciate the FTC's guidance on how to best ensure transparency for consumers."

The FTC said some of the posts it reviewed had no disclosures. Others had disclosures in the text description of the videos, but not in the videos themselves. Some of the dieticians identified "ameribev" as their partner, but the agency said that was inadequate since viewers may not understand the abbreviation for the American Beverage Association.

"It's irresponsible for any trade group to hire influencers to tout its members' products and fail to ensure that the influencers come clean about that relationship," Samuel Levine, director of the FTC's Bureau of Consumer Protection, said in a statement.

The agency wrote in the letters to the trade groups that the posts may violate federal law and could cost them up to \$50,120 in penalties per violation. The Canadian Sugar Institute did not immediately respond to a request for comment.

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