

Food, the FTC and the Risks of Social Media Promotions

Necessary disclosures for food and beverage social media contests and promotions after a recent FTC investigation of a contest on Pinterest.

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Social media platforms offer food and other CPG companies a host of new, creative ways to engage with consumers and generate brand experiences, especially on strongly visual platforms like Pinterest, Vine, and Instagram. But a recent FTC investigation of a contest on Pinterest offers a cautionary tale regarding the necessary disclosures the FTC wants for social media contests and promotions—especially when consumer use of the brand, brand name, or images of the branded product are required for entry. Though the FTC ultimately issued a “closing letter” without further action—in part because the company under investigation changed its social media policy for contests—the details of the contest and the FTC’s responses to it provide great insights into “how to” (and how not to) use social media to conduct brand contests and promotions.

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Anthony A. Froio