



Case Study

Distinguishable
advertising



Case study

Distinguishable advertising - Section 2.7 of the AANA Code of Ethics

What did the ad include?

This Instagram story posted by an influencer featured an image of skincare bottle with the text 'thank you @brand ❤️'

What did the complainant say?

"It is not clear that this Instagram story is an ad. I think it goes against the distinguishable advertising rules and people might believe that the influencer is genuinely recommending this product."



This ad has been recreated for training purposes.

What did the advertiser say?

"The influencer was sent a gifted product without any request, obligation or requirement to post any content. We also encouraged the influencer to use #giftedbybrand. We as a brand are committed to transparency in relation to influencer conduct, including compliance. We welcome any guidance from Ad Standards and are committed to educating influencers on the importance of disclosure, transparency and compliance."

What did the Community Panel say?

The Panel considered that the photo of the product, along with the tagging of the brand, attracted public attention in a promotional manner and therefore was an ad. The Panel noted that instructions sent to the influencer included a suggested hashtag, which the influencer ignored. The small text stating, "THANK YOU @BRAND," didn't clearly show the product was gifted. The Panel found that the story wasn't clearly distinguishable as an ad. The ad breached Section 2.7 of the AANA Code of Ethics.

More information



[Ad Standards distinguishable advertising webpage](#)



[Read full case report \(0215-22\)](#)