

G-Regs™

Netherlands - DDMA Social Media Advertising Factsheet 2013

**Source**

Dutch Dialogue Marketing Association Social Media Do's and Don'ts

<http://www.gregsregs.com/downloads/DDMASocialMediaFactsheet2013.pdf>

The below should be read with the original linked layout as some visuals (in English) relate to the text and can't be shown in this format.

Context

As of 1 January 2014, the Social Media Advertising Code (RSM), an initiative of DDMA, is included in the Dutch Advertising Code and thus is binding on all companies in the Netherlands that use social media to promote their product and/or service. The RSM supplements the general provisions on advertising contained in, among others, the Civil Code (Book 6: Unfair commercial practices).

Clauses

DO: ensure that advertising on social media whose distribution is encouraged by the advertiser through payment, sponsorship or a chance of winning something, is recognisable.

DO: Make the relationship between advertiser and distributor known by for example adding #adv or #spon if this relationship is unknown to readers.

DO: As an advertiser, ensure that consumers who spread the message comply with the Code and let them know that a post makes them eligible to receive a reward. For example by including the text "like&win" in a Facebook campaign.

DO: If you as advertiser make a selection of the reactions that appear on your sites, for example by showing only positive comments, clearly state this.

DO: Social media posts for which the advertiser offers no (opportunity for a) benefit, are not covered by the Code.

DON'T: Mislead. If an advertiser offers someone (the chance of) a benefit for spreading advertising via social media and this benefit affects the credibility of what is being said, this must be made known (example: "Samsung Galaxy Note 4G with KPN. A new world opened up for me").

DON'T: As advertiser, don't filter responses in your websites and forums such that a misleading picture is created about a product or service.

DON'T: Engage in astroturfing. Advertising in bulk via social media by creating non-existing identities.

DON'T: Encourage children 12 years and younger to advertise.

URL of source:
<https://ddma.nl/juridisch/archief/factsheet-reclamecode-social-media/>
<http://www.gregsregs.com/downloads/DDMASocialMediaFactsheet2013.pdf>

Implications for advertisers**What does this mean for advertisers?**

When an advertiser offers someone a benefit for spreading advertising via social media and this benefit affects the credibility of what is being said, the relationship between the advertiser and the consumer making the claim must be clear. This means that if for example, a consumer or a celebrity receives compensation (in euro or in kind) to review a new product, he or she must mention this fact. For example by saying that "I received this tablet free in order to test it". In addition, the RSM says that an advertiser may not change comments/responses in its (social) media such that a misleading picture is created.

Complaints**Complaint handling procedure**

Since the Code is included in the Dutch Advertising Code, this means that complaints may be lodged with the Advertising Code Commission concerning social media campaigns. It will then handle the complaint.

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