



# Advanced Media and Technology Law

Advertising and Promotions Law



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## FTC to Examine Testing and Evaluation of Disclosures

The Federal Trade Commission last week announced plans to examine the efficacy of disclosures that companies make in a variety of circumstances, including advertising and privacy-related disclosures. As part of its plans, the Commission announced a workshop for September 15, called “Putting Disclosures to the Test.” In its announcement, FTC said that it is “especially interested in learning about the costs and benefits of disclosure testing methods in the digital age.”

The announcement identified several areas in which the agency considers disclosures to play a key role in consumer protection –advertising, privacy-related disclosures, including formal privacy policies and the privacy-related icons (like the AdChoices icon) and industry-specific disclosures related to jewelry, environmental claims and fuel economy ads. The FTC said it will be looking at “both offline and online consumer disclosures, including those delivered through icons, product labels, short text, long text, audio or video messages, interactive tools, and other media.”

While the September workshop doesn’t yet have a set agenda, it will explore “best practices and approaches for evaluating disclosures” and encourage organizations to evaluate their disclosures before using them.

The FTC is soliciting presenters and papers from individuals with expertise in testing and evaluating disclosures. Interested parties should submit materials to the FTC by July 15, 2016.

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