

Watchdog group calls out hip-hop producer for failing to disclose connections to several brands

In the 24 hours that it takes DJ Khaled's Snapchat "snaps" to disappear, they may attract as many as two million viewers – an astounding figure. And given claims that he is especially good at attracting minors to his Snapchat posts, the content of those snaps generally receives a fair share of scrutiny.

In one DJ Khaled snap from the summer of 2017, the immensely popular hip-hop producer touched off a firestorm. The snap, which was ostensibly meant to celebrate his recently released No. 1 record, finds DJ Khaled at his dining room table, preparing a bowl of cereal – but instead of milk, he pours sparkling wine and vodka over his Cinnamon Toast Crunch.

And eats it.

Hold the 'Milk!"

In March 2018, DJ Khaled's snaps prompted a <u>letter</u> from Truth in Advertising Inc. (TINA) and other advocacy groups – Campaign for a Commercial-Free Childhood, Public Citizen, Mothers Against Drunk Driving, US Alcohol Policy Alliance, Alcohol Justice and the Center for Digital Democracy – calling the DJ out for failing to disclose his relationships with alcohol companies. According to TINA, the cereal snap wasn't an isolated shout-out to two favorite drinks; the watchdog group claims to have collected 300 such ads from DJ Khaled's social media channels.

Of these hundreds, the missive claims, "the vast majority fail to disclose his material connection to the company being promoted." The letter names Diageo, Bacardi and Sovereign Brands as DJ Khaled's undisclosed partners.

Another section of the letter notes that DJ Khaled is marketing these beverages to a young audience. "Khaled's Snapchat following skews young ... Snapchat is the social media platform of choice for teenagers with almost half of all teenagers reporting that it is their most preferred social network."

The letter also delivered a threat: If DJ Khaled did not remove the offending posts from circulation, ensure his future social media posts disclose brand relationships and promise to stop targeting minors with alcohol ads by April 6, 2018, TINA and its co-signers would "notify state, federal, and/or international government regulators that Khaled, Diageo, Bacardi, and Sovereign Brands are engaged in deceptive and illegal marketing campaigns."

And apparently it worked.

The Takeaway

According to TINA, within less than two weeks after receiving the letter, DJ Khaled stopped endorsing any alcohol brand. He also began adding the #AD hashtag on 150 social media posts and outright deleted others. As we've reported recently, hashtag disclosures in some circumstances may not be sufficient to adequately convey a material connection according to FTC guidance – the Commission expects "explanation disclosures" or more or less explicit statements of disclosure where necessary to convey the nature of the connection, a topic addressed by a recent research paper we reported on.

Based on this activity, TINA refrained from reporting DJ Khaled's advertising to the FTC. However, the advocacy group warned that it would "continue to monitor DJ Khaled's social media accounts."

Over the past year, we've given a lot of coverage to endorser- and influencer-related news, which has been on an uptick since a <u>report</u> written by national advocacy group Public Citizen outed more than 100 influencers for failing to disclose their advertising relationships. We've covered <u>famous gamers</u>, "virtual" <u>digital</u> <u>influencers</u>, the influencer <u>agita</u> caused by changes to social media platforms, and some of the ad industry's <u>efforts</u> to manage influencer collaborations.

Time to call it a trend?

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.