The Children’s Advertising Review Unit (CARU) recently revised its children’s advertising guidelines to address the increased prevalence of online media directed to children. Of note, the guidelines now apply to content directed to children under 13 - in line with COPPA - rather than the previous applicability to children under 12.

The updated guidelines will go into effect January 1, 2022, and among other changes, the revisions:

- Address in-app and in-game advertising and purchases: under the revised guidelines, there are specific requirements for game and app developers to avoid unfair, deceptive, or other manipulative in-app and in-game advertising. If the game or app allows children to make purchases, the advertiser must be clear that it involves real money.

- Incorporate FTC guides on endorsement and influencer marketing: To address
CARU’s concern that children are easily influenced, advertisers that pay -or give free product- to influencers must disclose that the influencer has been paid to promote the brand/play with the advertiser’s products.

- Require transparency and avoidance of blurring: The new guidelines continue the requirements around blurring, making it clear what content is advertising and what content is not advertising, but emphasize that transparency in explaining the difference is critical.

- Promote a more diverse and inclusive space for all children: in an effort to promote diversity, the new changes prohibit ads from encouraging negative social stereotyping, prejudice or discrimination.

Putting It Into Practice: While companies that advertise to children have time before the new guidelines go into effect, they would be well served to review the modified requirements, especially if they create online media.

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