

ANA ETHICS COMPLIANCE REPORT



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REPORTING PERIOD:
JANUARY – JUNE 2020



QUESTIONS? CONTACT:
ETHICS@ANA.NET

ANA Accountability

Best Practices & Compliance Resources Background

Accountability advances industry growth vital to our future. ANA is a leader in self-regulation through a series of programs designed to advance responsible marketing and advertising. Ethical marketing is good business.

Go beyond what is legal – do what is right. ANA is pleased to offer you a robust data accountability tool kit to ensure your marketing plans follow purposeful accountability standards and best practices while also boosting your brand reputation by providing enhanced transparency and trust in the marketing process.

- **Industry Standard Guidelines and Principles** set a high bar for responsible marketing yet are flexible enough to address ongoing challenges in technology, markets, consumer interest and new business practices;
- **Committees** to participate, knowledge-share and learn;
- **Compliance Resources** for all modes of marketing: direct mail, online advertising, email, text, voice; and
- **Consumer-Facing Choice Tools** to honor consumers' marketing preferences.



Self-Regulation:
Guidance and
Programs

Privacy Shield

Fundamentals of
Direct Marketing
Accountability

Fundamentals of
Digital Marketing
Accountability

Accountability
Reporting

Consumer Help

ANA Accountability: Key Compliance Findings

Nearly 7,000 consumer inquiries during reporting period:

- 2,651 of general marketing ethical inquiries, and
- 4,278 of online/Interest-based advertising.

Top consumer concerns: honoring consumers' marketing preferences in direct mail and online advertising.

- Consumers continue to seek more control in the amount and types of promotional mail and online display ads they receive.

Majority of consumers contact ANA by:

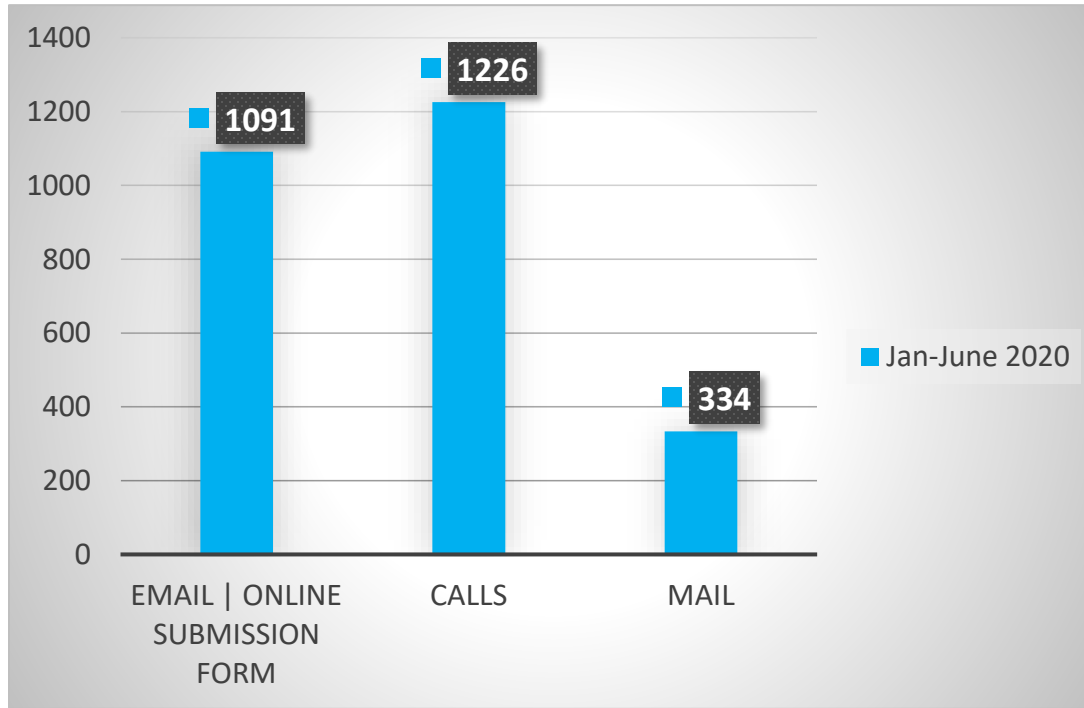
- Emailing and submitting online complaint forms for issues regarding online ads, and
- Calling for issues regarding direct marketing and ethics questions.

Key take-aways for businesses, provide consumers with:

- Clear, honest terms and conditions for your advertising practices, and
- Choice in what types of marketing messages they receive and honor those choices.
- **Key tip:** Privacy protection is vital. Make sure your privacy policy contains a clear point of contact for consumers to express their marketing preferences.



How Are Consumers Contacting ANA?



- **January-June 2020 Reporting Period**
 - 2,651 general marketing ethics consumer inquiries
 - 40% reach ANA via email; 50% telephone and 10% mail.
 - Elderly, special needs, disadvantaged prefer more in-depth instruction.

This reporting reflects consumer inquiries about general marketing ethics issues, does not include online ad or IBA inquiries – an additional 4,278 IBA consumer inquiries were received via email.



CONSUMER INQUIRIES

- DIRECT MARKETING & ETHICS

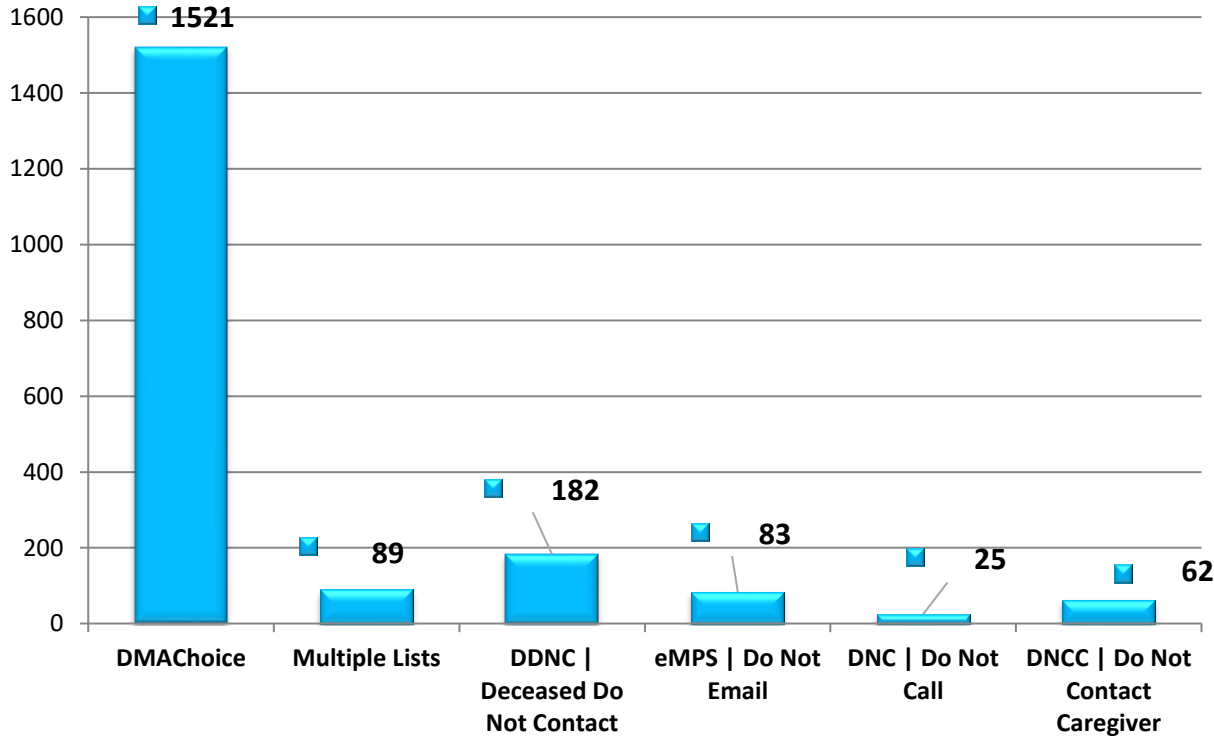
Reporting Period Covered:

January – June 2020



Preference Services: Consumer Inquiries

January – June 2020 Reporting

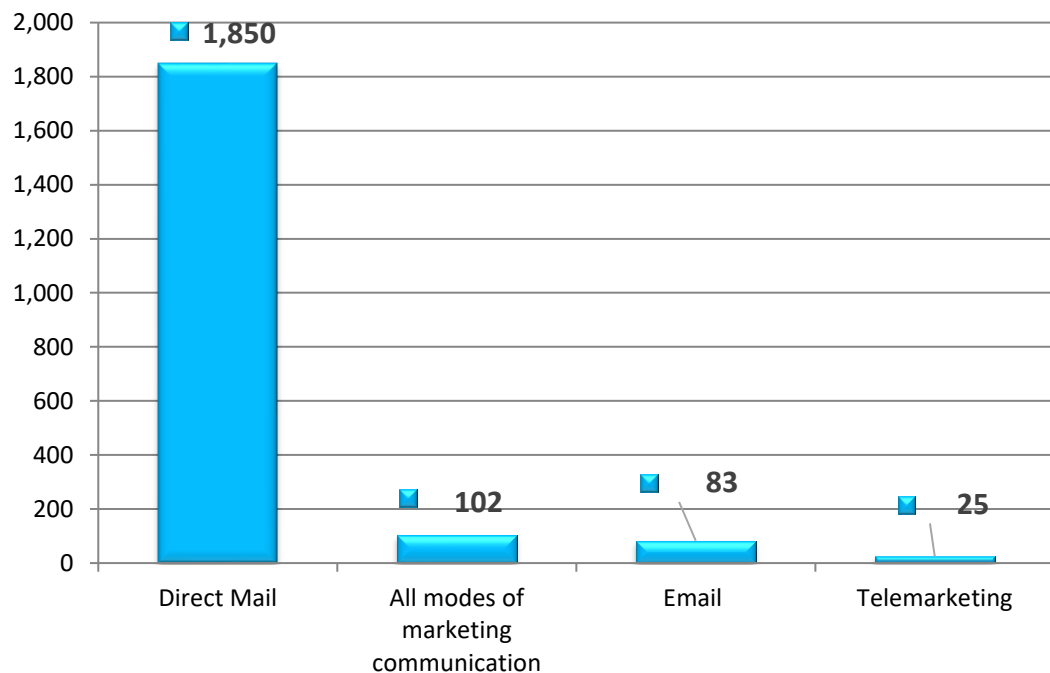


- Consumers are most interested in tools to better manage the **promotional mail** offers they receive.
- ANA offers preference services to assist consumers for mail, email and calls.
 - DMAChoice is the most requested tool – to help consumers have more control over the promotional prospect mail offers they receive.
 - Additional tools offered: caretakers and deceased family members.



By Marketing Channel: Consumer Inquiries

January – June 2020 Reporting Period



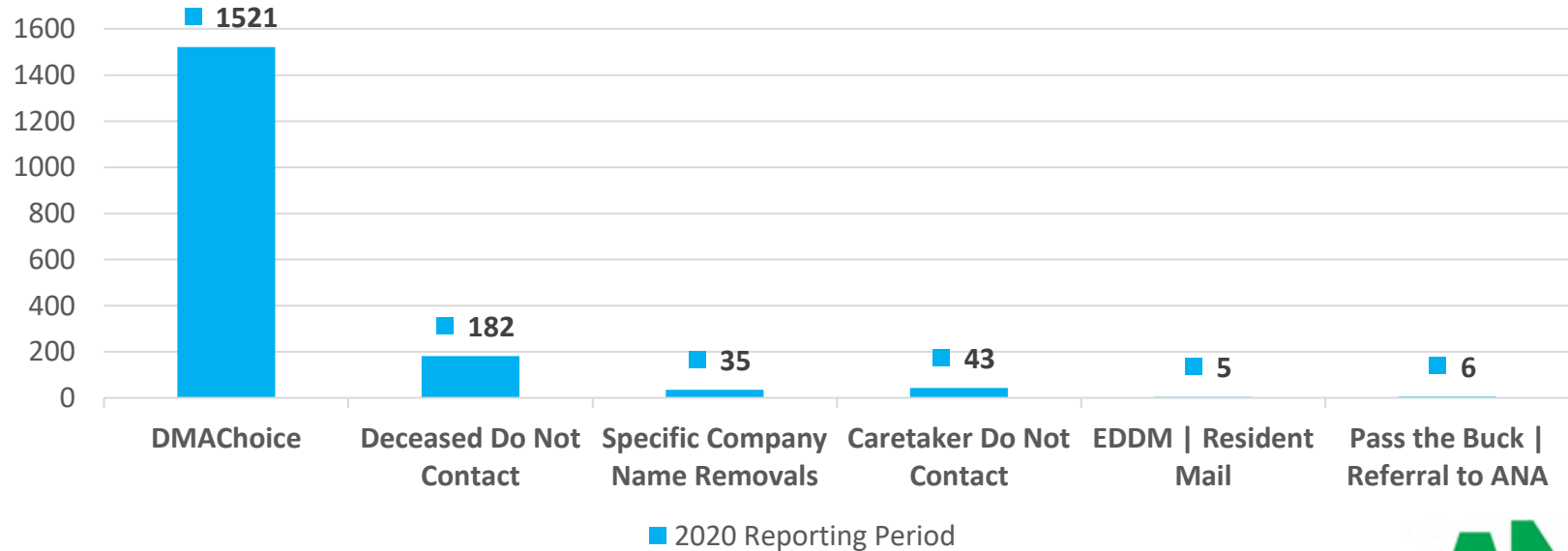
**Online ad inquiries reporting is handled through a separate IBA complaint process and captured in a separate chart.*

- The majority of consumer inquiries ANA receives involve the direct mail channel:
 - Name/address removal from general mailing lists
 - Company-specific mailings
 - Pre-screened offers
 - Misdirected mail
 - Deceptive offers
 - Sweepstake mailings
 - Resident mail



Direct Mail Inquiries

January – June 2020 Reporting Period





Digital Advertising: Behavioral Data and Other Digital Consumer Concerns

Reporting Period Covered:

January – June 2020



Fundamentals of Digital Marketing Accountability

[The Digital Advertising Alliance](#) has created an industry-supported program and tools to guide companies on the appropriate notice and choice they should be providing to consumers to help them better manage their online interest-based ad experience. ANA serves as a founding member and as one of the DAA compliance partners. As the compliance arm to the DAA opt-out tool, we address consumer inquiries in this space. The following pages outline the types of issues consumers are concerned about – still trending are consumers concerns about online ads displayed on their smartphones – due to limited display area.

Interest-Based Online Advertising

- [Guidelines for Ethical Business Practice: Digital Marketing](#)
- [Digital Advertising Alliance’s \(DAA\) Self-Regulatory Program for Interest-Based Advertising](#)
- [IBA Data Compliance Checklist](#)
- [Tips to Create a Privacy Policy](#)

Email and Mobile Marketing Compliance

- [Guidelines for Ethical Business Practice: Mobile Marketing](#)
- [A Digital Marketer’s Guide to Canada’s Anti-Spam Law “CASL”](#)
- [CAN-SPAM Act](#)
- [Email Preference Service \(eMPS\) Subscriber Information](#)
- [EEC Global Email Marketing Compliance Guide](#)
- [ANA Email Experience Council](#)
- [Wireless Ported Numbers File](#)
- [Wireless Block Identifier](#)

Self-Regulation:
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Fundamentals of
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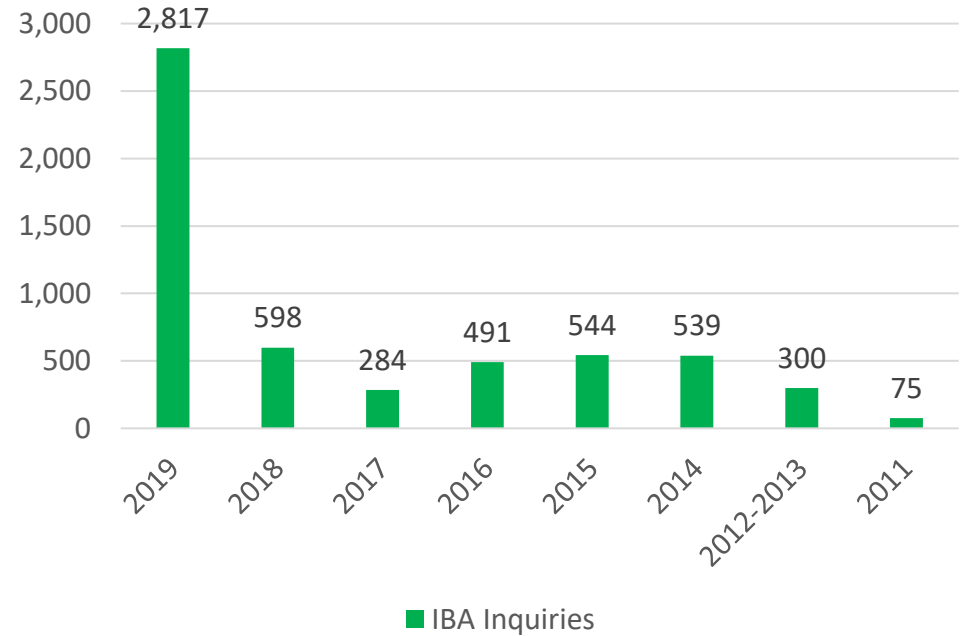
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Historical Data 2011-2019

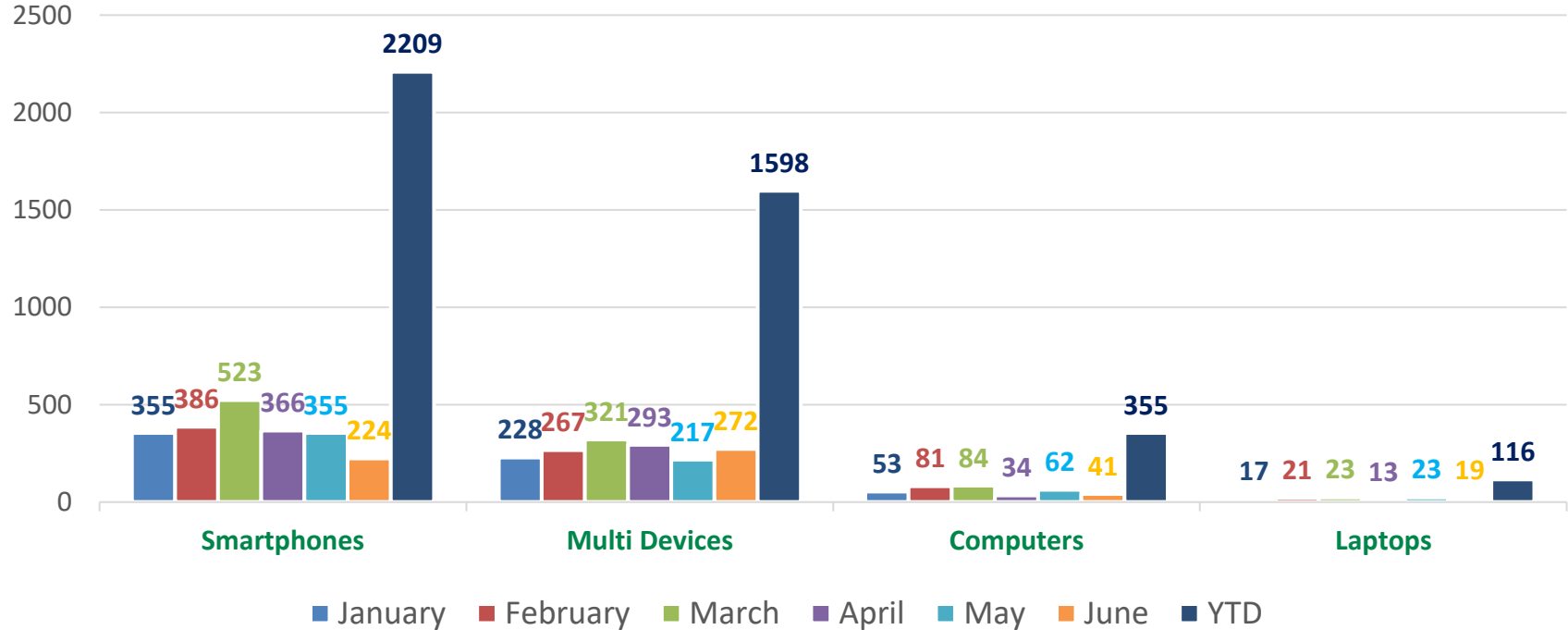


Consumer Online Ad Inquiries Received by ANA Accountability



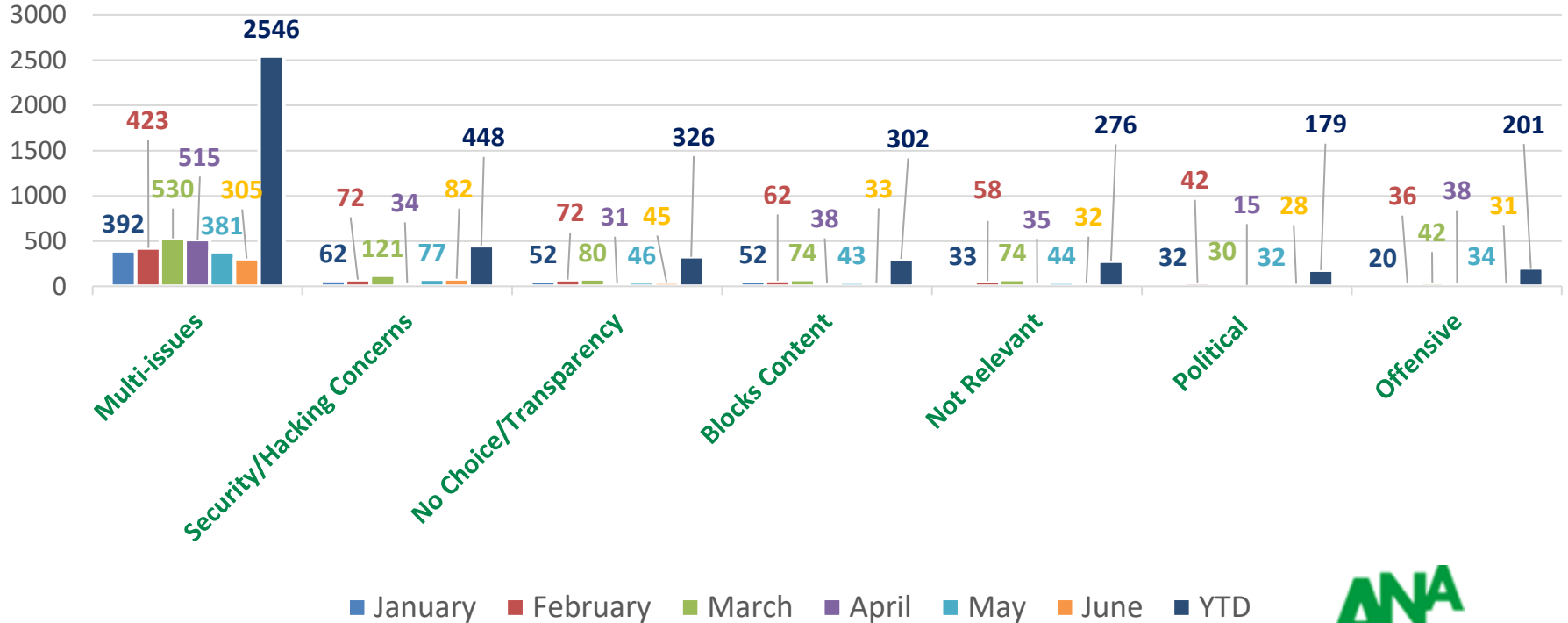
IBA Inquiry by Device

January-June 2020 Reporting



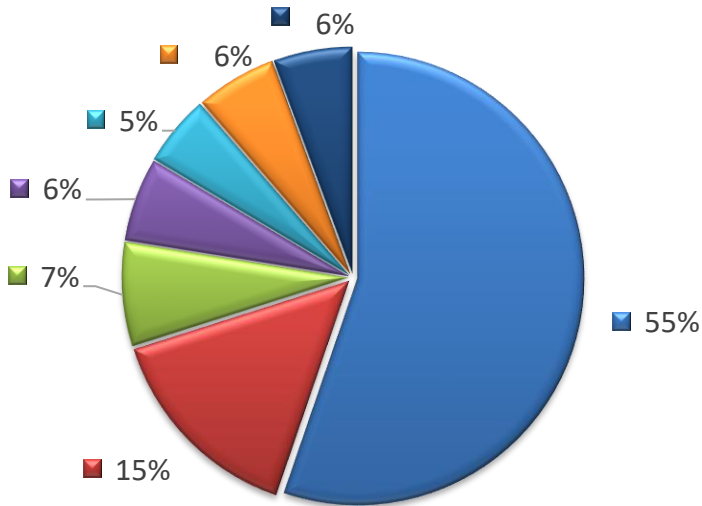
Categories of IBA Concerns

January-June 2020 Reporting



Categories of IBA Concerns

IBA Inquiries January-June 2020



- *Multi-Issues
- Security/Hacking
- No Choice/Transparency
- Blocks Content
- Political
- Not Relevant
- Offended by Content

Received **4278** consumer online ad inquiries from January – June 2020.

About half of the inquiries (2209) are regarding digital ads displayed on smartphones [limited display area].

Next bulk of inquiries from consumers using multiple devices – general inquiry about how to better manage their online ad experience across all devices.

*Multi-Issues – refers to consumers who have concerns regarding two or more of the listed categories.



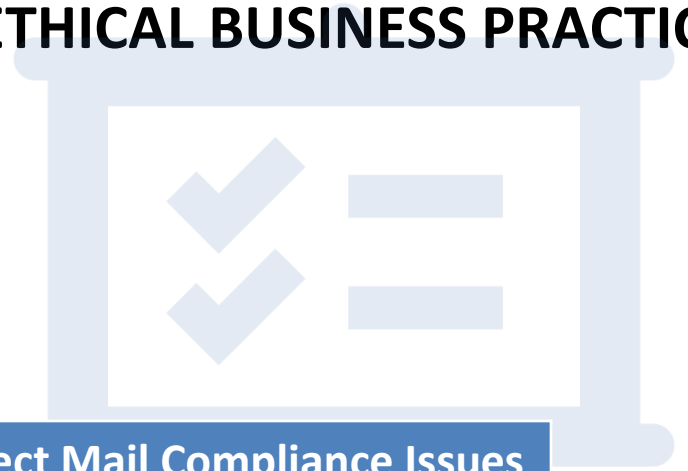
Evergreen Consumer Issues

- Problems with, or in need of education on how to opt out
- IBAs temporarily unavailable or system-wide failure
- No pop-up ads or any ads, especially on cell phones
- Ads blocking content
- Hacking/ID theft issues
- Ads interfering with online games/content/news/movies
- Offended by content of ads: sexual in nature or orientation; wrong gender; health
- Not relevant
- Uptick in inquiries/complaints about political ads – probably heating up since we’re in an election year. It seems to be regarding – content or placement of ads – not in reference to the new transparency/disclosure requirements.



CASE WORK:

CITED FOR NON-COMPLIANCE WITH ETHICAL BUSINESS PRACTICES FAILURE TO CORRECT PRACTICES



Online Ad Compliance Issues	Direct Mail Compliance Issues
OilandEnergyInvestor.com	Vacation Consulting Services
Slim Tea	Team One Chrysler
Banyan Hills Publishing	CDJR
Netgear	JFQ Lending

Online Ad Issues

- [OilandEnergyInvestor.com](#) (online ad served on Money Map Press company site) | Maryland
 - **Issue:** Potentially deceptive online ad seeking investors for a new universal fuel Oro Blanco,” or “OBL.
 - **Violation:** Honesty and Clarity of Offer; Accuracy and Consistency; Actual Conditions; and Testimonials and Endorsements. [September 2018]
- **Delighted Slim Tea** | California
 - **Issue:** Potentially deceptive online celebrity advertising.
 - **Violation:** Honesty and Clarity of Offer; Accuracy and Consistency; Actual Conditions; and Testimonials and Endorsements; Decency; Photographs and Artwork; Accessibility. [September 2018]
- [Banyan Hill Publishing](#) | Delray Beach, FL
 - **Issue:** Referring consumers to “DMA/ANA” for removal of Banyan Hills Publishing online ads; privacy policy is not IBA compliant – not providing enhanced notice and choice regarding IBA and potential issues with CAN-SPAM compliance.
 - **Violation:** #1 Data Definition (IBA, Transparency & Choice), #3 Transparency (Point of contact for consumers), #4 Choice (providing means and honoring consumer choice in timely manner), #14 Compliance with laws (potential violation of CAN-SPAM) [December 2019]
- [Netgear](#) | San Jose, CA
 - **Issue:** Inadequate enhanced notice and choice for compliance with Interest-Based Advertising.
 - **Violation:** Part I. Data: #1 Data Definition (IBA, Transparency & Choice), #4 Choice (providing means and honoring consumer choice in timely manner) Part II. Marketing: #14 Compliance with Regulations (DAA Principles), 17 Consumer Control – Third Party Choice for Behavioral Advertising [July 2019]

Direct Mail Compliance Issues

- [Vacation Consulting Services](#) | Springfield, MO
Issue: Disclaimers/conditions not clear on mailing and issues with delivery of prizes offered
Violation: Honesty and Clarity of Offer; Accuracy and Consistency; Clarity of Representations; Disclosure of Sponsor and Intent. [September 2018]
- [Team One Chrysler Dodge Jeep Ram of Gadsden](#) | Alabama
Issue: Name removal process doesn't follow industry standards.
Violation: Accessibility; Honoring Consumer Choice [September 2018]
- [CDJR](#) | New Orleans, LA
Issue: Disclaimers/conditions not clear on dealership mailing and issues with delivery of prizes offered; offer was allegedly sent after expiration of prize promotion
Violation: Chances of Winning; Prizes; Disclosure of Rules [September 2018]
- [JFQ Lending](#) | Scottsdale, NY
Issue: Promotional offer's copy is potentially deceptive; giving false sense of urgency; appearance of coming from the government – no response from organization.
Violation: #1 Honesty & Clarity, #3, Clarity of Representations, #8 Disclosure of Sponsor & Intent, #10 Solicitation in Guise of Invoice/Government Notification [December 2019]

ANA Accountability Resources

GUIDELINES

- [Guidelines for Ethical Best Practice](#)
- [Public Report of Non-Compliance](#)

INDUSTRY COMPLIANCE RESOURCES

- [Self-Regulation: Guidance and Programs](#)
- [ANA Privacy Shield Dispute Resolution Services](#)

CONSUMER COMPLIANCE RESOURCES

- [Consumer Help](#)
- [Choice – consumer mail management service](#)
- [Digital Advertising Alliance \(DAA\) online interest-based ad choice tool](#)
- [Privacy Shield Dispute Resolution Services for Consumers](#)

TO FILE A COMPLAINT: direct mail, email, calls, or online ads

CONTACT US:

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