



ETHICS COMPLIANCE REPORT

Reporting Period: January–June 2021
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.



ANA Accountability

Key Compliance Findings

5,785 consumer inquiries processed by ANA Accountability staff from January – June 2021:

- 4,731 general marketing ethical inquiries, and
- 1,054 online/Interest-based ad inquiries

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:

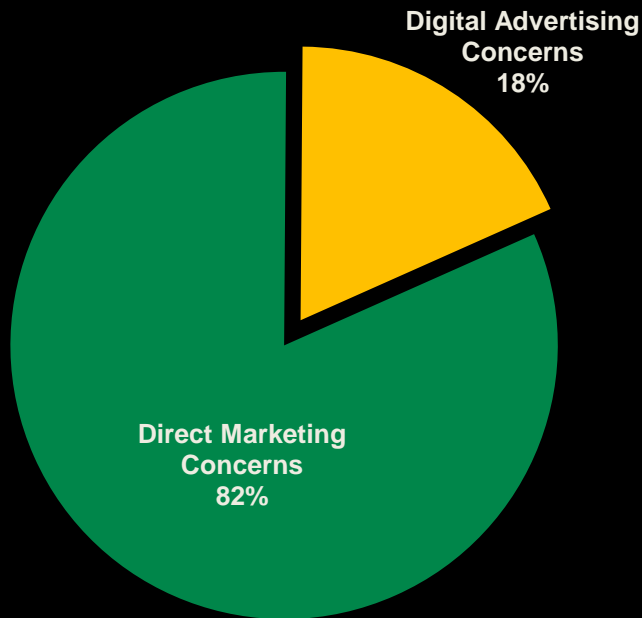
- Emailing and submitting online complaint forms for issues regarding online ads, and
- Calling for issues regarding direct marketing and ethics questions.

Key take-aways for businesses:

- Provide clear, honest terms and conditions for your advertising practices, and
- Provide choice in what types of marketing messages consumers 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. Review your privacy policy periodically to update your terms and keep up-to-date with state, federal and global regulations and laws which may have specific notice requirements.

ANA Accountability

Total Inquiries Processed



- **Processed nearly 6,000 inquiries for first half of 2021.**
 - 4,731 direct marketing inquiries
 - 1,054 digital advertising inquiries
- **Received about 12% less inquiries than last half of 2020.**

Consumer Inquiries

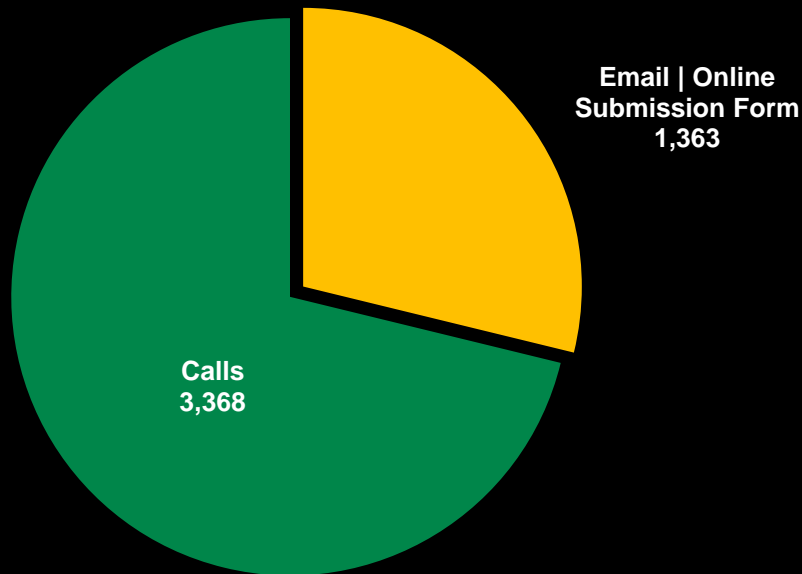
Direct Marketing & Ethics



Reporting Period Covered: January–June 2021

Consumer Inquiries

How are consumers contacting the ANA?



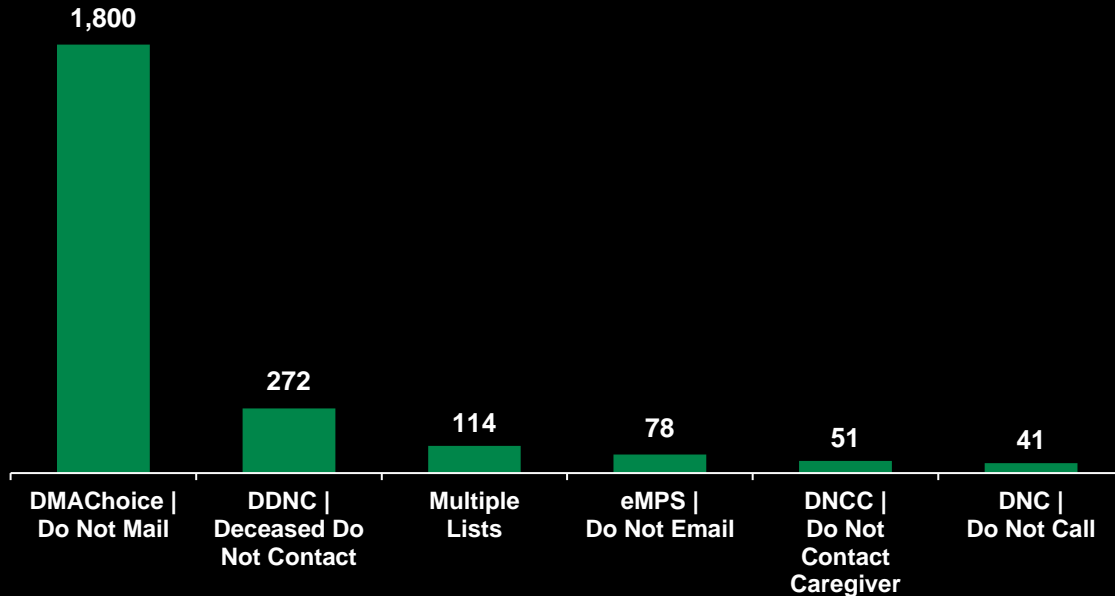
- **January-June 2021 Reporting Period**
 - 4,731 general marketing ethics consumer inquiries received.
 - 29% reach ANA via email; 71% via telephone.
 - Elderly, special needs, disadvantaged prefer more in-depth instruction.
 - 1,054 online ad consumer inquiries received. (*Reporting is reflected in slides 9-13. These inquiries are received via online forms and email.*)

The reporting in this chart reflects consumer inquiries about general marketing ethics issues, does not include online ad or Interest-Based Advertising (IBA) inquiries – an additional 1,054 IBA consumer inquiries were received via email/online forms.

Consumer Inquiries

Preference Services

January–June 2021 Reporting

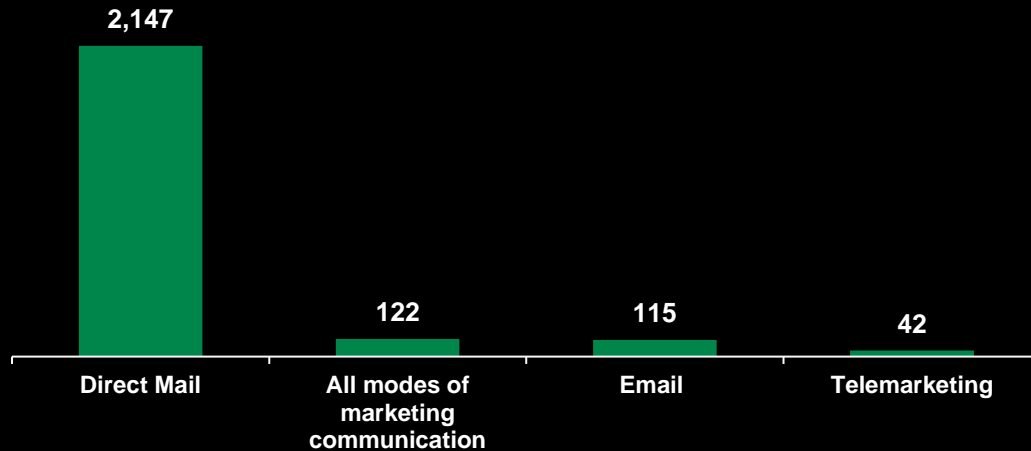


- Consumers are most interested in tools to better manage the **promotional mail** offers they receive.
- ANA offers preference services to assist consumers in managing mail, email and calls.
 - DMAChoice is the most requested tool – to help consumers have more control over the promotional prospect mail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

Consumer Inquiries

By Marketing Channel

January–June 2021 Reporting



- 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

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

Digital Advertising

Behavioral Data and Other Digital Consumer Concerns



Reporting Period Covered: January–June 2021

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 — consumers are very concerned about online ads displayed on their smartphones due to limited display area — this trend continues.

Interest-Based Online Advertising

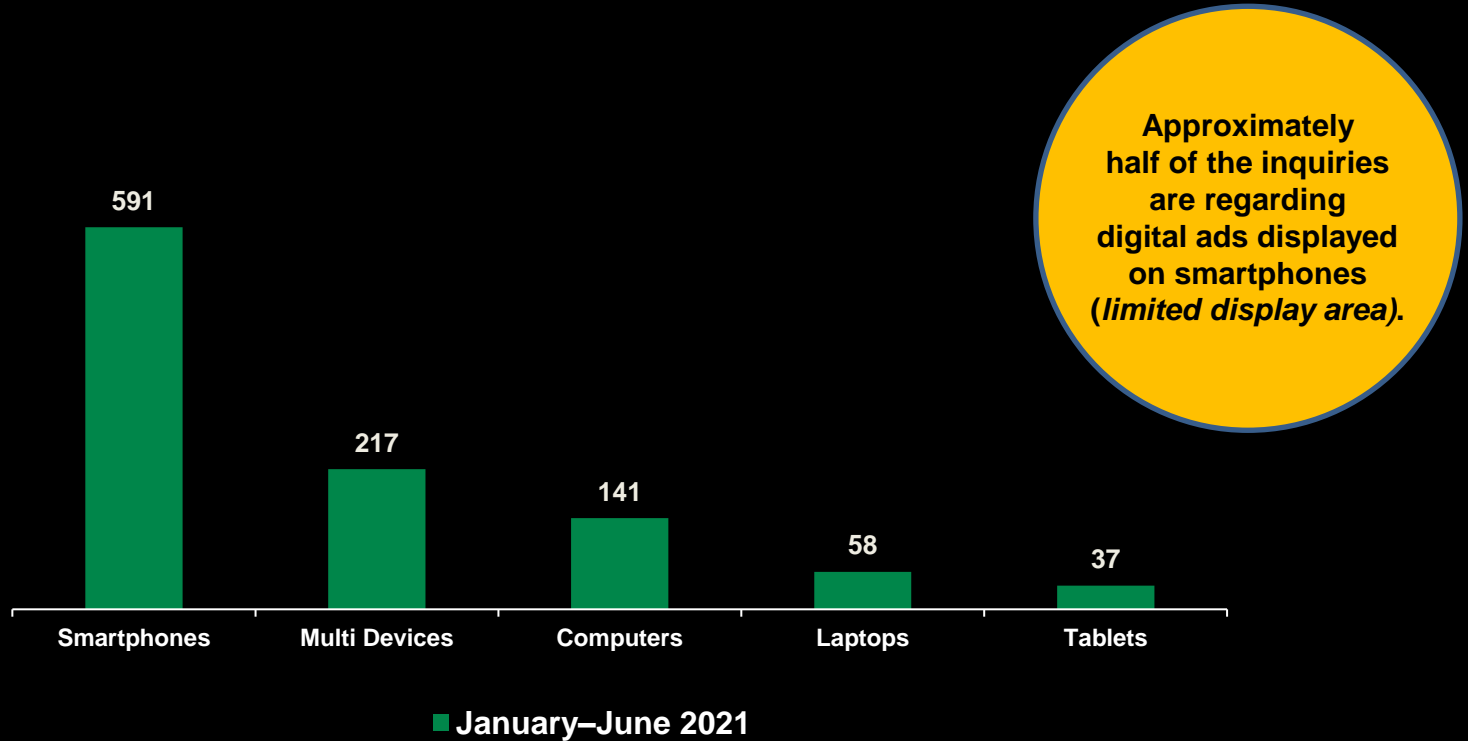
- [Guidelines for Ethical Business Practice: Digital Marketing](#)
- [Digital Advertising Alliance's \(DAA\) Self-Regulatory Program for Interest-Based Advertising](#)
- [IBA Data Compliance Checklist](#)
- [Tips to Create a Privacy Policy](#)

Email and Mobile Marketing Compliance

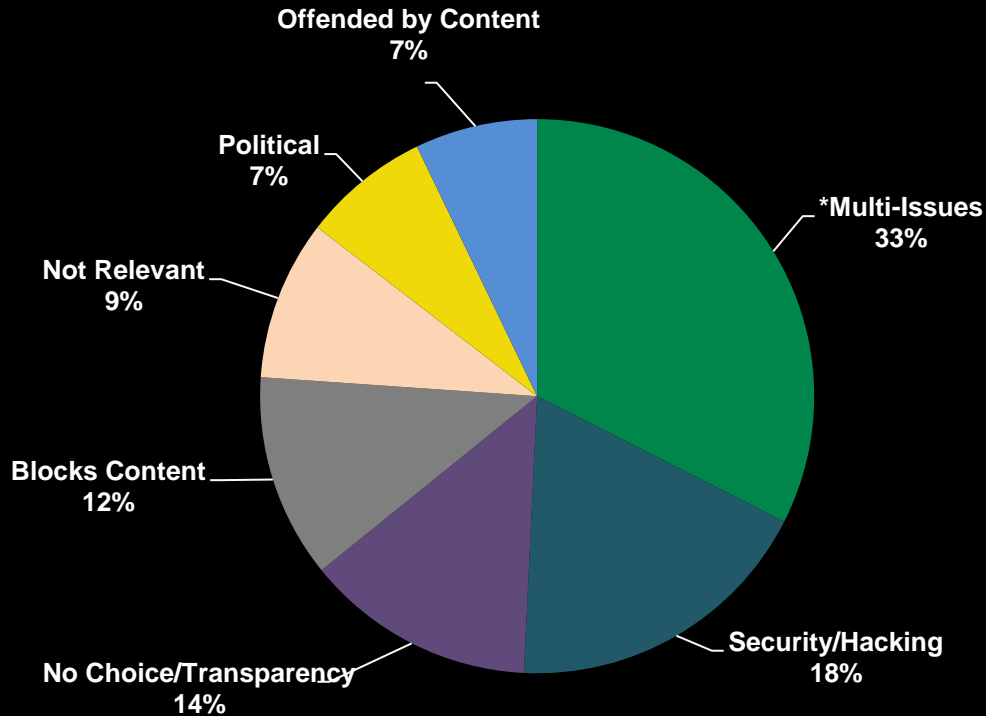
- [Guidelines for Ethical Business Practice: Mobile Marketing](#)
- [A Digital Marketer's Guide to Canada's Anti-Spam Law "CASL"](#)
- [CAN-SPAM Act](#)
- [Email Preference Service \(eMPS\) Subscriber Information](#)
- [EEC Global Email Marketing Compliance Guide](#)
- [ANA Email Experience Council](#)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



IBA Inquiry by Device



Categories of Online Ad Concerns



Received **1,054** consumer online ad inquiries during reporting period.

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

Next area of concern for consumers involved issues related to hacking, security or identity theft.

Evergreen Consumer Issues



- Problems with, or in need of education on how to opt out of future advertising
- 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 for the user
- Online political ads – doesn't match user's interest. Concerns were mainly regarding content or placement of ads – not in reference to the new DAA transparency/disclosure requirements for election ads.

ANA Ethics Review Committee:

Casework for Reporting Period



4 cases resolved and brought into compliance

4 pending cases involving:

- name removals;
- unclear terms and conditions;
- security concerns; and
- IBA compliance issues.

2 cases added to Watch List

if additional information or concerns come to light can be moved to active casework and re-assigned.

ANA Ethics Review Committee:

Being Reviewed: Online Ad Complaints

Issue: Two complainants contacted ANA regarding problems opting-out of online lingerie ads that have the DAA icon displayed.

- It could be a general online ad that the company is displaying DAA icon as a “good housekeeping seal”.
- Staff contacted another company regarding lack of enhanced notice for third-party IBA collection occurring on its site.

Tip:

- ANA Ethics Review Committee recommends displaying DAA icon for only Interest-based ads and linking it to notice and choice for consumers – *could be a potentially deceptive trade practice if it does not link to notice and choice.*

Tip:

- [IBA Data Compliance Checklist](#)

ANA Ethics Review Committee:

Being Reviewed: Direct Marketing Complaints

Issue: Subject line of email did not match the offer included in the email.

- Subject line: implied offer was free
- Enclosed copy: indicated 15% off and free if you didn't like the service

Tip:

- Be sure your offer is clear, accurate and complete.

Issue: Received unwanted “free gift” with unordered invoice for one-year subscription after canceling father’s subscription.

- “Free gift” included an additional \$10 for shipping and handling charges.
- Consumer didn't know why she received gift and never ordered subscription.

Tips:

- Make sure copy and offer is clear, accurate and complete.
- If a product or service is offered as “free,” all qualifications and conditions should be clearly and conspicuously disclosed, in close conjunction with the use of the term “free” or other similar phrase.

ANA Ethics Review Committee:

Being Reviewed: Direct Marketing Complaint

Issue: Mailing label included erroneous and offensive language.

- Potential security breach

Tips:

- Be sure your contract with your mailing house includes provisions regarding security measures/protocols.
- The protection of Personally Identifiable Data is the responsibility of all entities.
- **Sensitive Data.** Entities collecting sensitive data must ensure appropriate data security measures are taken to protect such data. The entity's privacy policy should include the information practices regarding collection, use, and transfer of consumer data; and
- **Employee Use of Data.** Employees who have access to Personally Identifiable Data should agree in advance to use such data only in an authorized manner.

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](#)
- [ANA Privacy Shield Dispute Resolution Services for Consumers](#)

[TO FILE A COMPLAINT:](#) direct mail, email, calls, or online ads

CONTACT US:

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