

As influencer marketing continues to evolve, creators and brands alike seek clarity on the best practices for disclosing paid partnerships. With growing regulatory scrutiny—especially from the **Federal Trade Commission (FTC)**—understanding the difference between using an affiliate code and the #ad disclosure is critical for compliance and trust-building.

This article will explore the nuances behind **explicit disclosure language**, **paid relationship clarity**, and the **FTC expectations** around influencer marketing, with special attention to brands in regulated categories such as health and hemp/CBD products. We'll also touch on how leading companies like *Tomoson* and *Joy Organics* are navigating these waters, and how tools like *Meta* and *Google* support monitoring compliance.

Understanding the Basics: Affiliate Code and #Ad

At face value, creators might wonder: is using an affiliate code alone enough to meet legal disclosure requirements? Or should they always add #ad to posts? Let's define these terms:

- **Affiliate Code:** A unique code or link given to a creator to track sales or leads they generate. Creators share these codes with their audience, often incentivizing purchase with discounts or bonuses.
- **#Ad Disclosure:** A hashtag or phrase (e.g., #ad, #sponsored) clearly communicating to the audience that the post is part of a paid partnership or endorsement.

While an affiliate code shows an existing commercial relationship, it does not, on its own, clearly disclose that a post is sponsored. This distinction is vital according to FTC regulations.

The Role of the FTC in Influencer Disclosures

The **Federal Trade Commission (FTC)** ensures advertisers maintain transparency with consumers. In influencer marketing, this means creators must provide **explicit disclosure language** making the nature of the relationship obvious to viewers. The FTC's guidelines emphasize clarity and proximity of disclosures to the endorsement statements.

FTC Expectations on Paid Relationship Clarity

According to FTC guidance, disclosures must be:

- **Clear and Unambiguous:** Avoid ambiguous terms like "affiliate code" that consumers may not recognize as meaning the content is paid.
- **Placed Proximately:** The disclosure should appear close to the endorsement so it's hard to miss.
- **Understandable:** Use language that the average consumer immediately understands, such as #ad, #sponsored, or "paid partnership."

For example, Joy Organics—a hemp and CBD wellness brand—has invested in regular FTC compliance training for their affiliates and creators to ensure that any health claims or partnership disclosures conform to FTC expectations and avoid regulatory pitfalls.

Why Affiliate Code Alone Isn't Enough

Many creators rely solely on affiliate codes to imply partnership, but this approach is risky. An affiliate code merely tracks sales, but it doesn't communicate to the audience that the creator is being compensated.

The FTC explicitly states that affiliate links or codes do not substitute for clear disclosure. Joy Organics, which operates in the health-adjacent hemp space, often stresses to their creators that proper paid disclosure is mandatory regardless of whether an affiliate code is present.

Common Misconceptions and Prohibited Language

Some creators mistakenly believe terms like “partner,” “collab,” “code,” or “discount” satisfy FTC disclosure rules. The FTC and platforms like Meta and Google have begun cracking down on vague or euphemistic language.

Here are examples of *prohibited or discouraged terms* per FTC guidelines and platform regulations:

Disallowed Language	Reason
“Partner,” “Collab” (without #ad or #sponsored)	Not explicit enough to signify paid relationship
“Discount code” without disclosure	Does not communicate creator paid relationship
“Affiliate link” only	Unclear to average consumer

Therefore, explicit terms like **#ad** or **#sponsored** are recommended to meet FTC standards.



Health Products and Claim Limits

Brands in regulated categories like health supplements, CBD, or hemp products face additional pressure. The FTC, along with other regulatory agencies such as the FDA, imposes limits on the types of claims creators can make.

For example, it is prohibited to make unsubstantiated health claims about Joy Organics' hemp products, such as statements that they cure or prevent diseases. Creators must be trained to avoid making such claims, which elevates the importance of brand responsibility in monitoring influencer content.



Brand Responsibility in Managing Creator Content

Companies like Tomoson, an affiliate marketing platform trusted by regulated brands, emphasize that brand teams must actively manage creator programs by:

1. Providing pre-approved language lists—both for allowed and prohibited terms.
2. Supplying FTC compliance training to creators before campaigns launch.
3. Monitoring live content through tools provided by platforms like Meta and Google to catch violations early.
4. Reviewing and approving posts before they go live, where possible.

Doing so helps brands mitigate risks and maintain good standing with regulators.

How Meta and Google Support Influencer Disclosure Monitoring

Meta (Facebook & Instagram) and Google have incorporated policies and technological tools to enforce transparency. Both platforms require [FTC endorsement guides](#) creators and advertisers to use branded content tags and disclosures and have automated systems to detect undisclosed paid content.

- **Meta:** Requires partnered creators to use the Branded Content Tool, which signals paid partnership and appears on posts.
- **Google:** Prioritizes transparency in YouTube sponsorship disclosures and may demonetize or restrict videos failing to disclose paid content properly.

Brands operating affiliate and creator programs must ensure their partners maintain disclosure compliance on these platforms to avoid account penalties and reduce the risk of FTC complaints.

Best Practices: What Creators Should Use

Given the regulatory landscape and platform requirements, here are best practices creators should adopt:

1. **Always use explicit disclosure language** like #ad or #sponsored in or near the post caption.
2. **Do not rely solely on affiliate codes** as disclosure—they track sales but don't communicate paid relationships.

3. **Avoid vague language** that can confuse the audience or fail FTC clarity expectations.
4. **Follow brand-provided approved language guidelines** especially when promoting regulated products.
5. **Complete FTC and brand compliance training**, such as those offered by platforms and companies like Tomoson.
6. **Be mindful of restricted health claims** when working with health, hemp, or CBD brands.

Conclusion: Clarity is King

While affiliate codes are valuable for tracking commissionable sales, they do not replace the need to make a **clear and explicit disclosure** of a paid relationship via #ad or #sponsored hashtags. This clarity aligns with **FTC expectations** and avoids potential regulatory risk.

Brands like Joy Organics and platforms like Tomoson are leading the charge in helping creators and marketers understand the nuanced requirements of regulated category influencer marketing. With proper training, clear disclosure language, and proactive content monitoring through Meta and Google, both creators and brands can build transparent, trustworthy partnerships that withstand regulatory scrutiny.

Ultimately, transparency not only protects brands and creators from legal pitfalls but also strengthens audience trust—an invaluable asset in influencer marketing today.