

Instatips

for consumers

U·K·K

Office of Competition and Consumer Protection

 uokikgovpl



Influencer as a good friend

Influencers, such as your favourite instagramers or streamers, can have great power to influence your opinions and decisions. By showing their daily routine and creating popular online materials, such as tutorials or reviews of various gadgets, they gain a lot of authority and interest, and their statements are perceived as reliable and unbiased. As a result, you may also trust their choices of products or services more, like they are your good friends... **But should you always trust them?**

Remember that **not every influencer recommends a product because they have tested it and are happy with it** – sometimes it can be a paid promotion commissioned by a brand, which the influencer should label accordingly. **An advertisement that creates the impression of a review or selfless recommendation is surreptitious advertising.** It is a prohibited practice! **Are you unsure whether you are dealing with an advertisement or an objective review?**

Look for clear signage in influencer publications, e.g. #advertisingcollaboration, (advertisement), [advertisement] „Advertising material on behalf of...”, #sponsoredmaterial, (sponsored post). Advertising material should be clearly marked, if it is not – **report it to us at scam@uokik.gov.pl**



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Be careful

Some influencers promote products based solely on their knowledge, which may or may not be professional. **Be cautious when purchasing goods or services whose selection should be consulted with a specialist, such as dietary supplements or investment products.** What is good for your idol is not always good for you. Remember that product recommendations are often

made on behalf of brands. **Companies do not always agree to discuss the weaknesses of their products, and influencers themselves do not always test them reliably.**



Think critically

More and more of us are shopping online, and even more are looking there for information about products and prices. Just because a product is recommended by several well-known people does not necessarily mean that it is of the best quality. **It could be an organised advertising campaign by a seller who has paid for this kind of customer outreach.** Phrases like „the fastest“, „the best“, „cutting-edge“ should be justified with reliable data. If you have any doubts – **ask the influencer for details**, e.g. in a comment under their publication.



Say „check” before you buy

Don't forget to check the opinions on the brand recommended by the influencer, the quality and specifications of the products it offers, as well as its approach to the consumer and compliance with the consumer's rights after purchase. **Visit the brand's social media profiles and comments posted there, its website, browse discussion forums, ask friends if they have dealt with the brand.**

If something raises your doubts, e.g. the shop's website lacks the seller's contact and registration data, and its social media profiles are full of negative comments – cancel the purchase.



Beware of links published by influencers

Imagine this situation: you click on a link published by your favourite influencer to buy a product they recommend. Unfortunately, the item never arrives because the shop turned out to be fake or the seller unreliable, and you can't remember the name of the website.

Could this have been avoided? Yes, and there is a way to do it. **Copy the links published by influencers into your browser so**

that you can always find the right website with the entrepreneur's contact details (your browser will save the address). You can also paste it into your notepad if you often clear your browsing history. This will make it easier to find the fraudster and get your money back. If this has happened to you – **report the incident to CERT, inform the police and UOKiK.**



Beware of dropshipping

Influencers do not always indicate in which country the shop they are promoting is registered. **Check this in the terms and conditions!** If the following phrases appear in its content: „we offer an intermediary service“, „the consumer is an importer“, „the website is run by entity X and the sellers are...“ – this may mean that the seller is from e.g. Asia and works in the so-called dropshipping model.

And here you should be especially cautious. Why?

If the seller is from outside the EU, you may find it difficult to cancel the contract, make

a complaint or get your money back. **You are not protected by European regulations!**

Also the price – if it is extremely low, check if it includes tax and duty. Also pay attention to the delivery time – if it is long, e.g. 60–120 days, the question is whether you have time for it.

So you better think carefully if you really want to buy something from a shop outside the EU. **It may cost you a lot, not only financially.**



The influencer is responsible for fraudulent activity

When you order something from influencers, you do not usually buy directly from them or from their shop. It is not the influencer you will be contacting about a cancellation or a complaint. The influencer did not sell the product, but recommended it. Does this mean that the influencer is not responsible at all? Not necessarily!

Influencers are responsible for what they post on social media – regardless of the responsibility of the seller! **If you have been misled by the influencer's advertising, you can claim damages from the influencer under Art. 12 of the Act on combating unfair commercial practices.**

You can demand that the influencer **compensates you for the damage, stops the unlawful practice or rectifies its effects.** Write to the influencer directly. If the influencer does not accept your claim, the consumer ombudsman in your region can help you. A fraudulent influencer does not have to go unpunished!

Remember also to **notify UOKiK. Misleading consumers may result in a fine of up to 10 per cent of the turnover.**



Fashion or need?

Think about whether you need another cosmetic, clothes or headphones. **Be sustainable and don't buy just because your idol is on the packaging or walking around with that particular model.** Very often the prices of such products are significantly exorbitant and do not reflect their quality. Sometimes marketing tricks and the cult of a „fashionable“ image make it difficult to say „no“ to another purchase. After all, we can justify it by the fact that, for example, the brand is „eco“.

But is excessive consumption of „sustainable“ goods still sustainable? Pay for your real needs, not for promotional slogans.



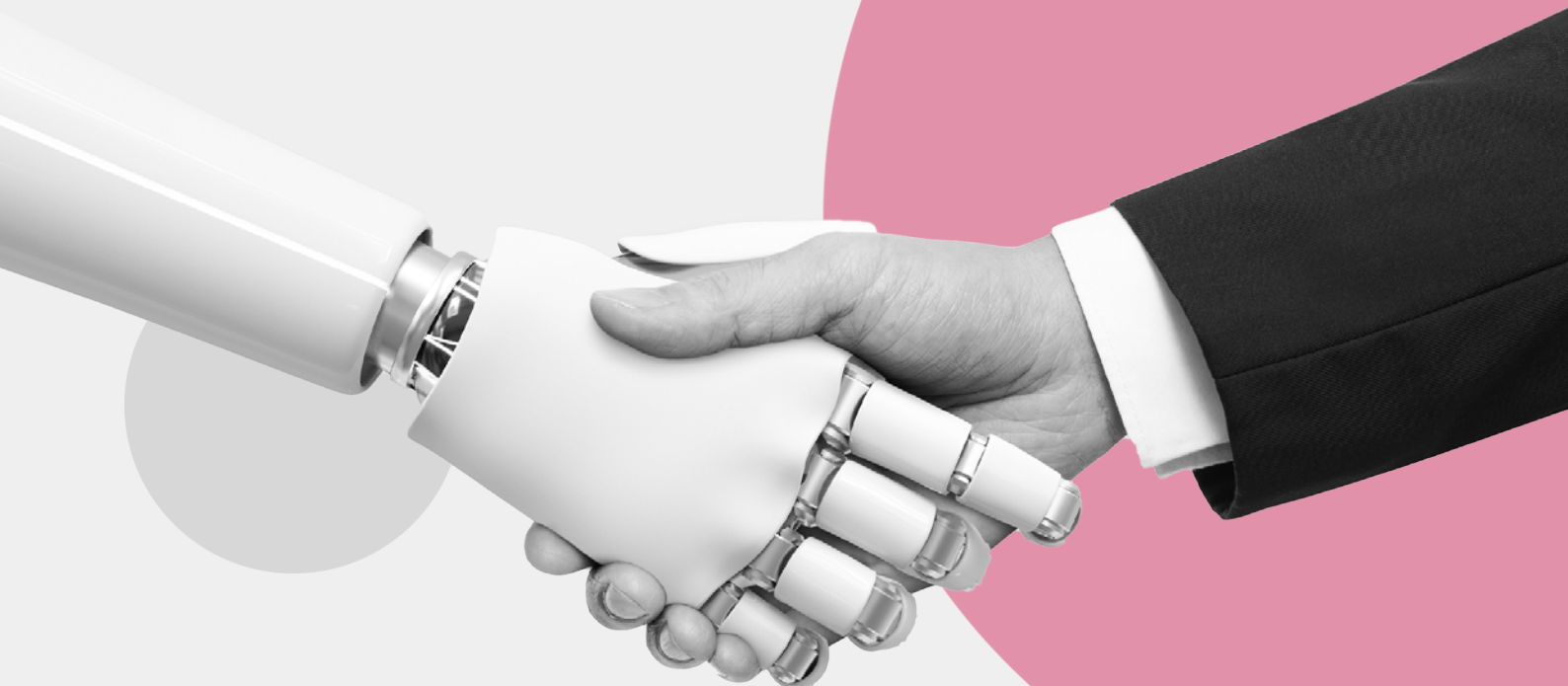
The creator can also „create” reaches

More and more technologies are used to increase popularity. For just a few hundred zlotys you can buy thousands of followers or engagement – comments, reactions. Reaches bought in this way have nothing to do with the real community and are generated by unfair practices.

When buying a product advertised by an influencer, **do not just take into account the number of likes or comments under the photo – they do not necessarily reflect the popularity or quality of the product.**

Check if there are critical comments on the influencer's profile or only positive ones. The positive comments may indicate moderation of opinions, which affects the perception of the content published by the influencer.

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Beware of promotions, asterisk symbols, baits and draws

Don't get caught up in the trap of promotions. Today only, you can buy product X cheaper with a code from a particular influencer? Take a realistic approach - check if the purchase is really profitable, compare prices, take a look at the rules. Promotions like „3 for the price of 1" are meant to get you to make a „super mega bargain" purchase, but **actually contain a lot of exclusions or creative maths.**

Beware of slogans like: draw a prize in exchange for liking my account and commenting under the photo. Don't be fooled! Drawing winners in giveaways is illegal. **Brands and influencers can run competitions, but they cannot organise prize draws.** Remember this.



SALE*

* buy two, get one free

Opportunity or pressure?

Discount code valid for 24 hours? Only 1000 items available? Hurry up, because interest is high! **These are marketing tricks designed to make you decide quickly, without checking, without thinking.** In this way they can persuade you to buy an overpriced, unnecessary or poor quality item. They can even lead you to be fooled.

