

Board of Advertisement: Manipulation of Consumer Reviews by Businesses in Order to Increase Visibility on Online Platforms Constitutes Unfair Commercial Practice.

24 May 2023

Consumer reviews can be as effective as advertisements and promotions in terms of enhancing brand recognition and affecting consumer's choice of products and services. This statement gains more significance within the scope of online commerce, which witnessed an exponential boom when Covid-19 struck and has become an inseparable part of our daily lives. Addressing matters related to an issue of such importance has since been high on the agenda of the Board of Advertisement. In the file No. 2022/5803 published in the Board of Advertisement Press Bulletin on 14.03.2023, the Board made it clear that it takes the issue of manipulative consumer reviews as seriously as surreptitious online advertisements.

Article 28/B of the Regulation on Commercial Advertising and Unfair Commercial Practices ("Regulation") prohibits the provision of false online reviews, and the purchase of goods and services from real or legal persons with the mere aim of making inaccurate reviews about them to increase sales. This article mainly aims to prevent unfair commercial practices, which create a favorable impression about a product or service through numerous positive reviews by the so-called "consumer" and set the stage for customers to engage in transactions which they would otherwise avoid.

Within the scope of the mentioned file, the Board of Advertisement examined the promotions on the websites of a company that provided social media services. They promoted a service called "social media interactions" and made the following statements under the heading "Organic Solutions in Digital and Social Media": *"Get to the top in social media with real accounts, not artificial and fake solutions."... "What should you do? After signing up to the system for free, deposit money into your account according to the interaction target. Give as many instructions as you want. Use organic interaction opportunities from real users in every field."*

The examinations revealed that the promotions, which had been published on various platforms, offered paid services such as compilation, evaluation, and processing of reviews as well as story-sharing about enterprises. The company would manipulate the data by tampering with the collection and processing stages and subsequently, block negative reviews, make them invisible to consumers and increase the visibility of businesses. It was further revealed that individuals who had not purchased any goods or services left reviews, which were then published on different platforms. The Board held that this practice violated the provisions of the legislation on Commercial Advertising, especially the articles on consumer reviews, and ruled that the company stop the advertisements and pay administrative fines.

As has been put forward by the decision, the visibility of businesses is increased misleadingly through manipulating the data by preventing the publication of negative comments/obstructing the visibility of the negative comments due to the reviews made by the so-called consumers.

As stated in the Regulation, only consumers who have purchased goods or services are entitled to leave reviews about the goods, the service, the seller, and/or the provider. However, as in the case at issue, the so-called "solution partners" can easily circumvent the rules in a systematic way and in a short time.

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