March 2023

Re: Request to Investigate and Provide Relief for Meta’s Unfair and Deceptive Trade Practices Relating to the Advertisement of Sexual Health and Wellness Products and Services Marketed to Women and People of Underrepresented Genders

Dear Chair Khan and Commissioners Bedoya, Slaughter, and Wilson:

The Center for Intimacy Justice, by its attorneys, the Harvard Law School Cyberlaw Clinic based at Harvard’s Berkman Klein Center for Internet & Society, and having reason to believe that Meta’s social media platforms Facebook and Instagram have violated Section 5 of the Federal Trade Commission Act, respectfully submits this request for investigation and injunctive relief to the Federal Trade Commission ("FTC").

The Center for Intimacy Justice is a 501(c)(3) non-profit social change organization committed to advancing equity and well-being in women and people of underrepresented genders’ intimate lives. ¹ Among its areas of focus is changing online advertising practices that inhibit progress of sexual equality by discriminating against sexual and reproductive health and wellness ("SRHW") products and services that target women and people of underrepresented genders. Fair access to advertising would propel investment and technological innovation and support fair economic opportunity for all.

In this Complaint, the Center for Intimacy Justice alleges that Meta engages in unfair and deceptive trade practices by operating advertising platforms on its applications, Facebook and Instagram, which purport to allow any advertisement for all SRHW products and services that is in compliance with Facebook and Instagram’s stated advertising policies, while in fact persistently and systemically rejecting advertisements aimed at women and

¹ The term “people of underrepresented genders” encompasses those whose gender identities, including gender expression, exists beyond the man or woman binary and traditional gender roles.
people of underrepresented genders, while permitting those targeted toward men.

This Complaint presents evidence demonstrating that the application of Meta’s advertising policies to advertisements on Facebook and Instagram that promote SRHW products and services for women and people of underrepresented genders, are discriminatory and misleading. It further outlines that these practices continue to cause advertisers of these products substantial financial and marketplace harm, and that these harms are disproportionately suffered by small and medium businesses led by women and people of underrepresented genders. Ultimately, such practices also perpetuate inequality of access to health information and services for women and people of underrepresented genders.

In early fall of last year, Meta made a revision to its Advertising Standards, providing additional examples of SRHW products and services that can be advertised on its platforms.2 Examples of advertisements that are listed as allowed include those for birth control products, family planning, products addressing the effects of menopause, pain relief during sex, and reproductive health products or services.3 However, despite this policy revision, Meta has continued to reject and block advertisements for many of the products that its revised Adult Products or Services guidelines explicitly allow, throughout fall 2022 and into this year.

Facebook and Instagram provide irreplaceable marketing networks for businesses selling SRHW products and services. Furthermore, a level playing field for marketing by these businesses and related organizations supports the delivery of critical information about health to women and people of underrepresented genders. Considering this, it is important that the FTC promptly and thoroughly investigate Meta’s unfair and deceptive advertising practices and take effective enforcement action.

1. BACKGROUND

1.1. Facebook and Instagram’s Capture of the Digital Advertising Market

Facebook and Instagram are considered leading actors in the online advertising arena both globally and in the U.S.:4 their share of the U.S. digital advertising market has held at nearly 20 percent for years and is expected to

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2 Adult Products or Services, META TRANSPARENCY CENTER, https://transparency.fb.com/policies/ad-standards/content-specific-restrictions/adult-products-or-services (last visited Jan. 11, 2023). The full text of this document is included for reference in Appendix A.
3 Id.
continue to do so.\(^5\) Specifically, Meta dominated 55 percent of the U.S. market for social media advertising in 2022.\(^6\) Facebook and Instagram’s networks collectively include well over two billion people worldwide.\(^7\) As a result, these platforms have significant data advantage over other advertising platforms: they have access to substantially more user intelligence, which advertisers can leverage to make their advertising campaigns more productive.\(^8\) Correspondingly, Facebook and Instagram provide powerful, and in many cases essential, advertising networks for many businesses.\(^9\)

Facebook and Instagram’s advertising platforms are especially important tools for small businesses and direct-to-consumer brands. Advertising on Facebook and Instagram affords them an advertising reach that only much larger and more established companies previously enjoyed.\(^10\) Further, the platforms have made “sophisticated and targeted advertising” a possibility for these businesses due to their economies of scale.\(^11\) This allows small businesses to maximize the impact of their proportionally smaller advertising spending. In short, there are very few comparable alternatives to Facebook and Instagram when it comes to advertising services.

1.2. Meta’s Algorithmic Review of Facebook and Instagram Advertisements

Despite the utility of online advertising services operated by Meta, consumers have long expressed frustration with the company on a variety of issues, including concerns about inaccurate and incomplete published advertising metrics and insufficient transparency into the company’s advertising algorithms.\(^12\)

Not much is known about the process by which Meta approves or denies newly submitted advertisements. According to Meta, before advertisements are run on Facebook or Instagram, they are reviewed for any violations of

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\(^9\) Id. at 61-62.

\(^10\) Id.

\(^11\) Id. at 42.

Meta’s Advertising Standards. Specifically, advertisements run across Meta platforms must follow its Community Standards and Advertising Standards, and advertisements run on Instagram must also follow the Instagram Community Guidelines. While Instagram’s community guidelines are phrased slightly differently from Facebook’s, both sets of guidelines are substantively similar.

Meta’s advertising review process is “primarily” algorithmic—though Meta states that it uses “human reviewers both to improve and train [its] automated systems and, in some cases, to review specific ads.” In the revised version of its advertisement review policies, Meta disclosed that advertisements “may not be reviewed against all policies prior to delivering impressions, although all ads are subject to re-review at any time” (emphasis added).

According to Meta’s Business Help Center, users whose advertisements are rejected “can find the reason for the rejection” in the Meta Account Quality dashboard. If an advertisement is rejected for failure to comply with Meta's Advertising Standards, users can edit the advertisement, submit a new one, or request another review of the advertisement. Users can request only one review of an advertisement rejection decision. Meta does not appear to guarantee that all given reasons for the rejection will identify the alleged policy-violating components of an advertisement, nor does it guarantee human review of an advertisement before its denial becomes final.

Meta has disclosed very little information, if any, regarding how its review algorithm works and on what bases and periodicity it is reviewed or updated. Specifically, it is not clear to what extent Meta actively evaluates the review algorithm’s decisions to measure its accuracy in implementing the company’s Advertising Standards or whether it conducts any reviews at all to spot potential outcome bias.

While some information regarding Meta’s algorithmic tools may be complex and proprietary, this does not afford the company carte blanche to stonewall

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13 About Ads in Review, META BUSINESS HELP CENTER, https://www.facebook.com/business/help/20479885622514?id=649869995454285 (last visited Jan. 11, 2023). The full text of this article is included for reference in Appendix C.
14 Introduction to the Advertising Standards, META TRANSPARENCY CENTER, https://transparency.fb.com/policies/ad-standards (last visited Jan. 11, 2023). The full text of this article is included for reference in Appendix B.
15 Id. in Review, META BUSINESS HELP CENTER, supra note 13.
16 Troubleshoot a Rejected Ad, META BUSINESS HELP CENTER, https://www.facebook.com/business/help/1210227556661027 (last visited Jan. 11, 2023). The full text of this article is included for reference in Appendix D.
17 Id.
18 Id.
19 See About Ads in Review, META BUSINESS HELP CENTER, supra note 13; Introduction to the Advertising Standards, META TRANSPARENCY CENTER, supra note 14.
20 While Meta states that its advertisements are typically reviewed within 24 hours, it does not provide a time frame for re-reviews. See About Ads In Review, META BUSINESS HELP CENTER, supra note 13.
advertisers and other users around its decision-making process.\textsuperscript{22} As the FTC has acknowledged, the problem of algorithmic bias deserves regulatory attention and is particularly acute where algorithms operate under a shroud of secrecy.\textsuperscript{23} Numerous scholars and activists have also addressed the risks of employing algorithmic or machine learning technologies, noting principally that they have the potential to perpetuate discrimination and unfair outcomes.\textsuperscript{24}

1.3. Meta’s Stated Advertising Standards

As relevant to this request, Meta’s Advertising Standards concerning what it refers to as “Adult Products or Services” make representations to consumers about what Meta will allow on its platforms. The policy states that while “adult” products and services are not allowed, “ads promoting sexual and reproductive health products or services, like contraception and family planning” are permitted, provided that they are “targeted to people 18 years or older and [do] not focus on sexual pleasure.”\textsuperscript{25} In the 2022 revision, Meta added that it explicitly allows advertisements that “promote sexual and reproductive health or wellness,” such as birth control products, family planning, products addressing the effects of menopause, erectile dysfunction products, pain relief during sex, prevention of premature ejaculation, and reproductive health products or services.\textsuperscript{26} Meta also states that it allows advertisements that promote sex education, “as long as there’s no sexualized or suggestive content and the focus is on health and not sexual pleasure or enhancement.”\textsuperscript{27} Meta offers the following example of an advertisement that

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  \item It is worth noting that Facebook also employs algorithms at another stage of its advertising placement process, about which more is known. Overall, “[a]d impressions are the result of a number of complex processes within Facebook, as well as of interactions between multiple advertisers and Facebook’s advertising platform.” Once an advertisement is approved, Facebook’s platform uses a data inference algorithm to translate data it has gathered on individual users—from sources such as their actions on the site (e.g., likes), web browsing off the site, and other offline data (e.g., public records)—into users’ “targeting attributes,” on which advertisers can then rely to select audiences (“predefined sets of users that match various criteria”) for their campaigns. See Athanasios Andreou et al., Investigating Ad Transparency Mechanisms in Social Media: A Case Study of Facebook’s Explanations, NETWORK AND DISTRIBUTED SYSTEM SECURITY SYMPOSIUM, 3 (Feb. 2018), https://hal.archives-ouvertes.fr/hal-01955309/file/Andreou-etal_FacebookAdExplanations_NDSS2018.pdf.
  \item Adult Products or Services, META TRANSPARENCY CENTER, supra note 2.
  \item Id.
  \item Id.
would be allowed to be shown to users 18 years or older: “New moisturizing lube to relieve vaginal dryness on a day-to-day basis.”

Meta’s Advertising Standards concerning “Adult Content” make representations to consumers regarding which advertisements will be flagged for sexually suggestive or explicit content. “Adult Content” refers to “nudity, depictions of people in explicit or suggestive positions, or activities that are overly suggestive or sexually provocative.”

Advertisements “focused on individual body parts, even if not explicitly sexual in nature” are not allowed. However, advertisements that “[d]epict nipples in the context of breast health” are allowed, as long as the images are illustrations or medical diagrams and the advertisements target people 18 years or older.

In addition, Meta’s Advertising Standards concerning “Adult Nudity and Sexual Activity” restrict the display of nudity or sexual activity but provide exceptions, including for material presented as “a form of protest, to raise awareness about a cause, or for educational or medical reasons.” Some examples of allowed content (either with a label or only for individuals 18 or older) include: birth-giving and after-birth giving moments; genitalia self-examination for cancer or disease prevention or assessment; “real world art that depicts implied or explicit sexual activity”; and “implied adult sexual activity in advertisements, recognized fictional images or with indicators of fiction.”

Finally, Meta’s Advertising Standards concerning “Personal Health” make representations to consumers about which advertisements for personal health products Meta will allow. Advertisements that “contain ‘before-and-after’ images,” or that “imply or attempt to generate negative self-perception in order to promote diet, weight loss, or other health related products” are not permitted.

28 Id.
29 Adult Content, META TRANSPARENCY CENTER, https://transparency.fb.com/policies/ad-standards/objectionable-content/adult-content/ (last visited Jan. 11, 2023). The full text of this article is included for reference in Appendix E. 30 Id.
31 Id.
32 Adult Nudity and Sexual Activity, META TRANSPARENCY CENTER, https://transparency.fb.com/policies/community-standards/adult-nudity-sexual-activity/ (last visited Jan. 12, 2023). The full text of this article is included for reference in Appendix G.
33 Id.
34 Personal Health and Appearance, META TRANSPARENCY CENTER, https://transparency.fb.com/policies/ad-standards/objectionable-content/personal-health-and-appearance (last visited Jan. 12, 2023). The full text of this article is included for reference in Appendix F.
2. META ENGAGES IN UNFAIR AND DECEPTIVE ONLINE ADVERTISING PRACTICES

2.1. Section 5 Legal Standards

2.1.1. Advertisers Are “Consumers” for Purposes of Section 5

Businesses that advertise SRHW products and services are within the FTC’s remit. Its Section 5 regulatory authority extends to practices that injure “consumers.” While the Federal Trade Commission Act does not define the term “consumers,” the FTC’s 1983 Policy Statement on Deception explains that it describes the “specific audience” to which “representations or sales practices are targeted.” There is no qualification that this audience is limited to natural persons—and indeed, the FTC has a history of enforcing Section 5 where the consumers harmed by unfair and deceptive acts and practices are themselves businesses. Meta’s Advertising Standards are representations to consumers about the availability and scope of use of its advertising service, for the purpose of promoting the service to businesses who are current or potential consumers. Businesses paying Meta for the use of its advertising services are thus properly considered “consumers.”

2.1.2. Unfair Practices under Section 5

A Section 5 unfair act or practice is one that “causes or is likely to cause substantial injury to consumers,” which “is not reasonably avoidable by consumers themselves” and is “not outweighed by countervailing benefits to consumers or to competition.” The “substantial injury” standard is not a high bar: “[b]oth the Commission and the courts have recognized that consumer injury is substantial when it is the aggregate of many small individual injuries.” Similarly, showing that an injury is “not reasonably avoidable”—which refers generally to consumers’ ability to make informed decisions that mitigate their injuries—can be straightforward, as reasonable avoidance may not exist where relevant “disclosures do not effectively explain an act or practice to consumers.” Finally, the “countervailing benefit” element suggests that unfair practices could be justified if they produce compensatory positive marketplace effects. Offsetting harms and benefits

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37 See, e.g., In the Matter of mResource LLC (Loop Works LLC), Matter/File No. 182 3443 (2018); In the Matter of Negotiated Data Solutions, LLC, Matter/File No. 051 0094 (2008).
39 FTC v. Pantron I Corp., 33 F.3d 1088, 1102 (9th Cir. 1994). See also FTC v. Neovi, Inc., 604 F.3d 1150, 1157 (9th Cir. 2010) (Substantial injury exists where a practice causes “small harm to a large number of people, or if it raises a significant risk of concrete harm.” (quoting Am. Fin. Servs. Ass’n v. FTC, 767 F.2d 957, 979 (D.C. Cir. 1985))).
41 Id. at VII-1.3.
is the key, however: where it is possible to concurrently redress unfairness while maintaining an asserted marketplace benefit, the benefits of unfairness do not outweigh the harms.

2.1.3. Deceptive Practices Under Section 5

A Section 5 deceptive act is a material representation, omission, or practice that is likely to mislead the reasonable consumer. Practices likely to mislead are wide-ranging, and can include both “offering to provide a product or service that is not in fact available” and “failing to provide promised services.” A representation or practice is material if it is “likely to affect a consumer's decision to purchase or use a product or service,” such as “information about...restrictions on the use or availability of a product or service.”

2.2. Meta’s Advertising Practices Are Harmful and Misleading to Consumers and the Public

2.2.1. Meta Has Repeatedly and Systematically Blocked Consumers’ Advertisements that Conform to Meta’s Policies

In 2022, the Center for Intimacy Justice published the results of a yearslong investigation, demonstrating Meta’s ubiquitous, systematic blocking of SRHW advertisements for women and people of underrepresented genders. The research involved interviewing or surveying 60 women-led startups that market products and services addressing menopause, postpartum recovery, menstrual health, pelvic pain, breast health, fertility, hormone health, incontinence, and more. Every one of the companies that submitted advertisements created specifically for Meta platforms had experienced advertisement rejection, even though an overwhelming majority of them complied with Meta’s Advertising Standards. Over half of these companies have also had their accounts suspended for some period of time in response to repeated rejections of their advertisements. In the revised version of its advertisement reviewing policies, Meta states that it considers an advertiser’s “historical compliance” with its Advertising Standards when “deciding whether a given ad warrants further review for a specific policy.”

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42 Id.
43 Id.
44 Id. at VII-1.4.
45 Origin, a pelvic health physical therapy startup, initiated and partnered with the Center for Intimacy Justice on the survey portion of this research.
46 Meta states that “requesting another review of an ad will not hurt your standing with our company in any way”—but is silent regarding its practice of suspending accounts because they submit multiple advertisements that are rejected. Troubleshoot a rejected ad, META BUSINESS HELP CENTER, supra note 17.
47 About Ads in Review, META BUSINESS HELP CENTER, supra note 13.
In the vast majority of cases, these companies’ blocked advertisements complied with both the letter and spirit of Meta’s Advertising Standards. Representative examples of companies and their rejected advertisements include:

- **Joylux**, a company that offers an educational platform addressing menopausal-related health concerns and sells relief products, had several of its advertisements for its “vFit” blocked. The vFit is a device designed to relieve pelvic floor dysfunction, a common symptom of menopause. Joylux produced an advertisement for the vFit that depicted a woman running, with the words “reclaim your freedom” printed across the photo. The caption read: “Run. Dance. Play. Love. vFit’s new, patented technology helps strengthen pelvic floor muscles so you can live life fully.”\(^48\) This advertisement was rejected by Meta for non-compliance with its policies.

- **Ohnut**, a company working to provide education and treatment for painful sex (including for people who have faced cancer treatment, endometriosis, menopause, and pre- and post-natal pain), has had all of its advertisements initially rejected by Facebook.\(^49\) One of Ohnut’s blocked advertisements, an Instagram post, reads: “It takes 3.5 years to sail around the world. It takes 7-10 years to get an endometriosis diagnosis.” The post is captioned: “It’s time we got better about detecting and diagnosing endo. 7-10 years is far too long for someone to be experiencing symptoms without a diagnosis or plan.” Three emojis—a yellow heart, a strong arm, and a sparkle—follow.\(^50\)

- **Rosebud Woman**, a company that creates skin and body care products that help ease symptoms of menopause such as vaginal dryness and vulvar irritation, has had several of its advertisements rejected by Facebook. One rejected advertisement featured an image of two Rosebud products laying side-by-side, with the words, “Honor Everyday Balm hydrates, conditions, and replenishes intimate skin”; “Soothe Calming Cream cools redness, reduces irritation, and minimizes swelling”; “Experience the best in hormone free, non toxic, plant based intimate skincare[.]” The post was captioned, “Intimate skincare from your first period to your last, products designed to ease your symptoms.”\(^51\)

These advertisements are not sexually suggestive. They focus on sexual and reproductive health and wellness, do not focus on sexual pleasure but merely the avoidance of pain, contain no nudity, and do not make before-and-after

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\(^{48}\) E-mail from Colette Courtion, Founder and CEO, Joylux, to Jackie Rotman, Founder and CEO, Center for Intimacy Justice. (Dec 10, 2019 9:46 AM) (on file with author).

\(^{49}\) Ohnut estimates that after filing an appeal, about 25 percent of its ads are then approved.

\(^{50}\) E-mail from Emily Sauer, Founder, Ohnut, to Jackie Rotman, Founder and CEO, Center for Intimacy Justice. (Mar. 19, 2019 1:48 PM) (on file with author).

\(^{51}\) E-mail from Samantha Sleeper, Chief Marketing Officer, Rosebud Woman, to Jackie Rotman, Founder and CEO, Center for Intimacy Justice. (Sept. 28, 2022 9:43 AM) (on file with author).
comparisons. In short, there is nothing in them that would appear to be prohibited by Meta’s Advertising Standards, either before or after the fall 2022 revision. In fact, they clearly fall into permitted categories (“products addressing the effects of menopause,” “pain relief during sex,” and “reproductive health products or services”) and are strikingly similar to the example language Meta provided in its policies of an advertisement that would be allowed (i.e., “New moisturizing lube to relieve vaginal dryness on a day-to-day basis.”).

Study respondents indicated that Meta did not always provide an explanation when their advertisements were rejected or denied upon re-review. 95% percent of the surveyed companies indicated that their advertisements were blocked on account of “adult content”; “adult products”; “against policy”; “inappropriate content”; “no reason given”; or a combination of these classifications. The companies that received rejection explanations reported that Meta blocked anywhere from 50-100% of their advertisements. These justifications generally illustrate a perceived violation of Meta’s Advertising Standards, especially those concerning adult content and products.

However, the explanation for these rejections is not that Meta’s platforms stringently interpret their adult products policies. Meta regularly approves similar Facebook and Instagram advertisements that target men’s sexual health and men’s sexual pleasure. Facebook approves countless erectile dysfunction advertisements that are substantially more suggestive in nature than the advertisements it routinely rejects for women and people of underrepresented genders. In fact, these men’s sexual health brands have earned broad acclaim for their provocative advertising campaigns, which are generally credited as drivers of their resounding business success. Roman and Hims, companies that deliver erectile dysfunction, premature ejaculation, and other men’s health treatments to customers’ homes, are ubiquitous advertisers on Meta’s platforms. A recently approved Hims Facebook advertisement from December 2022 depicts a man and a woman with their faces pressed together and states, “Clinically-proven early climax treatments...Finish last all year long...Results over resolutions.”

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52 See Adult Products or Services, META TRANSPARENCY CENTER, supra note 2.
53 Other advertisements were blocked for being considered “medical advice,” but it is not entirely clear how this classification interacts with Facebook’s policies and what it entails.
55 This is merely one example. Hims’ Facebook advertisements are also available in Meta’s Ad Library (Hims), accessible at: https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&view_all_page_id=355369382625368&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all. See also Katie Jennings, Digital Health Startup Hims & Hers Goes Public in $1.6 Billion SPAC Deal, FORBES
Hims advertisement from November 2022 states, “Enjoy sex like you used to.”

Similarly, a recently approved Roman Facebook from January 2023 features four black square packets (presumably containing erectile dysfunction pills) and states, “Begin the new year with better sex.”

This stands in stark comparison to the experience of women’s health companies, who often must forgo references to anatomical terms like “uterus” and “vagina” (let alone terms like “sex” or suggestive pictures) in order to get their advertisements approved. Natalist, a company that provides educational resources and products (such as ovulation test kits) for fertility and pregnancy, has had to cease using its logo design—a simple sketch of the outline of a uterus—in order to advertise on Facebook. Similarly, Kindra, a menopause startup, has at times needed to drop the word “vaginal” from its advertisements—substituting with euphemisms like “down there”—to decrease the likelihood they will be blocked by Facebook.

This situation had consequences for Kindra: its customers complained that Kindra was stigmatizing their bodies by censoring anatomical terminology. Further, when companies must drop specific references to anatomical terms like “uterus” and “vagina,” their advertisements are rendered less effective, as new customers cannot identify what specific ailments products are designed to address.

More broadly, research from the Center for Intimacy Justice and Origin reveals that Meta’s persistent rejection of women’s SRHW advertisements has had a chilling effect on the industry as a whole. Many companies have privately reported to Center for Intimacy Justice staff that they have ceased trying to advertise on Facebook because it is too difficult and expensive to create advertisements that will never be disseminated, or folded lines of business entirely after it proved impossible to reach their target customers. For example, Roman launched Rory, a women’s health brand, but now appears to have stopped attempting to advertise its women’s sexual health products on Facebook altogether while continuing to market to men on the platform.

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56 Meta Ad Library (Hims), accessible at: https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&view_all_page_id=355136938262576&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all.

57 Meta Ad Library (Roman), accessible at: https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&view_all_page_id=1002038063262514&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=page&media_type=all.

58 Joylux has had a similar experience, being advised by advertising agencies that advertisements including the word “vaginal” would likely be rejected. Jackie Rotman [Online] Interview with Colette Courtion, CEO and Heather Dazell, VP of Marketing, Joylux (March 26, 2021).

59 Rory’s page in the Facebook Ads does not show any advertisement listings. The Ads Library (Rory) is accessible at: https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&view_all_page_id=103354658950848&search_type=page&media_type=all.
wellness products have continued to report that their advertisements were rejected by Facebook and Instagram, including as recently as this month.  

2.2.2. *Meta’s Advertising Practices are “Unfair”*

Meta’s consistently biased implementation of its Advertising Standards has caused an unavoidable substantial injury to health and wellness companies attempting to advertise to women and people of underrepresented genders. These consumers have spent significant time, money, and other resources creating advertisements for Facebook and Instagram that comply with the platforms’ policies, only to have them rejected. After their advertisements are blocked, employees of these companies spend significant time attempting to elicit sufficient guidance from Meta so that they can modify their advertisements in ways that will get them approved upon re-review—a sacrifice of limited, valuable start-up resources. These efforts are oftentimes wasted, as Meta generally provides vague and misrepresentative reasons for rejection.

Meta’s unpredictable decision-making and lack of rational explanations also hinder companies’ ability to take action to avoid advertisement rejections in the first place. As a result, companies expend even more time, money, and other resources creating new advertisements without accurate guidance to rely on. In over half of survey respondents’ cases, their continued attempts to submit advertisements to the platform resulted in Meta suspending their accounts. Whether consumers’ advertisements are systematically rejected, or their accounts suspended, their efforts to develop marketing strategies are hampered. Meta denies them access to the largest and most efficient digital marketing platform, which amounts to a loss of potential revenue and brand exposure.

Moreover, Meta’s advertising decisions, in violation of its own policies, are not justified by countervailing benefits to consumers. Surely keeping inappropriate advertisements from appearing on Facebook and Instagram is a benefit to the platforms’ users, which is why Meta’s Advertising Standards have banned certain sexualized or explicit advertisements. As per its policies, Meta has already made the calculation that prohibiting explicit content while permitting advertisements that promote “health products and services” strikes the right balance. However, Meta enforces its policy on an unfair and

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60 CIJ’s internal research, which pulls from social media posts, petitions, emails and other sources, has identified 161 affected organizations.

61 For example, advertisements are flagged for being “against policy” when they are not.


63 See, e.g., Neovi, 604 F.3d at 1158 (stating “the consumer suffered unavoidable injuries that could not be fully mitigated” where obtaining redress “required a substantial investment of time, trouble, aggravation, and money”). See also FTC v. Commerce Planet, Inc., 878 F.Supp.2d 1048, 1079 (C.D. Cal. 2012) (finding consumers cannot reasonably avoid injury when they are confused and are not adequately informed about a service).
discriminatory basis, targeting SRHW products and services advertisements serving women and people of underrepresented genders for takedowns while allowing similar advertisements serving men to run on its platforms. This fact demonstrates that Meta is capable of both protecting its users from inappropriate content and enforcing its policies, which permit consumers to advertise their health products and services. By failing to do so in the context of SRHW products and services aimed at women and people of underrepresented genders, Meta’s practices produce a net harm to consumers.

2.2.3. Meta’s Advertising Practices Are “Deceptive”

Meta’s inconsistent and biased implementation of its Advertising Standards also renders those policies misleading representations to consumers. The policies set the terms under which Meta offers Facebook and Instagram’s advertising service to consumers whose advertisements are compliant. In particular, the examples Meta provides of allowed advertisements are implied promises to consumers that advertisements closely resembling the examples in all relevant respects will be approved. Further, beyond implying that SRHW advertisements are allowed, Meta nowhere clarifies or caveats that this standard may apply differentially on the basis of the gender of the people to whom the products and services are targeted. In fact, Meta claims that its “Facebook Community Standards and Instagram Community Guidelines apply equally to everyone, everywhere and to all types of content.” As a result, Meta offers SRHW companies focused on women and people of underrepresented genders, whose advertisements comply with its policies but are nevertheless rejected, a service that is not in fact available, and also fails to provide the services it claims to deliver.

These misleading misrepresentations are likely to affect—and as shown, do affect—consumers’ decisions to try to use Facebook and Instagram’s marketing platforms. The policies communicate to the reasonable business owner that compliance enables the use of the advertising service. On the basis of that understanding, as detailed in the foregoing section, consumers commit significant resources to design, produce, and submit—and redesign

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64 See FTC v. Amazon, Inc., Case No. C14-1038-JCC (W.D. Wash. 2016) (finding the FTC met its Section 5 burden to show no countervailing benefit where achieving the asserted benefit of defendant’s challenged practice was “not incompatible with” remediation of the harms of the practice).
65 See Commerce Planet, Inc., 878 F.Supp.2d at 1063 (“District courts consider the overall, common sense ‘net impression’ of the representation or act as a whole to determine whether it is misleading.”).
66 The Facebook Community Standards Apply the Same to Everyone, Everywhere, META TRANSPARENCY CENTER (updated Jan. 19, 2022), https://transparency.fb.com/policies/improving/policies-apply-to-everyone-everywhere. The full text of this article is included for reference in Appendix H.
67 Further, it is irrelevant whether Facebook intended to deceive its consumers. See In re Gugliuzza, 527 B.R. 370, 376 (C.D. Cal. 2015) (citing FTC v. Freecom Comms., Inc., 401 F.3d 1192, 1202 (10th Cir. 2005)). See also FTC v. Cantkier, 767 F.Supp.2d 147, 152 (D.D.C. 2011).
and resubmit—advertisements to Meta’s platforms. Given Facebook and Instagram’s capture of the digital advertising market, the eagerness of small businesses to utilize these platforms, and bearing in mind the ubiquity of men’s sexual health advertisements circulating on Facebook and Instagram, it is no surprise that these consumers relied on the policies to spend time, money, and resources creating advertisements for Facebook and Instagram marketing, which proved to be wasted due to Meta’s deceptive practice of biased enforcement.

3. THE FTC SHOULD TAKE ACTION TO ENFORCE SECTION 5 AGAINST META

3.1. Meta’s Unfair and Deceptive Implementation of its Advertising Standards Perpetuates Discrimination and Inequality

Meta’s systemic denial of advertisements for products, information, and services addressing women and people of underrepresented genders’ SRHW results in both: (1) economic and competitive harms for businesses in this space, which are disproportionately led by women; and (2) social harms for their health more broadly. The SRHW products and services industry for women and people of underrepresented genders is newly developing and presents vast opportunities for entrepreneurship and innovation. However, in comparison to the universally recognized recent successes of many men’s sexual health startups, companies addressing women’s health have earned a dearth of venture capital (“VC”) funding. A key barrier to developing this industry—which boasts relatively more leaders, founders, and employees who are women or people of underrepresented genders than many other industries—is a double standard that denies it access to conventional advertising avenues, such as Meta’s platforms, on which men’s sexual health companies rely.

The harmful effects of these biased advertising restrictions manifest as a negative feedback loop. First, advertising restrictions directly impede new companies’ ability to achieve the exponential growth necessary to attract VC investments, by hindering their exposure and reach to prospective customers. This contributes indirectly to other obstacles SRHW companies

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70 Jackie Rotman [In-person] Interview with Polly Rodriguez, CEO, Unbound (April 16, 2018).

71 Meta’s censorship of these advertisements is part of a broader censorship problem in advertising—involving a wide range of advertisers, including, for example, New York City’s Metropolitan Transit Authority. See, e.g., Jackie Rotman, Vaginas Deserve Giant Ads Too, NEW YORK TIMES (Jun. 25, 2019), https://www.nytimes.com/2019/06/25/opinion/women-sex-toys-advertisements.html; Estrella Jaramillo, How
run by women and people of underrepresented genders face, including principally insufficient access to capital and the resources of large financial institutions. This is because by keeping these companies out of mainstream advertising networks, Meta and other companies send a strong message to banking institutions that the industry should be considered a “brand risk.” At the same time, the social stigma that operates around women and people of underrepresented genders’ sexual and reproductive issues generally reinforces—and is reinforced by—these economic consequences. All in all, advertising restrictions perpetuate the economic inequality women and people of underrepresented genders founders, businesses, and employees face in the market.

The stifling of this industry also raises broader concerns. Studies have shown that women and people of underrepresented genders (and their doctors) have limited access to health resources and information. For example, the number of women who seek help for sexual dysfunction is much lower than the number who actually experience this common problem. In research, women express a need to improve communication with their doctors about these issues. Doctors, however, cite social stigma and a lack of both (1) knowledge or experience with women’s sexual health issues and (2) resources to provide them support, as reasons for this breakdown. Advertising restrictions of the type implemented by Meta not only prevent women and people of underrepresented genders and their doctors from learning about products and devices that could help relieve sexual dysfunction and other sexual and reproductive health needs—they also restrict access to...

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See Rotman, Vaginas Deserve Giant Ads Too, supra note 72.

A start-up, Brazen Goods (Lorals), which built a product to prevent transmission of sexually transmitted infections during oral sex on women, was denied multiple small business loans because it was considered too sexual. Jackie Rotman [Phone] Interview with Melanie Cristol, CEO, Brazen Goods, Inc. (2019). See also id.; Danika Lyon, Why some businesses aren’t allowed, Stripe (August 12, 2016), https://stripe.com/blog/why-some-businesses-arent-allowed. Prohibited and Restricted Businesses, Stripe (September, 2022), https://stripe.com/restricted-businesses.

Women-led startups received only 2.8 percent of venture capital funding in 2019, an all-time high. In 2020, it dropped to 2.3 percent. In 2021, women raised around 2.4% of all venture capital allocated, a figure that stands at 1.9% through the third quarter of 2022. More broadly, the effects of the Covid-19 pandemic highlighted the disproportionate outcomes experienced by women employees generally: a 2020 McKinsey analysis showed that women’s jobs are 1.8 times more vulnerable than men’s in times of crisis. “The lack of gender equality in funding startups leads to further problems. It affects the overall jobs picture for women exponentially,” because women-owned businesses are more likely to hire women employees. “It’s also likely to slow the recovery and efforts to tackle inequality.” See Ashely Bittner and Brigette Lau, Women-Led Startups Received Just 2.3% of VC Funding in 2020, HARVARD BUSINESS REVIEW (Feb. 25, 2021), https://hbr.org/2021/02/women-led-startups-received-just-2-3-of-vc-funding-in-2020; Dominic-Madori Davis, The Highs and Lows of Q3 Venture Capital Data for Women Founders, CRUNCHBASE (Oct. 14, 2022), https://techcrunch.com/2022/10/14/the-highs-and-lows-of-q3-venture-capital-data-for-women-startup-founders/; Joanna Glasner, Something Ventured: Despite Blockbuster Venture Investment, Female Founders’ Share of VC Funding Falls, CRUNCHBASE (Sept. 21, 2021), https://news.crunchbase.com/news/something-ventured-blockbuster-venture-investment-female-founders-funding-falls/.


educational resources and community support networks. Advertising restrictions that keep a discussion of these issues and treatment resources in the dark serve only to fortify this social stigma and prevent access to health information. The cumulative effect of all these hurdles is to disincentivize innovation and entrepreneurship in this space, compounding the problem by further reducing women and people of underrepresented genders’ access to products and resources that could improve their health.

3.2. The FTC Has Recognized Both the Importance of Fighting Discrimination and the Need to Regulate the Use of AI

In 2020, in a statement regarding an FTC enforcement action taken to enjoin the denial of credit based on discriminatory criteria, Commissioner Rebecca Kelly Slaughter carved out a role for the FTC “as a vanguard agency for enforcing civil rights.” The following year, the Agency affirmed the spirit of the Commissioner’s remarks, writing that “[c]entral to the commitment toward a fairer marketplace is the effective enforcement of laws ensuring that access to credit – a fundamental force for economic empowerment – is unsullied by illegal considerations of a consumer’s race, ethnicity, religion, sex, sexual orientation, or gender identity.”

Not only do these principles apply in equal force to unfair and deceptive practices, and especially those wielded mostly against women and people of underrepresented genders’ (as opposed to men’s) health and wellness companies—the FTC’s authority under Section 5 is also a “well-suited” regulatory mechanism for addressing biased outcomes perpetuated through automated decision-making. The FTC has recognized as much, recently indicating that it is committed to ensuring AI is used “truthfully, fairly, and equitably,” and articulating its view that Section 5 governs the use of algorithms. Further, the FTC has long regulated online advertising—this problem, at the nexus of AI and digital advertising, presents an opportunity

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77 As example, Facebook blocked the American Sexual Health Association’s advertisement of an academic article co-authored by a former U.S. Surgeon General about sexual health as a public health priority and an article by an OB-GYN about vaginismus. It also blocked over 2100 of the Love Matters Global Network’s (a network of nonprofits operating across Africa, Southeast Asia, and in Mexico) advertisements focusing on consent education, healthy relationships, harassment prevention, etc. Center for Intimacy Justice and RNW Media, Presentation, Social Media Censorship of Sexual and Reproductive Health Ads, International Family Planning Conference (Nov. 16, 2022).


81 See Jillson, supra note 23.

to regulate in this space while advancing the Agency’s civil rights values in the public interest.

3.3. Meta Is Not Immune from Section 5 Action under Section 230

3.3.1.1. §230(c)(1)’s Liability Shield Is Inapplicable Because Meta Is Liable for its Own Unfair and Deceptive Advertising Standards

Section 230(c)(1) of the Communications Decency Act holds that “[n]o provider or user of an interactive computer service (“ICS”) shall be treated as the publisher or speaker of any information provided by another information content provider.” Meta, however, would not be entitled to a §230(c)(1) defense on a claim that its advertising practices violate Section 5. This is not an effort to hold Meta liable for its activities as a publisher, in “review[ing] material submitted for publication,” but rather for its unfair and deceptive promulgation of its own advertising policies, which induce advertisers of SRHW products and services aimed at women and people of underrepresented genders to fruitlessly develop and submit compliant advertisements, only to have them summarily rejected.

In the only two cases in which defendants tried to avail themselves of §230(c)(1) immunity to the FTC’s allegations of unfair or deceptive practices, courts rejected those efforts, reasoning that liability for violations of Section 5 stems from the defendant’s own unfair or deceptive acts or practices. Meta develops its own advertising policies for Facebook and Instagram and implements them itself. Thus, a condition precedent for §230(c)(1) immunity would not be present in this type of Section 5 claim.

3.3.1.2. §230(c)(2)’s “Good Samaritan” Provision Is Not a Safe Harbor for Meta Because Meta Does Not Implement its Advertising Standards in Good Faith

Section 230(c)(2)(A) states that “[n]o provider or user of an interactive computer service shall be held liable on account of ... any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, excessively violent,

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85 Barnes v. Yahoo!, Inc., 570 F. 3d 1096, 1102 (9th Cir. 2009).
86 See FTC v. LeadClick Media, LLC, 838 F.3d 158, 173-77 (2d Cir. 2016); FTC v. AccuSearch, Inc., 570 F.3d 1187, 1199-1201 (10th Cir. 2009).
87 LeadClick Media, LLC, 838 F.3d 158 at 174.
harassing, or otherwise objectionable, whether or not such material is constitutionally protected. In general, the so-called “Good Samaritan” provision would immunize conduct like that at issue here: that is to say, efforts at content moderation that go awry. However, neither the plain language of the provision nor the legislative intent behind it indicate that it should immunize willful blindness to an ongoing pattern of discriminatory conduct with severe impacts on protected categories. Courts agree that action taken in “good faith” is an element of a §230(c)(2)(A) defense—where plaintiffs establish its absence, a party is not entitled to the statute's grant of immunity.\(^89\)

Whether the good faith element refers directly to an ICS’s (1) implementation of its content filtration policy (through which it restricts or blocks content), (2) its subjective belief that filtered content is objectionable, or (3) generally to both, Meta’s Advertising Standards fall far short of this standard. Meta’s Adult Products or Services Advertising Standard declares that “[a]ds promoting sexual/reproductive health products or services, like contraception and family planning” are acceptable. Evidently, based on its own stated policy, Meta does not find advertisements that comply with this standard to be “objectionable.”

However, despite the supposed clarity of its policies, Meta has in practice repeatedly blocked advertisements that comply with its advertising guidelines and even those that echo the phrasing of the examples that Meta itself provides,\(^91\) indicating this is because the blocked advertisements are against its policy. This glaring and longstanding inconsistency between Meta’s stated policy and advertising outcomes is not, under any accepted definition of the term, “good faith.”\(^92\)

\(90\) There is limited case law addressing §230(c)(2)(A)’s requirement of “good faith”—and standards for evaluating it are thus far from crystallized. A plain English reading of the statute suggests that ICSs must act (i.e., filter) in good faith. However, in one case in which a plaintiff adequately plead that an ICS defendant was not entitled to §230(c)(2)(A) immunity, the court stated that the defendant lacked “a good faith belief that the [blocked content] was objectionable.” Smith, 2010 WL 7799456, at *7. In another, the court stated that the good faith requirement means that an ICS “must actually believe that the material is objectionable for the reasons it gives.” Darnaa, 2016 WL 6540452 at *8.
\(91\) Facebook specifically offers the following example of hypothetical advertisement language that would be allowed and shown to 18+ users: “New moisturizing lube to relieve vaginal dryness on a day to day basis.” See Adult Products or Services, META TRANSPARENCY CENTER, supra note 2.
\(92\) See Enhanced Athlete, 479 F.Supp.3d at 831 (plaintiff alleged sufficient facts that defendants did not act in good faith for purposes of §230(c)(2)(A) in stating, inter alia, that its videos complied with YouTube’s Terms of Use and Community Guidelines but were ultimately removed from the site anyway).
4. REQUEST FOR RELIEF

The Center for Intimacy Justice respectfully requests that the Commission:

1. investigate Meta's implementation of its Facebook and Instagram advertising policies;
2. enjoin its unfair and deceptive business practices;
3. order Meta to conduct an internal investigation into algorithmic bias in its advertising review process;
4. order Meta to work with algorithmic justice organizations to improve its advertising review process;
5. order Meta to allocate resources and team members to continually monitor advertising acceptance and rejection outcomes for indications of bias going forward;
6. order Meta to consult with stakeholders (e.g., gender and SRHW experts; women's health entrepreneurs) to study how Facebook and Instagram's advertising policies and outcomes affect these constituencies; and
7. order Meta to improve its advertising appeals process (i.e., by providing access to Facebook and Instagram advertising team members) for women and people of underrepresented genders’ SRHW companies, in particular.

Respectfully submitted,

Center for Intimacy Justice

cc: Samuel Levine, Director of the Bureau of Consumer Protection
APPENDIX A
“ADULT PRODUCTS OR SERVICES”

Adult Products or Services
Ads must not promote the sale or use of adult products or services. Ads promoting sexual and reproductive health products or services, like contraception and family planning, must be targeted to people 18 years or older and must not focus on sexual pleasure.

Overview
Advertisers can run ads that promote sexual health, wellness and reproductive products and services. However, as a global company, we need to take into account the wide array of people from different cultures and countries who see ads across our technologies to avoid potential negative experiences. That is why we place additional restrictions on these ads, including the requirement to target audiences 18 years or older.

Guidelines
Ads can’t:

- Promote products or services that focus on sexual pleasure or enhancement, such as sex toys or sexual enhancement products
- Contain content that focuses on sexual pleasure or enhancement

Ads can:

- Promote sexual and reproductive health or wellness, as long as the focus is on health and not sexual pleasure or enhancement, and they target people 18 years or older. This includes ads for:
  - Birth control products, including condoms
  - Family planning
  - Products addressing the effects of menopause
  - Erectile dysfunction products
  - Pain relief during sex
  - Prevention of premature ejaculation
  - Reproductive health products or services
- Promote sex education, as long as there’s no sexualized or suggestive content and the focus is on health and not sexual pleasure or enhancement

<table>
<thead>
<tr>
<th>ALLOWED</th>
<th>NOT ALLOWED</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following examples are only allowed when targeting audiences 18 years or older:</td>
<td>“Buy our sex toys for your adult pleasure”</td>
</tr>
<tr>
<td>“Free condoms now available at all local health centers”</td>
<td>“Use our gel to dramatically improve your sex life”</td>
</tr>
<tr>
<td>“Practice safe sex with our brand of condoms”</td>
<td>“Condoms, sex tips and more. Pleasure guaranteed!”</td>
</tr>
<tr>
<td>“New moisturizing lube to relieve vaginal dryness on a day to day basis”</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B
“INTRODUCTION TO THE ADVERTISING STANDARDS”

1. Overview

Understanding our Advertising Standards

Our Advertising Standards provide policy detail and guidance on the types of ad content we allow, and the types of ad content we prohibit. When advertisers place an order, each ad is reviewed against our policies. Our Advertising Standards also provide guidance on advertiser behavior that may result in advertising restrictions being placed on a Business Account or its assets (an ad account, Page or user account).

If you think your ad was mistakenly rejected, or if you think your Business Account or its assets were mistakenly restricted, you can request a review of either decision in Account Quality.

Common points of confusion

To help you build a compliant and user-friendly ads experience, we’ve highlighted some common areas of confusion. Click the links below to learn more about:

- Personal attributes
- Sexually suggestive content
- Meta brand usage in ads
- Advertising restrictions on business assets

2. Meta advertising policy principles

Advertisers contribute to the Meta community in many ways, including highlighting new products and services or drawing attention to events and issues. To help keep both businesses and organizations who use our ad tools safe, and create a welcoming environment for everyone who uses our products and services, we have put in place our Advertising Standards to guide what is allowed across Meta technologies.

Advertisers running ads across Meta technologies must follow our Community Standards and our Advertising Standards. In addition, advertisers on Instagram must also follow our Instagram Community Guidelines.

Our advertising policy principles

Our policies are guided by our company’s core values and the following principles:
PROTECTING PEOPLE FROM UNSAFE AND DISCRIMINATORY PRACTICES
Our policies require all advertisers to comply with the laws in their jurisdiction, not engage in discriminatory practices, and not sell illegal or unsafe substances.

PROTECTING PEOPLE FROM FRAUD OR SCAMS
Our policies prohibit ads promoting products, services, schemes or offers using deceptive or misleading practices, including those meant to scam people out of money or personal information.

PROMOTING POSITIVE USER EXPERIENCES
Because ads may be delivered to people in their Feed from Pages or accounts they don’t follow, we want to help ensure that the ads don’t detract from the overall experience across our technologies. For that reason, we prohibit ads containing shocking, sensational, or excessively violent content, certain adult content and profanity. We also prohibit other objectionable material, such as content implying or attempting to generate negative self-perception in order to promote diet, weight loss or other health related products.

PROMOTING TRANSPARENCY
We strive to make advertising more transparent and to give people more information about the ads they see. Our Ad Library offers a view of all ads currently running across our apps and services. It also offers additional information on ads about social issues, elections or politics, including range of spend, who saw the ad and the entities responsible for those ads. Ads about these topics are visible whether they’re active or inactive and are stored in the Ad Library for 7 years. We also have an Info and Ads section on all Facebook Pages where people are able to click to see active ads a Page is running to help keep advertisers accountable.

Enforcement of our policies
We use automated and, in some instances, manual review to enforce our policies. Beyond reviewing individual ads, we also monitor and investigate advertiser behavior, and may restrict advertiser accounts that don’t follow our Advertising Standards, Community Standards or other Meta policies and terms. Our review process may not detect all policy violations, and ads remain subject to review and re-review and may be rejected for violating our policies at any time. It is an advertiser’s responsibility to understand and comply with our policies outlined in Meta’s Advertising Standards, our Terms of Service and any other applicable terms and guidelines, and all local laws and regulations. Advertisers whose ads are rejected will typically be provided an opportunity to edit their ads in order to bring them into compliance and can request another review if they believe their ad was incorrectly rejected.

People can report ads if they believe they violate our policies. They can also see the details on why a certain ad appeared in their Feed, and they can control the ads they see in their Feed through our Ad Preferences tool.
3. The ad review process

Our ad review system relies primarily on automated tools to check ads and business assets against our policies. Our ad review process starts automatically before ads begin running, and is typically completed within 24 hours, although it may take longer in some cases. During this review, the status of the ad will be “In review.” Additionally, ads may be reviewed again, including after they are live. You can find more information in our Business Help Center.

What is reviewed

The ad review system reviews ads for violations of our policies. This review process may include the specific components of an ad, such as images, video, text and targeting information, as well as an ad’s associated landing page or other destinations, among other information.

Business asset review

We also review and take action on an advertiser’s Business Account or its assets (ad accounts, Pages and user accounts). As part of our review, we assess whether the account or its assets have violated our policies.

Outcome of review

If a violation is found at any point in the review process, the ad will be rejected, and the Business Account or its assets may be restricted. Lower quality ads which do not necessarily violate our policies may experience impacted performance. You can find more information about how quality may affect your ad in our Business Help Center.

If a Business Account or its assets (ad account, Page or user account) is restricted, that account or asset can’t be used to advertise across our technologies. If a user account is restricted from advertising on a Business Account or ad account, other members of those accounts may still be able to advertise.

Re-review of ads

Ads remain subject to review and re-review at all times, and may be rejected or restricted for violation of our policies at any time. It is your responsibility to understand and comply with our policies.
4. What to do if your ad is rejected or if your business asset is restricted

Create a new ad or edit your ad
You may create a new ad or edit your ad to comply with our policies. These ads will be treated as new ads and reviewed by our ad review system. Check this page for editing steps.

Request another review
If you believe the ad, ad account, user account, Page or Business Account was incorrectly rejected or restricted, you can request a review of the decision in Account Quality.

Community standards
The Facebook Community Standards, along with Instagram Community Guidelines, outline what is not allowed across Meta technologies.

Community Standards
Ads must not violate our Community Standards. Ads on Instagram must not violate the Instagram Community Guidelines.

Learn more

Unacceptable content
Content that is illegal or otherwise considered unacceptable to people who use our technologies.

Illegal Products and Services
Ads must not constitute, facilitate, or promote illegal products, services or activities.

Learn more

Misinformation
Meta prohibits ads that include content debunked by third-party fact checkers. Advertisers that repeatedly post information deemed to be false may have restrictions placed on their ability to advertise across Meta technologies. Find out more about our fact-checking program.

Meta also prohibits ads that include misinformation that violates our Community Standards.

Learn more
<table>
<thead>
<tr>
<th>Vaccine Discouragement</th>
<th>Ads must not discourage people from vaccination or advocate against vaccines.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discriminatory Practices</td>
<td>Ads must not discriminate or encourage discrimination against people based on personal attributes such as race, ethnicity, color, national origin, religion, age, sex, sexual orientation, gender identity, family status, disability, medical or genetic condition. Meta prohibits advertisers from using our ads products to discriminate against people. This means that advertisers may not (1) use our audience selection tools to (a) wrongfully target specific groups of people for advertising (see advertising policy on Targeting), or (b) wrongfully exclude specific groups of people from seeing their ads; or (2) include discriminatory content in their ads. Advertisers are also required to comply with applicable laws that prohibit discrimination (see advertising policy on Illegal Products or Services). These include laws that prohibit discriminating against groups of people in connection with, for example, offers of housing, employment, and credit.</td>
</tr>
<tr>
<td>Inflammatory Content</td>
<td>Any United States advertiser or advertiser targeting the United States, Canada or certain parts of Europe that is running credit, housing or employment ads, must self identify as a Special Ad Category, as it becomes available, and run such ads with approved targeting options. Additional information and resources on United States non-discrimination laws: U.S. Department of Housing and Urban Development U.S. Equal Employment Opportunity Commission Consumer Financial Protection Bureau American Civil Liberties Union Leadership Conferences on Civil and Human Rights Department of Justice – Civil Rights Division National Fair Housing Alliance Disclaimer: This guide is not a substitute for legal advice. Consult a legal professional for specific advice about your situation.</td>
</tr>
<tr>
<td>Militarized Social Movements and Violence-Inducing Conspiracy Networks</td>
<td>Ads must not contain praise, support or representation of individuals or groups designated by Meta under Tier 3 of the Community Standards Dangerous Individuals and Organizations policy.</td>
</tr>
</tbody>
</table>
# Deceptive content

Content that may deceive or mislead people.

<table>
<thead>
<tr>
<th>Unacceptable Business Practices</th>
<th>Ads must not promote products, services, schemes or offers using deceptive or misleading practices, including those meant to scam people out of money or personal information.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheating and Deceitful Practices</td>
<td>Ads may not promote products or services that are designed to enable people to engage in cheating or deceitful practices.</td>
</tr>
<tr>
<td>Unrealistic Outcomes</td>
<td>Ads must not contain promises or suggestions of unrealistic outcomes as specified below for health, weight loss, or economic opportunity.</td>
</tr>
<tr>
<td>Circumventing Systems</td>
<td>Ads must not use tactics that are intended to circumvent our ad review process. This includes techniques that attempt to disguise the ad's content or destination (landing) page. See more here for other advertiser behavior that we prohibit.</td>
</tr>
<tr>
<td>Prohibited Financial Products and Services</td>
<td>Ads must not promote financial products and services that are frequently associated with misleading or deceptive promotional practices.</td>
</tr>
<tr>
<td>Spyware or Malware</td>
<td>Ads must not contain spyware, malware or any software that results in an unexpected or deceptive experience.</td>
</tr>
<tr>
<td>Nonexistent Functionality</td>
<td>Ads must not contain images with nonexistent functionality. This includes imagery that replicates play buttons, notifications, or checkboxes, as well as ads containing features that do not work, such as multiple choice options in the ad creative itself.</td>
</tr>
</tbody>
</table>

Learn more
# Dangerous content

Content that may negatively impact people's health and safety.

<table>
<thead>
<tr>
<th>Unsafe Substances</th>
<th>Ads must not promote the sale or use of illicit or recreational drugs, or other unsafe substances, products or supplements, as determined by Meta at its sole discretion.</th>
</tr>
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<tbody>
<tr>
<td><strong>Learn more</strong></td>
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<table>
<thead>
<tr>
<th>Weapons, Ammunition or Explosives</th>
<th>Ads must not promote the sale or use of weapons, ammunition or explosives. This includes ads for weapon modification accessories.</th>
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<tbody>
<tr>
<td><strong>Learn more</strong></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Tobacco and Related Products</th>
<th>Ads must not promote the sale or use of tobacco or nicotine products and related paraphernalia unless they are cessation products. Ads must not promote delivery devices such as electronic cigarettes, vaporizers, or any other products that simulate smoking, or are otherwise designed for use with tobacco or nicotine products.</th>
</tr>
</thead>
</table>

# Objectionable content

Content that may lead to negative experiences.

<table>
<thead>
<tr>
<th>Adult Content</th>
<th>Ads must not contain adult content. This includes nudity, depictions of people in explicit or suggestive positions, or activities that are overly suggestive or sexually provocative.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ads that assert or imply the ability to meet someone, connect with them, or view content created by them must not be positioned in a sexual way or with an intent to sexualise the person featured in the ad.</td>
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<tr>
<td></td>
<td><strong>Learn more</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grammar and Profanity</th>
<th>Ads must not contain profanity or incorrect grammar and punctuation. Symbols, numbers and letters must be used properly, without the intention of circumventing our ad review process or other enforcement systems.</th>
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<tbody>
<tr>
<td><strong>Learn more</strong></td>
<td></td>
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<thead>
<tr>
<th>Category</th>
<th>Description</th>
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<tbody>
<tr>
<td>Low Quality or Disruptive Content</td>
<td>Ads must not contain content leading to external destination (landing) pages that provide an unexpected or disruptive experience. This includes misleading ad positioning, such as overly sensationalized headlines or prompts for users to inauthentically interact with the ad, and leading people to landing pages that contain minimal original content and a majority of unrelated or low quality ad content. For more information on what we consider low quality, visit our Business Help Center.</td>
</tr>
<tr>
<td>Personal Attributes</td>
<td>Ads must not contain content that asserts or implies personal attributes. This includes direct or indirect assertions or implications about a person’s race, ethnicity, religion, beliefs, age, sexual orientation or practices, gender identity, disability, physical or mental health (including medical conditions), vulnerable financial status, voting status, membership in a trade union, criminal record, or name.</td>
</tr>
<tr>
<td>Sensational Content</td>
<td>Ads must not contain shocking, sensational or excessively violent content.</td>
</tr>
<tr>
<td>Commercial Exploitation of Crises and Controversial Events</td>
<td>Ads must not contain content that exploits crises or controversial events for commercial purposes.</td>
</tr>
<tr>
<td>Personal Health and Appearance</td>
<td>Ad content must not imply or attempt to generate negative self-perception in order to promote diet, weight loss, or other health-related products.</td>
</tr>
<tr>
<td>Sale of Body Parts</td>
<td>Ads must not promote the sale of human body parts or fluids.</td>
</tr>
</tbody>
</table>

**Content-specific restrictions**

Content associated with certain kinds of businesses or products.

**Alcohol**

Ads that promote or reference alcohol must comply with all applicable local laws, required or established industry codes, guidelines, licenses and approvals, and include age and country targeting criteria consistent with Meta’s targeting requirements and applicable local laws. Note that our policies prohibit ads promoting or referencing alcohol in some countries, based on local law.

Advertisers must follow all applicable laws, including targeting their ads in accordance with legal requirements. At a minimum, ads may not be targeted to people under 18 years of age.

[Learn more](#)
<table>
<thead>
<tr>
<th>Category</th>
<th>Rules and Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Products or Services</td>
<td>Ads must not promote the sale or use of adult products or services. Ads promoting sexual and reproductive health products or services, like contraception and family planning, must be targeted to people 18 years or older and must not focus on sexual pleasure. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Dating</td>
<td>Ads for dating services are only allowed with prior written permission. These must adhere to the dating targeting requirements and our dating ad guidelines. Details on the requirements for permission can be found here. In order to seek permission, please fill out this form to begin your application process. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Cosmetic Procedures and Wellness</td>
<td>Ads marketing weight loss products and services must be targeted to people at least 18 years or older. Ads marketing cosmetic surgeries and procedures must be targeted to people at least 18 years or older. Ads marketing dietary, health or herbal supplements must be targeted to people at least 18 years or older.</td>
</tr>
<tr>
<td>Online Pharmacies</td>
<td>Ads for online pharmacies are only allowed with prior written permission. Meta requires online pharmacies who wish to run ads to be certified with LegitScript. Advertisers can apply for certification with LegitScript here. Advertisers can request permission from Meta using this form. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Over-The-Counter Drugs</td>
<td>Ads that promote the sale of over-the-counter medicines must comply with all applicable local laws, required or established industry codes, guidelines, licenses and approvals, and include age and country targeting criteria consistent with applicable local laws. At a minimum, ads may not be targeted to people under 18 years of age. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Prescription Drugs</td>
<td>Ads may not promote prescription drugs without prior written permission. The following entities are eligible to apply for permission from Meta: online pharmacies, telehealth providers and pharmaceutical manufacturers. Advertisers can learn how to apply here. Ads may only promote prescription drugs in the following jurisdictions: United States, New Zealand and Canada. Ads promoting prescription drugs must not be targeted to people under 18 years of age. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Drug and Alcohol Addiction Treatment</td>
<td>Meta requires advertisers who wish to run addiction treatment ads targeting people in the United States to be certified with LegitScript and apply to Meta for permission to advertise. Advertisers can apply for certification with LegitScript here. <a href="#">Learn more</a></td>
</tr>
<tr>
<td>Category</td>
<td>Details</td>
</tr>
<tr>
<td>---------------------------------------</td>
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</tr>
<tr>
<td>Financial and Insurance Products and Services</td>
<td>Ads promoting credit cards, loans or insurance services must be targeted to people 18 years or older and must not directly request the input of any personally identifiable information within the ad's destination (landing) page. Advertisers promoting financial products and services must demonstrate they are authorized by the relevant regulatory authorities where this is a requirement; and any such authorization may be subject to review by Meta. Advertisers are also required to comply with disclosure requirements set by law. Learn more about the authorization process in our Business Help Center. Learn more</td>
</tr>
<tr>
<td>Cryptocurrency Products and Services</td>
<td>Ads may not promote cryptocurrency trading platforms, software and related services and products that enable monetisation, reselling, swapping or staking of cryptocurrencies without prior written permission. To apply, please click here. For more information, see our Business Help Center. Learn more</td>
</tr>
<tr>
<td>Online Gambling and Gaming</td>
<td>Meta defines online gambling and gaming as any product or service where anything of monetary value is included as part of a method of entry and prize. Ads that promote online gambling and gaming are only allowed with our prior written permission. Authorized advertisers must follow all applicable laws and include targeting criteria consistent with Meta's targeting requirements. At a minimum, ads may not be targeted to people under 18 years of age. Learn more in our Business Help Center. Learn more</td>
</tr>
<tr>
<td>Social Casino Games</td>
<td>Ads for social casino games, which are online games that simulate casino gambling (e.g. poker, slots, roulette etc) where there is no opportunity to win money or money’s worth, are allowed only if they are targeted to people 18 years or older. Learn more in our Business Help Center. Learn more</td>
</tr>
<tr>
<td>Subscription Services</td>
<td>Ads for subscription services must disclose information on pricing and recurrent billing. Learn more</td>
</tr>
<tr>
<td>Hemp and Related Products</td>
<td>Ads may not promote or offer the sale of THC products or cannabis products containing related psychoactive components. Ads may not promote or offer the sale of cannabidiol (CBD) or similar cannabinoid products. Ads that promote or offer the sale of Hemp products must comply with all applicable local laws, required or established industry codes and guidelines. For more information on this policy, visit our Business Help Center. Learn more</td>
</tr>
</tbody>
</table>
## Intellectual property infringement

Content that infringes upon or violates the intellectual property rights of a third party or Meta.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Third-Party Infringement</td>
<td>Ads may not contain content that infringes upon or violates the intellectual property rights of any third party, including copyright, trademark or other legal rights. This includes, but is not limited to, the promotion or sale of counterfeit goods, such as products that copy the trademark (name or logo) and/or distinctive features of another company’s products to imitate a genuine product. Learn more</td>
</tr>
<tr>
<td>Brand Endorsement</td>
<td>Ads must not imply an endorsement or partnership of any kind with any of Meta’s brands, or an endorsement by any other Meta brand, technology or program. Learn more</td>
</tr>
<tr>
<td>Brand Usage in Ads</td>
<td>Ads linking to Facebook or Instagram content (including Pages, groups, events or websites that use Facebook Login) may make limited reference to “Facebook” or “Instagram” in ad text for the purpose of clarifying the destination of the ad. Ads should not represent any of Meta’s brands in a way that makes it the most distinctive or prominent feature of the creative. Meta’s brand assets should not be modified in any way, such as by changing the design or color, or for the purpose of special effects or animation. Learn more</td>
</tr>
<tr>
<td>Copyrights and Trademarks</td>
<td>All other ads and destination (landing) pages must not use our copyrights, trademarks, or any confusingly similar marks, except as expressly permitted by the Meta Brand Resource Center, or with our prior written permission. Learn more</td>
</tr>
<tr>
<td>User Interface Screenshots</td>
<td>When featuring the user interface (UI) of any Meta brands in an ad, the ad must accurately depict how the UI currently appears and functions in the product. If an action or functionality depicted cannot happen in the current product or within the current UI then it cannot appear to happen in an ad. Depictions of the UI in ads must be featured within the context of a relevant device (for example, mobile or desktop) and as permitted by the Meta Brand Resource Center. The UI may not be modified in any way, including but not limited to: adding special effects, interference or animation. Glyphs (special characters) or elements of the UI may not be used separately or individually. Learn more</td>
</tr>
</tbody>
</table>
Social issue, electoral or political advertising

Content that promotes social issue, electoral or political views.

Ads about Social Issues, Elections or Politics
Advertisers can run ads about social issues, elections or politics, provided the advertiser complies with all applicable laws and the authorization process required by Meta. Meta may restrict issue, electoral or political ads. In addition, certain content related to elections may be prohibited by local law or removed in specific regions ahead of voting; click here for more.

Learn more

Product and format-specific policies

Content associated with additional format-specific requirements.

Non-Functional Landing Page
Ads must not direct people to non-functional landing (destination) pages. This includes landing page content that interferes with a person's ability to navigate away from the page.

Learn more

Video Ads
Video ads and other dynamic ad types must comply with all of the rules listed in these Advertising Standards, including the Community Standards, as well as the policies below:

1. **Disruptive Content**
   Videos and other similar ad types must not use overly disruptive tactics, such as flashing screens.

2. **Entertainment Related Restrictions**
   Ads for movie trailers, TV shows, video game trailers and other similar content are only allowed with prior written permission from Meta and must target people who are 18 years or older. Excessive depictions of the following content within these ads are not allowed:
   1. Drugs and alcohol use
   2. Adult content
   3. Profanity
   4. Violence and gore

Lead Ads
Advertisers must not create lead ads questions to request the following types of information without our prior written permission.
| Targeting                                                                                         | 1. Advertisers must not use targeting options to discriminate against, harass, provoke, or disparage people or to engage in predatory advertising practices.  
|                                                                                                    | 2. If advertisers target their ads to custom audiences, they must comply with the applicable terms when creating an audience. |
| Relevance                                                                                         | 1. Ads must clearly represent the company, product, service, or brand that is being advertised.  
|                                                                                                    | 2. All ad components, including any text, images or other media, must be relevant to the product or service being offered.  
|                                                                                                    | 3. The products and services promoted in an ad must match those promoted on the landing page. Learn more about ad quality best practices that can improve ad performance. |
| Branded Content                                                                                   | Ads promoting branded content must tag the featured third party product, brand or business partner using the branded content tool. Branded content within ads is defined as a creator or publisher’s content that features or is influenced by a business partner for an exchange of value. When promoting branded content integrations, advertisers must use the branded content tool (please learn more here on how to tag the featured third party product, brand or business partner). |

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**Advertising policies affecting business assets**

Beyond rejecting ads that violate our policies, we also review and take action, such as restricting the ability to advertise, on an advertiser’s Business Account or its assets, such as ad accounts, Pages and user accounts for violating the below policies. If you believe your ad account, user account, Page or Business Account was incorrectly restricted, you can request a review of the decision in Account Quality.

**Violating Content**

Advertisers must comply with our advertising policies. If we find that an ad account, Page, user account, or Business Account has violated our policies, an advertiser may face advertising restrictions depending on the type and severity of the violation.

[Learn more](#)
Evading Enforcement

Advertisers must not evade or attempt to evade our review process and enforcement actions. If we find that an ad account, Page, user account or Business Account is evading our review process and enforcement actions, an advertiser may face advertising restrictions.

Learn more

Account Authenticity

Advertisers must use authentic user accounts to set up business assets and run ads across our technologies. If we find that an inauthentic user account set up an ad account, Page or Business Account to run ads, an advertiser may face advertising restrictions. Per Facebook’s Community Standards, we may restrict or remove inauthentic user accounts.

Learn more

Violating Networks or Associations

Advertisers must not manage business assets that are connected to other abusive business assets or display behavior similar to business assets that we’ve already taken down. If they do, an advertiser may face advertising restrictions on their associated ad account, Page, user account or Business Account.

Data use restrictions

1. Ensure any ad data collected, received or derived from your Facebook or Instagram ad (“Meta advertising data”) is only shared with someone acting on your behalf, such as your service provider. You are responsible for ensuring your service providers protect any Meta advertising data or any obtained from us, limit their use of all of that information, and keep it confidential and secure.

2. Don’t use Meta advertising data for any purpose (including retargeting, commingling data across multiple advertisers’ campaigns, or allowing piggybacking or redirecting with tags), except on an aggregate and anonymous basis (unless authorized by Meta) and only to assess the performance and effectiveness of your Meta advertising campaigns.

3. Don’t use Meta advertising data, including the targeting criteria for your ad, to build, append to, edit, influence, or augment user profiles, including profiles associated with any mobile device identifier or other unique identifier that identifies any particular user, browser, computer or device.

4. Don’t transfer any Meta advertising data (including anonymous, aggregate, or derived data) to any ad network, ad exchange, data broker or other advertising or monetization related service.

Things you should know

1. The Advertising Policies apply to (1) ads and commercial content served by or purchased through Meta, on or off the Meta services, including ads purchased under AAAA/IAB Standard Terms and Conditions, (2) ads appearing within apps on Meta, and (3) ads on Instagram. Your use of Meta’s advertising products and services is part of “Meta” under Meta’s Statement of Rights and Responsibilities (https://www.facebook.com/legal/terms, the “SRR”) and is subject to the SRR. You may be subject to additional terms or guidelines if you use Instagram or certain Meta advertising-related products or services.

2. Advertisers are responsible for understanding and complying with all applicable laws and regulations. Failure to comply may result in a variety of consequences, including the cancellation of ads you have placed and termination of your account.

3. We do not use sensitive personal data for ad targeting. Topics you choose for targeting your ad don’t reflect the personal beliefs, characteristics or values of the people who use Facebook or Instagram.

4. Once displayed, ads are public information. Ads may be re-shared and accessed outside of the targeted audience, including from the Facebook Page running the ads or within Meta Products. If users have interacted with your ad, your ad may remain on Meta products (for example, shared until the users delete it or visible to users through their account tools). If your ad is a political ad, it will be displayed in our Ad Library. This means that Meta may display (at no cost to you) and provide access to the ad content and creative, as well as information about the ad campaign (such as total spend and delivery data) for a period of seven (7) years from the completion of your order. Meta may disclose your advertising content, and all information associated with your advertising, to a governmental entity or body if Meta believes that disclosure would assist in a lawful investigation.
5. If you are managing ads on behalf of other advertisers, each advertiser or client must be managed through separate ad accounts. You must not change the advertiser or client associated with an established ad account; set up a new account. You are responsible for ensuring that each advertiser complies with these Advertising Policies.

6. As stated in our Community Standards, you must not sell, rent, buy or exchange site privileges, such as administrative access, for assets that belong to you or that you manage. Helping anyone evade or circumvent our enforcement of our policies or terms of service is also prohibited.

7. We reserve the right to reject, approve or remove any ad for any reason, in our sole discretion, including ads that negatively affect our relationship with our users or that promote content, services, or activities, contrary to our competitive position, interests, or advertising philosophy.

8. For policies that require prior written permission, Meta may grant these permissions.

9. These policies are subject to change at any time without notice.
Before your ads run on Facebook or Instagram, we review them against Meta Advertising Standards. This happens automatically before ads begin running, and you can see the status of your ad in the Delivery column of Meta Ads Manager.

How ad review works

Our ad review system relies primarily on automated technology to apply the Advertising Standards to the millions of ads that are run across our apps. However, we do use human reviewers to improve and train our automated systems, and in some cases, to manually review some ads.

The ad review system reviews ads for violations of our Advertising Standards. An ad may not be reviewed against all policies prior to delivering impressions, although all ads are subject to re-review at any time. We continue to improve our existing enforcement system by testing and implementing new approaches to ensure a fair and effective ad review process. For example, we may consider an advertiser’s historical compliance with our Advertising Standards when deciding whether a given ad warrants further review for a specific policy.

This review process may include the specific components of an ad, such as images, video, text and targeting information as well as an ad’s destination, among other information. An ad’s destination is where an ad directs people who click on the ad, such as a web page.

Based on the results of the review, an ad is either rejected or allowed to run.
How long ad review takes

Most ads are reviewed within 24 hours, although in some cases it may take longer. Keep in mind, ads may be reviewed again, including after they are live.

If you want an ad to start running on a specific date or time in the future, you can schedule your ad. Once the ad is submitted it will go through ad review but won’t begin delivering until your start date.

Limitations of review

Reviewing ads from millions of advertisers globally against the Advertising Standards is essential, but it is not without challenges. Our enforcement isn’t perfect, and both machines and people make mistakes.

When we launch a new policy, it can take time for the various parts of our enforcement system, both automated technology and trained global teams, to learn how to correctly and consistently enforce the new standard, but as we gather new data and feedback, our machine learning models get better and our automated enforcement improves.

We improve our existing enforcement system by testing and implementing new approaches to ensure a fair and effective ad review process. For example, we may consider an advertiser’s historical compliance with our Advertising Standards or customer feedback when evaluating their ads prior to delivering impressions.

If you believe your ad, ad set, campaign or item was incorrectly rejected, you can request another review in Meta Account Quality. Learn more about what to do if your ad is rejected.

If you believe an ad on Facebook, Instagram or other Meta technologies violates the Advertising Standards, you can report it. Learn more about how to report an ad.

Editing a previously scheduled or running ad

The following changes to previously scheduled or running ads or ad sets will trigger a new review process:

• Targeting
• Creative (for example, images, text, links or videos)
• Optimization
• Billing event

Changes to your ad’s bid amount, budget or ad set schedule will not trigger review.

Learn more

• Meta Advertising Standards
• Why some ads are approved, then disapproved
APPENDIX D

“Troubleshoot a rejected ad”

Meta Business Help Center

Troubleshoot a rejected ad

85,957 views

When your ad is rejected, we’ll send you an email notification (if your notifications are enabled). To enable your notifications, go to the Notifications page in Meta Ads Manager.

When an ad is rejected, you’ll receive an email notification and a link to Meta Account Quality where you can find the reason for the rejection.

After you review the reason, you can decide whether to:

- Edit your ad or create a new one to comply with our policies
- Request another review of your ad, if you believe it was incorrectly rejected

Edit or create a new ad

If your ad was rejected because it doesn’t comply with our Meta Advertising Standards, you can edit it to try to fix the issue. We recommend that you review the policy-violating components, like the image, video, text, targeting or landing page, and update them to comply with our policies. Learn how to edit your ad in Ads Manager.

Once you edit and publish your ad, it’ll be reviewed again by our ad review system. Note that not all ad types may be edited. If you’re unable to edit an ad or choose not to, you can create a new ad instead.

Keep in mind that to protect the integrity of our enforcement efforts, we may not share some details about how our review systems work.

Request another review of your ad

If you believe that your ad was incorrectly rejected, you can request another review in Account Quality.

To request a review:

1. Go to Account Quality.
2. Click to select your account or catalog with the rejected ads.
3. Select the ad, ad sets, or campaigns that you believe were incorrectly rejected.
4. Click **Request review** and select **Submit**.

You can track the status of any requested review at any time in Account Quality.

If we change our decision, your ad will be in the same status as your campaign. If the initial decision is reversed and your campaign is active, your ad will automatically start delivering. If it's rejected again, it'll stay rejected, and you won't be able to submit another review request for the same ad.

Unlike the initial ad review, we rely more heavily on teams of human reviewers to process re-review requests. The purpose of this process is to help get things right when we make mistakes. We can't promise that we'll always get things right, even on re-review, but we're always working to make our enforcement processes more effective.

Always keep in mind, requesting another review of an ad will not hurt your standing with our company in any way.
APPENDIX E
“Adult Content”

Adult Content

Ads must not contain adult content. This includes nudity, depictions of people in explicit or suggestive positions, or activities that are overly suggestive or sexually provocative.

Ads that assert or imply the ability to meet someone, connect with them, or view content created by them must not be positioned in a sexual way or with an intent to sexualise the person featured in the ad.

Overview

This policy provides additional protections for people who use our technologies beyond what is prohibited in the Community Standards’ Adult Nudity and Sexual Activity policy.

Advertisers can’t run ads that contain adult content. As a global company we take into account the wide array of people from different cultures and countries who see ads on our platform, and their varying cultural sensitivities around adult content. We understand that nudity can be shared for a variety of reasons and make certain exceptions in ads related to art and health.

Guidelines

Ads can’t:

- Depict nudity where otherwise permitted by the Community Standards or implied nudity, such as removing clothes
- Depict excessive visible skin, even if not explicitly sexual in nature
- Contain images focused on individual body parts, even if not explicitly sexual in nature
- Promote dating services where the focus of the ad is on a partly-clothed model

Ads can:

- Show photographs of paintings, sculptures, and other art that depicts nude figures, as long as there’s no explicit focus on nude private body parts or sexual acts
- Include focus on private body parts in the context of breastfeeding or breast health, as long as there’s no explicit nudity
- Depict nipples in the context of breast health, as long as the ad creatives are illustrations or medical diagrams and target people 18 years or older
**ALLOWED**

This image shows nudity in a statue and is compliant.

**NOT ALLOWED**

This image shows artistic implied nudity and is non-compliant.

This image shows someone in a sexually suggestive pose and is non-compliant.

This image shows a woman in a sexually suggestive pose and is non-compliant.

This image is sexually provocative and non-compliant.

This image alludes to sexual activity and is non-compliant.

This image is sexual in nature and non-compliant.
APPENDIX F
“Personal Health and Appearance”

Personal Health and Appearance

Ad content must not imply or attempt to generate negative self-perception in order to promote diet, weight loss, or other health-related products.

Overview

Advertisers can’t run ads for health or appearance-related products that imply or attempt to generate negative self-perception.

At Meta, we want people in our community to feel comfortable, confident and safe to be exactly who they are while expressing themselves freely.

Guidelines

Ads can’t:

- Declare or imply there is a perfect body type or appearance one should aspire to
- Promote or reinforce negative or unhealthy body images
- Exploit insecurities to conform to certain beauty standards
- Contain distasteful messaging that could make people feel negatively about the way they look
- Promote an unhealthy relationship with food or exercise
- Show close-up imagery on the health condition of a person
- Feature body shaming of any type

Note: Ads for cosmetics, hair extensions, other similar cosmetic or non-permanent beauty products or digital editing apps aren’t within scope of this policy.
ALLOWED

- This image focuses on physical fitness and is compliant.
- This image promotes healthy eating habits and is compliant.
- This image of a person drinking vegetable juice is compliant.

NOT ALLOWED

- This is a non-compliant image of wrinkles.
- This image of a person’s abs is zoomed in and non-compliant.
- This image implies weight loss and would be non-compliant if used to promote a diet or weight loss product.
- This image of a person on a scale would be non-compliant, if used to promote a diet or weight loss product.
- This is a non-compliant image of a person before and after weight loss.
- This is a non compliant image of skin lightening.
APPENDIX G
“Adult Nudity and Sexual Activity”

Policy Rationale

We restrict the display of nudity or sexual activity because some people in our community may be sensitive to this type of content. Additionally, we default to removing sexual imagery to prevent the sharing of non-consensual or underage content. Restrictions on the display of sexual activity also apply to digitally created content unless it is posted for educational, humorous, or satirical purposes.

Our nudity policies have become more nuanced over time. We understand that nudity can be shared for a variety of reasons, including as a form of protest, to raise awareness about a cause, or for educational or medical reasons.

Where such intent is clear, we make allowances for the content. For example, while we restrict some images of female breasts that include the nipple, we allow other images, including those depicting acts of protest, women actively engaged in breast-feeding and photos of post-mastectomy scarring. For images depicting visible genitalia or the anus in the context of birth and after-birth moments or health-related situations we include a warning label so that people are aware that the content may be sensitive. We also allow photographs of paintings, sculptures, and other art that depicts nude figures.

Do not post:

- Imagery of real nude adults, if it depicts:
  - Visible genitalia except in the context of birth giving and after-birth moments or if there is medical or health context situations (for example, gender confirmation surgery, examination for cancer or disease prevention/assessment).
  - Visible anus and/or fully nude close-ups of buttocks unless photoshopped on a public figure.
  - Uncovered female nipples except in the context of breastfeeding, birth giving and after-birth moments, medical or health context (for example, post-mastectomy, breast cancer awareness or gender confirmation surgery) or an act of protest.
- Imagery of sexual activity, including:
  - Explicit sexual activity and stimulation
    - Explicit intercourse or oral sex, defined as mouth or genitals entering or in contact with another person’s genitals or anus, where at least one person’s genitals are nude.
    - Explicit stimulation of genitalia or anus, defined as stimulating genitalia or anus or inserting objects, including sex toys, into genitalia or anus, where the contact with the genitalia or anus is directly visible.
  - Implied sexual activity and stimulation, except in cases of medical or health context, advertisements, and recognized fictional images or with indicators of fiction:
    - Implied sexual intercourse or oral sex, defined as mouth or genitals entering or in contact with another person’s genitals or anus, when the genitalia and/or the activity or contact is not directly visible.
• Implied stimulation of genitalia or anus, defined as stimulating genitalia or anus or inserting objects, including sex toys, into or above genitalia or anus, when the genitalia and/or the activity or contact is not directly visible.
• Other activities, except in cases of medical or health context, advertisements, and recognized fictional images or with indicators of fiction, including but not limited to:
  • Erections
  • Presence of by-products of sexual activity.
  • Sex toys placed upon or inserted into mouth.
  • Stimulation of naked human nipples.
  • Squeezing female breasts, defined as a grabbing motion with curved fingers that shows both marks and clear shape change of the breasts. We allow squeezing in breastfeeding contexts.
• Fetish content that involves:
  • Acts that are likely to lead to the death of a person or animal.
  • Dismemberment.
  • Cannibalism.
  • Feces, urine, spit, snot, menstruation or vomit.
  • Bestiality.
• Adult sexual activity in digital art, except when posted in an educational or scientific context, or when it meets one of the criteria below and shown only to individuals 18 years and older.
• Extended audio of sexual activity

⚠️

For the following content, we include a label so that people are aware the content may be sensitive:

Imagery of visible adult male and female genitalia, fully nude close-ups of buttocks or anus, or implied/other sexual activity, when shared in medical or health context which can include, for example:

1. Birth-giving and after-birth giving moments, including both natural vaginal delivery and caesarean section
2. Gender confirmation surgery
3. Genitalia self-examination for cancer or disease prevention/assessment

⚠️

We only show this content to individuals 18 and older:

• Real world art that depicts implied or explicit sexual activity.
• Imagery depicting bestiality in real-world art provided it is shared neutrally or in condemnation and the people or animals depicted are not real.
• Implied adult sexual activity in advertisements, recognized fictional images or with indicators of fiction.
• Adult sexual activity in digital art, where:
  • The sexual activity (intercourse or other sexual activities) isn’t explicit and not part of the above specified fetish content.
  • The content was posted in a satirical or humorous context.
  • Only body shapes or contours are visible.
APPENDIX H
“The Facebook Community Standards Apply the Same to Everyone, Everywhere”

The Facebook Community Standards apply the same to everyone, everywhere

UPDATED JAN 19, 2022

Facebook is a global community, so the Facebook Community Standards and Instagram Community Guidelines apply equally to everyone, everywhere and to all types of content. These policies are based on feedback from people and the advice of experts in fields such as technology, public safety and human rights.