

Case #7372 (02/12/2025)  
**JPMorgan Chase Bank, N.A.**  
**Advertising by J.P. Morgan Chase**  
**Challenger:** National Advertising Division  
**Product Type:** Financial Services  
**Issues:** Disclosure  
**Disposition:** Modified / Discontinued

## BBB NATIONAL PROGRAMS

### NATIONAL ADVERTISING DIVISION

NATIONAL ADVERTISING DIVISION,  
*Challenger,*  
  
JPMORGAN CHASE BANK, N.A.,  
*Advertiser.*

Case No. 7372  
Closed 02/12/2025

## FINAL DECISION

### I. Basis of Inquiry

The advertising industry established the National Advertising Division (“NAD”) and the National Advertising Review Board (“NARB”) in 1971 as an independent system of self-regulation designed to build consumer trust in advertising. NAD reviews national advertising in all media in response to third-party challenges or through inquiries opened on its own initiative. Its decisions set consistent standards for advertising truth and accuracy, delivering meaningful protection to consumers and leveling the playing field for business. Challenger, National Advertising Division (“NAD” or “Challenger”) initiated this inquiry as part of its ongoing monitoring program into the nature of the relationship between Advertiser JPMorgan Chase Bank, N.A. (“JPMC” or “Advertiser”) and its paid influencer, Kevin Hart, as well as the steps JPMC has taken to ensure that its influencers comply with the Federal Trade Commission’s Endorsements and Testimonial Guides.

### II. Decision

#### A. Standard of Review

JPMC is a multinational financial services firm. It is one of the largest banks in the United States, providing a wide range of financial services to consumers, corporations, and governments. In relation to credit cards, JPMC offers various credit card products and services. JPMC has partnered with Kevin Hart, an actor and comedian, as a brand ambassador and influencer for certain products. Through this partnership, Kevin Hart has appeared in various Chase credit card advertisements, including social media campaigns, promoting the benefits of using Chase credit cards for everyday purchases and financial management.

NAD initiated this inquiry as part of its ongoing monitoring program into the relationship between JPMC and its influencer/brand ambassador, Kevin Hart. NAD’s inquiry focused on whether Kevin Hart adequately disclosed his financial relationship and material connections with JPMC, while

promoting their products on social media. Specifically, NAD examined the sufficiency and placement of the ‘#chasepartner’ disclosure on Hart’s Instagram post, which was positioned below the fold, requiring users to click “more” to view it. During the inquiry, JPMC argued that a material connection disclosure is unnecessary because Kevin Hart’s followers are likely aware of his connection to JPMC due to his long-standing relationship with Chase and his appearance in various Chase advertisements. JPMC further advised NAD that Mr. Hart would: (1) move the material connection disclosure to appear above the fold so that consumers would not have to click “more” to see the disclosure in the caption; and (2) use a clear disclosure.

The Federal Trade Commission (“FTC”) Guides Concerning Use of Endorsements and Testimonials in Advertising (“Endorsement Guides”) require clear and conspicuous disclosures of material connections between endorsers and sellers.<sup>1</sup> The Endorsement Guides provide that monetary payments or the provision of free or discounted products trigger the need for a material connection disclosure. Effective disclosures must clearly communicate the connection’s nature, enabling consumers to evaluate its significance.

Though Hart’s post included the disclosure #chasepartner on the subject post, the disclosure failed to comply with FTC’s Endorsement Guides, which provide that disclosures be clear and conspicuous. The disclosures should catch viewers’ attention and be placed where viewers are not likely to miss it. Significantly, the FTC’s Endorsement Guides provide that if an Influencer’s Instagram post makes an endorsement, any required disclosure should be presented without having to click “more.”<sup>2</sup> Additionally, the disclosure should be simple to read, as well as clear, unambiguous, and understandable to the ordinary reader. While the FTC does not mandate the specific wording of disclosures, the disclosure should be easily noticeable, easily understandable, and hard to miss by ordinary consumers. Mr. Hart modified the material connection disclosure from “#chasepartner” to “#chase\_partner” and before the “more” fold. The voluntary modifications to the material connection disclosure will be treated, for compliance purposes as though NAD recommended the modification and JPMC agreed to comply.

### **III. Conclusion**

The voluntary modifications to the material connection disclosure will be treated, for compliance purposes, as though NAD recommended the modification and JPMC agreed to comply.

### **IV. Advertiser’s Statement**

Although JPMC believes that consumers recognize the longstanding connection between Mr. Hart and JPMC and that his Instagram post was a paid advertisement, as a strong supporter of the self-regulatory process, JPMC will follow NAD’s recommendations. **(#7372 TR, closed 02/12/2025)**

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<sup>1</sup> FTC Guides Concerning Use of Endorsements and Testimonials in Advertising, 16 C.F.R. § 255.0(f), 255.5 (2024).

<sup>2</sup> <https://www.ftc.gov/business-guidance/resources/ftcs-endorsement-guides-what-people-are-asking>.