



December 13, 2019

The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Markey,

Thank you for your letter from November 22nd regarding advertising practices on YouTube and YouTube Kids related to children. From its earliest days, YouTube has been a site for users 13 years of age and older, but with the rise in family content and of shared devices, the likelihood of children watching without supervision has increased. As you are aware, we are in the process of implementing a series of changes to improve our privacy protections for children's content on YouTube.

We continue to recommend parents use [YouTube Kids](#) if they plan to allow kids under 13 to watch independently. Tens of millions of families use YouTube Kids every week, and the awareness of YouTube Kids has grown significantly in recent months as we have increased our marketing campaign and launched YouTube Kids on the web. That being said, we are considering additional ways to improve our experiences for kids and families from the ground up. Some of your questions, therefore, pertain to policies and practices that are currently under review.

1) Will your company apply to content that is directed to children on YouTube the same YouTube Kids advertising policies that restrict product categories?

We will restrict the same content categories in advertising on YouTube Main that we do on YouTube Kids. Only advertisements that are family-friendly will be served on [Made for Kids Content](#), meaning that ads featuring sexually suggestive, violent or dangerous content, for example, will be prohibited.

a. Will food and beverage ads in content that is directed to children be prohibited on YouTube as they are on YouTube Kids?

Our current policies prohibit Food & Beverage advertising in YouTube Kids. This same ad content policy will apply on Made for Kids content on YouTube Main. While we are working with experts to review our advertising content policies across our verticals, we will continue to have stringent restrictions that prohibit advertisements promoting unhealthy products to children.

- b. Will the other product categories restricted for advertising on YouTube Kids - which include video games, beauty and fitness products, movies rated higher than PG, and dating services - also be restricted on content that is directed to children on YouTube?**

We apply the same advertising [category restrictions](#) on content that is Made for Kids as we do for YouTube Kids.

- 2) Will the YouTube Kids advertising policies that restrict content in paid advertising on YouTube Kids apply to content that is directed to children on YouTube? These policies include prohibitions on sexually suggestive, violent, and dangerous content, as well as misleading or deceptive claims or incitements to purchase.**

Our advertising policies on YouTube currently prohibit ads with [sexually explicit content](#), [violence](#), [dangerous products or services](#), and [misleading or deceptive claims](#) for all audiences, including in Made for Kids content. And if content is designated as Made for Kids, then we apply the same advertising content policies we have for YouTube Kids.

- 3) The advertising policy for YouTube Kids also includes advertisement-formatting requirements. Will these requirements, such as maximum length (15-20 seconds for non-skippable ads and 60 seconds for skippable ads), and the requirement that ads are clearly identifiable as ads, apply to content that is directed to children on YouTube?**

All ads on YouTube have clear disclosures which identify them as ads. The same disclosures, consistent with legal requirements, are applied as a standard policy on all ads on YouTube.com. Ads are further visually demarcated by a change in color on the video timeline.

While we do not have plans at this time to update our advertising formatting requirements on YouTube Main, we will continue to apply the same advertising category restrictions on all content that is Made for Kids as we do for YouTube kids.

- 4) The YouTube Kids Parental Guide states: "We will remove videos from the YouTube Kids app where the creator has notified us of a paid product placement or endorsement in their video through YouTube's paid product placement and endorsement notification tools." Will your company similarly remove videos from YouTube if a creator indicates that a video is both directed to children and has paid product placement?**

According to our policies for YouTube Main, and consistent with FTC guidance, paid product placements and endorsements are currently permissible where they are adequately disclosed. Our [ad policies](#) notify creators that they are obligated to make the disclosures necessary pursuant to existing FTC and other regulatory guidance. They may also use YouTube's [paid promotion disclosure feature](#) to automatically enable an additional visual disclosure for viewers. Nonetheless, we are continually considering the appropriate treatment for paid product placements and endorsements.

5) Will content that is directed to children on YouTube be completely free of targeted advertising? If so, please explain how Google intends to implement this policy, especially in light of YouTube's new Terms of Service, which state that the platform is only for those "at least 13 years old."

Content that is designated as Made for Kids will receive contextual rather than personalized advertising. Contextual advertising is based on the content of the underlying video that is being watched, whereas personalized advertising makes use of an individual user's activity in order to provide tailored ads.

In order to identify this category of content, we are requiring creators to tell us when their content is made for kids, and provide help center and other resources to help creators understand and comply with their legal obligations. We will also use machine learning to find videos that clearly target young audiences, for example those that have an emphasis on kids characters, themes, toys, or games.

Our recent updates to the Terms of Service were unrelated to these changes. YouTube Main was created and remains a site for people 13 and over, but we are nonetheless putting in place protections for child-directed content that may be watched by unsupervised kids.

6) How are your updated Terms of Service reconcilable with the Federal Trade Commission's finding that YouTube was operating "child directed channels" and promoting the popularity of YouTube with advertisers desiring to target children 12 and under 8?

As described, the recent updates to the Terms of Service were unrelated to changes in how we treat Made for Kids content. YouTube Main was created and remains a site for people 13 and over, but we are nonetheless putting in place protections for child-directed content that may be watched by unsupervised kids.

7) Please describe in detail YouTube's system for ensuring compliance with advertising rules on YouTube Kids. Has YouTube conducted research into the prevalence of advertising rule violations on YouTube Kids? If not, why not? If so, please share YouTube's findings.

All YouTube Kids Paid Ads must be pre-approved by YouTube's policy team prior to being served in the YouTube Kids app. We only show paid ads that are approved as family-friendly and all paid ads undergo a rigorous review process for compliance with our policies. Additionally, advertisers must also comply with applicable laws and regulations (including any relevant self-regulatory or industry guidelines). We also use a combination of technology and people to enforce our policies – machines help us flag videos for further review by our global review teams who are trained to ensure we are protecting our users.

8) YouTube has stated that it is "unable to confirm whether or not [channel owners'] content is Made for Kids." Beyond the resources that Google has made available to date, how will Google help creators with questions on whether a video or channel has content that is directed to children? Will Google have a phone hotline, chatroom, dedicated email address, or other means for creators to pose questions and receive feedback from Google on this topic?

Google is unable to provide legal advice to creators, but has created [resources](#) for creators in our help center and within our Creator Studio, including articles and video content, to help ensure that creators are aware of the existing guidance from the FTC. We have teams that answer questions from creators, submitted via various channels, regarding factors they should consider when determining whether their content is Made for Kids. We are also encouraging the FTC to consider providing more guidance for creators to help them comply with the law.

9) Will YouTube commit to implementing a means for the public to clearly understand if a channel or video on YouTube is directed to children?

From January, Made for Kids content can be identified by limitations on the available features. For example, comments, notifications and playlist additions will be disabled for Made for Kids content. Accordingly, users of this content, regardless of their age, will not be able to post comments, receive notifications, or add this content to playlists, among other changes.

We are working hard on these changes to YouTube and appreciate your interest in our policies and their implementation. We value your thoughts and those of interested third parties, creators, and children's advocates. Please feel free to reach out if you have questions.

Sincerely,

A handwritten signature in grey ink, appearing to read 'Leslie Miller', written in a cursive style.

Leslie Miller
Vice President, Government Affairs and Public Policy
YouTube