Signal Intelligence
CREATOR RISK INTELLIGENCE
Issue 18 · June 2025

CREATOR RISK INTELLIGENCE

The Signal

Monthly intelligence on Creator Risk, regulatory change, and brand safety incidents. Issue 18 · June 2025

The ASA scanned more than 50,000 social media posts in 2025. It found that 57% were properly disclosed. The other 43% were not. This month, it started naming the brands and creators involved. A new enforcement era has begun in the UK.

IN THIS ISSUE

01 — THE ASA NAMES NAMES

ASA · UK · Named non-compliance · June 2025

The ASA has added four creators to its publicly accessible non-compliance webpage: Chloe Ferry, Chloe Khan, Jodie Marsh, and Lucy Mecklenburgh. Each has been identified as a repeat non-complier with the ASA's advertising disclosure rules. Being listed on the ASA's non-compliance page does not carry a financial penalty — but it represents a significant escalation in the ASA's public enforcement posture, and its implications for brand partners are substantial.

The ASA's targeted sanctions regime, confirmed in 2024, allows the regulator to apply enhanced monitoring, advertising restrictions, and public naming to creators who repeatedly fail to disclose advertising content. The four creators named in June 2025 are the first to be publicly listed under this regime — but the ASA has confirmed that the list will grow.

What naming means for brand partners

A creator who appears on the ASA's non-compliance page is now a material reputational risk for any brand that activates them. The brand association is with a creator that a statutory-backed regulator has publicly identified as a repeat violator of advertising rules. Press coverage of the named creators consistently includes their brand partners — even if those partners were not themselves cited in the ASA's findings.

The CAP Code makes brands jointly responsible for advertising disclosure in content they commission. A brand that activates a creator who is already on the ASA's non-compliance list cannot claim it was unaware of the creator's compliance history. The list is public and searchable. Due diligence is available and expected.

The brand risk from the named non-compliers list is not abstract. Each of the four creators listed has an active following, active brand partnership history, and a publicly documented pattern of disclosure failures. A brand activating any of them today does so with full knowledge — because the list is public — that the creator has been formally identified as a repeat violator. That is a different risk profile from a creator who has simply not been caught.

THE SIGNAL

Being named on the ASA's non-compliance page is now a brand safety event in its own right. Any brand that activates a creator who is publicly listed as a repeat non-complier is activating a known compliance risk. The list is public and searchable. The due diligence is available.

RECOMMENDED ACTION

Before activating any UK creator, check the ASA's named non-compliers list. This takes thirty seconds. Build it into your activation checklist.

02 — 43%: WHAT THE DATA ACTUALLY SHOWS

ASA Active Ad Monitoring · 50,000 posts · June 2025

The ASA's AI-based Active Ad Monitoring system reviewed more than 50,000 social media posts in its most recent reporting period. Of those posts, 57% were properly disclosed as advertising. 43% were not. These are not complaints from consumers — they are posts identified proactively by the ASA's monitoring system as advertising content that lacked required disclosure.

The 43% non-compliance figure is consistent with previous research — the ASA has repeatedly found that approximately four in ten pieces of advertising content on social media lacks adequate disclosure. What has changed is the enforcement response. In prior years, the ASA's complaint-driven system could only address the cases it was told about. The AI monitoring system addresses the cases it finds.

The practical implication for brands is direct. A non-compliance rate of 43% in your creator programme — which is approximately what the industry average suggests — means that nearly half of your advertising content may be identifiable as non-compliant by the ASA's system. The question is not whether the system will find it. It is whether the brand has taken steps to ensure it doesn't need to.

THE SIGNAL

43% of advertising content on social media lacks adequate disclosure. This is not a fringe compliance problem — it is a systematic one. Brands that assume their creator programmes are compliant without a disclosure audit are almost certainly wrong.

RECOMMENDED ACTION

Commission a disclosure audit of your active creator programme. The ASA's monitoring system is finding non-compliant content at scale. A 43% non-compliance rate across the industry suggests the probability that your programme has compliant disclosure throughout is lower than most teams assume.

03 — WHAT WE'RE WATCHING

Forward signals · June 2025

Ferragni verdict	Criminal proceedings are extending into summer 2025. A verdict is now expected in Q3 2025. Signal Intelligence will cover the outcome and its implications for European creator marketing regulation in full.
ASA gifting sweep results	Results from the ASA's spring 2025 gifting disclosure sweep expected Q3. Brands whose creator gifting programmes were operating without disclosure guidance during Q1-Q2 may feature in enforcement actions.
Digital Fairness Act	Commission impact assessment published. Legislative proposal confirmed for Q3-Q4 2025. The Act will introduce EU-wide influencer marketing obligations — this is the regulatory development that will define the next three years.

04 — REGULATORY NOTE

UK · France · Italy · EU · USA · June 2025

UK	ASA named non-compliers list active — Chloe Ferry, Chloe Khan, Jodie Marsh, Lucy Mecklenburgh publicly listed June 2025. 43% of advertising content non-compliant per ASA monitoring. DMCCA in force. CMA powers active. FCA finfluencer enforcement expected.
FRANCE	ARPP speech-to-text monitoring operational. 194,000 posts reviewed H1 2025. Non-disclosure rates remain high. Brand liability confirmed joint and several. ARPP focusing H2 on brand-level enforcement actions.
ITALY	Ferragni criminal trial extending into summer. Verdict expected Q3 2025. AGCOM Code of Conduct in force. DDL Beneficenza (Ferragni Law) passed by Italian parliament — first full national influencer marketing law in Europe now enacted.
EU	Digital Fairness Act legislative proposal confirmed Q3-Q4 2025. EU AI Act active. DSA active. UCPD trader classification applies across all 27 member states.
USA	FTC enforcement pace maintained. Consumer Reviews Rule active. FTC pursuing AI-generated endorsement cases. Dual liability standard firmly established — brands as primary respondents in enforcement actions.

Italy's passage of the Ferragni Law — the DDL Beneficenza — is the most significant legislative development of the month. Eighteen months after Pandorogate, Italy has enacted the first purpose-built national influencer marketing law in Europe. Every creator with 1M+ followers promoting charitable products in Italy is now operating under a legal framework that did not exist in December 2023. The speed of that legislative response should be instructive for brands in every other European market.

STAY AHEAD OF THE SIGNAL

The Signal is published monthly by Signal Intelligence. Each issue covers real Creator Risk incidents, regulatory developments, and the intelligence that brand-side teams need before they need it. Subscribe at signalintelligence.consulting — and if this issue was forwarded to you, make sure you're on the list for the next one.