



Statement of
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before the

Committee on the Judiciary
U.S. House of Representatives

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Chairman Jordan, Ranking Member Nadler, and Members of the Committee, thank you for the opportunity to be here today to discuss Unilever's approach to purchasing advertising that promotes our 400 different brands, used by more than three billion people every day, in more than 190 countries around the world.

Unilever takes great care to ensure that our advertisements—whether on television, radio, print media, or online—reach the consumers who use our products, promote our products and brands in a manner that is consistent with their place in the market, and serve our business goals of offering consumers the brands they know and trust for their everyday needs. Competition for consumers' interest is intense, and gaining consumers' attention in today's media environment is difficult and costly. In making decisions on advertising, Unilever uses its advertising dollars to reach as many of our consumers as we can in the environments that maximize sales of our products.

Our advertising seeks to meet the consumers where they are, especially when they are making decisions about the products they will buy. Over the last several years, our advertising has shifted increasingly to online platforms—such as websites, video over-the-top streaming services, and applications—because consumers have done the same. Currently, about 80% of our U.S. advertising spending is directed at some form of digital media. Within that category, we spend more on advertising on digital commerce platforms—sites like Amazon, Walmart, Target, Walgreens, and Instacart—than anywhere else because that is where consumers are most frequently when they are making their buying decisions. Only 20% of our U.S. advertising spending goes to social media platforms, and less than 1% goes to digital news.

Our advertising aligns with our economic interest to be on platforms that amplify our brands and reach our consumers broadly. Fully 98% of U.S. households have purchased a Unilever product in the last twelve months. We want to reach all of the consumers who use our brands, on platforms that support and align with the brands. Conversely, being associated with content or a platform that detracts from our brands, harms our brands, or is inconsistent with our brands' identities is decidedly not in our economic interest.

With the rise of user-generated social media content and other online media, we have unfortunately seen repeated instances of our brands being associated with content that is harmful to our brands and the company, hampering our ability to build consumers' trust in our products. In one early example, ads for Dove soap—which has dedicated more than twenty years to its Campaign for Real Beauty—were appearing adjacent to content glorifying domestic violence

and rape, significantly harming the brand and alienating consumers. Similarly, the Unilever brands that are trusted and appeal broadly to all Americans are not served by content that is divisive or politically polarizing. For example, in 2020, we pulled back from social media advertising after we determined that the polarizing content would not serve the brands or add value to the brands' places in the market.

As the Committee examines issues central to this hearing, I want to be very clear about one critically important fact: Unilever, and Unilever alone, controls our advertising spending. No platform has a right to our advertising dollar. When a platform offers advertising inventory for purchase, it is up to that platform to demonstrate to us that the content reaches the consumers we seek to target and in a manner that serves our brands' business interests. As we look across the available advertising inventory—recognizing that we do not have unlimited money to spend on advertising—we choose the channels, platforms, and outlets that give us the greatest commercial benefit for our advertising investment.

We have several internal policies and practices that guide these decisions. First, our Code of Business Principles and Code Policies set global standards for Unilever's marketing. These policies require that our advertisements be truthful, accurate, and transparent. Second, in 2018, we adopted a Responsibility Framework specifically for digital advertising. This framework focuses our advertising activities toward responsible platforms, responsible content, and responsible infrastructure. Third, we have a dedicated team of professionals who are constantly examining the advertising marketplace, working with platforms about the advertising inventory the platforms are offering, examining the platforms' community standards to help align our advertising with content that serves our brands, and working with our advertising agencies to select the platforms' offerings that meet our business needs.

Relevant for today's hearing, we have also worked with industry groups to develop solutions that can help Unilever and companies like it make more informed decisions about their advertising spending, including the Global Alliance for Responsible Media ("GARM"). Seventeen advertisers, a half-dozen media companies and platforms, and a dozen agencies and industry associations formed GARM under the World Federation of Advertisers in 2019. GARM helps advertisers like Unilever have greater clarity and understanding about the places where our advertisements appear online, particularly on social media platforms, including sites like Facebook, Instagram, YouTube, TikTok, X, and others.

GARM arose after leading advertisers observed concerning reports that ads for brand-named products were appearing alongside despicable content, including content posted by Nazi supporters, ISIS followers, and al-Qaeda sympathizers. In addition to harming brands' identities, these ads were providing for the monetization of this content—advertising spending was inadvertently providing financial support to terrorists.¹

GARM's Brand Safety Floor and Suitability Framework are tools to help platforms communicate clearly about the content they will monetize, and to assist advertisers and agencies in making decisions about the advertising inventory that they will purchase. There are several

¹ Rupert Neate, *Extremists Made £250,000 from Ads for UK Brands on Google, Say Experts*, The Guardian (Mar. 17, 2017).

important considerations regarding GARM's framework: The framework is apolitical—it applies to harmful content regardless of any political perspective. The framework plays absolutely no role in content moderation—it is entirely up to the platforms to determine the content that they will, or will not, make available online. The GARM framework is entirely voluntary for both platforms and advertisers—no one is required to use the common vocabulary created by the framework. GARM has no role in deciding where content fits within the GARM framework—it is entirely up to each platform to decide whether to monetize any particular content. Finally, GARM has internal policies and controls designed to ensure that it operates within the requirements of antitrust and competition laws.

Although we have made progress in ensuring that our digital advertising spending is advancing our brands' business objectives, including through both Unilever's individual efforts and industry efforts like GARM, there is still more to be done. As recently as two years ago, Unilever received notice that certain ads for our brands had been unknowingly placed adjacent to social media profiles involved in selling or soliciting child sexual abuse material.

This is wholly unacceptable. We must do everything in our power—as both advertisers and platforms—to ensure that our advertising dollars are serving their intended purpose of reaching consumers and promoting our brands, not funding hate and harm.

The remainder of my testimony contains additional background and information regarding these important topics.

Unilever's History of Brands

Since the 1800s, Unilever has been a trusted source of home products and food staples. In 1884, Lever & Company, a family grocery business in northern England, launched the first branded soap, Sunlight, which proved to be very successful. Sunlight soap was one of the first brands to advertise in consumers' homes, using innovative means such as small cards inserted into soap packaging, and featuring the Sunlight brand in cartoon drawings or calendars. Always looking for innovative advertising methods, as early as 1893, the company used postage stamps in New Zealand to advertise Sunlight soap. By the 1890s, the company was selling nearly 40,000 tons of soap a year, and the company became Lever Brothers Ltd.

Meanwhile, in 1871, the Jurgens family, which had a successful business in the butter trade, acquired the patent for a then-new invention called margarine. Margarine offered an affordable substitute for butter, and the Jurgens family introduced the product to the Van den Bergh family, another family of butter merchants. The Van den Bergh family launched their first branded margarine, Vitello, in 1898. After World War I, Jurgens, Van den Bergh, and others merged their operations into the Margarine Union Limited, known as the "Margarine Unie."

On September 2, 1929, the Margarine Unie and Lever Brothers agreed to combine into Unilever, which began operations on January 1, 1930.

Throughout our history, Unilever focused on developing a variety of consumer brands, including adding Birds Eye peas in 1946, launching Sunsilk shampoo in 1946, creating the first soap bar in the United States, Dove, in 1955, acquiring Lipton teas in 1971, and launching Axe body spray in 1983. At the end of the century, Unilever moved further into foods and ice cream

by acquiring Breyers ice cream in 1993 and Ben & Jerry's in 2000, and Hellmann's and Knorr in 2000. In 2010, Unilever substantially expanded our personal care brands when we acquired TRESemmé and Nexxus.

Today, Unilever has more than 400 different brands, organized across five business groups: Beauty & Wellbeing, Personal Care, Home Care, Nutrition, and Ice Cream. Some of our most recognized brands include Hellmann's mayonnaise, Dove soap, Axe body spray, Vaseline, and Ben & Jerry's ice cream. In the United States, Unilever has 7,000 employees across ten manufacturing plants, a global research and development center, and a head office in Englewood Cliffs, New Jersey.

Unilever's Approach to Advertising and Brand Safety

Unilever spends about \$850 million on brand and marketing investment each year in the United States. About 75% of that advertising is directed toward women, generally between eighteen and forty-nine years old, as they are the primary decisionmakers for the purchase of our brands. Our approach to advertising is guided by our Code of Business Principles and Code Policies, which set out global minimum standards that apply to Unilever's marketing. These requirements include ensuring that our advertisements describe our products truthfully, accurately, and transparently; that we provide sufficient information for consumers and customers to understand our products; and that we ensure that our marketing is based on supported claims.

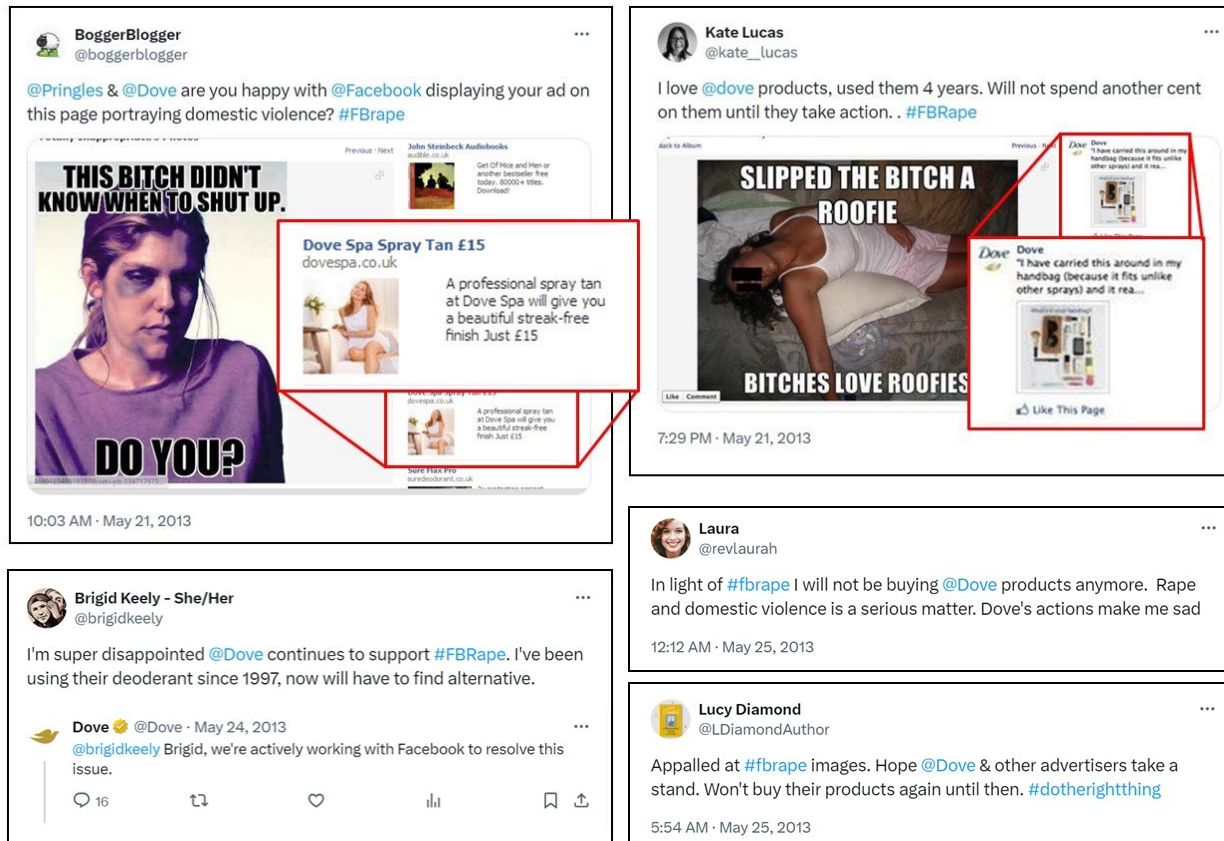
Employees involved in Unilever marketing activities must ensure our marketing reflects and respects generally accepted contemporary standards of good taste and quality, in the context for which it is designed, showing awareness of both wider society and sensitivity to different cultural, social, ethical, and religious groups. The policies also prohibit Unilever's marketing employees from altering images used in marketing communications in such a way that advertising is rendered misleading, or misusing technical data or scientific terminology to suggest falsely that a claim has scientific validity.

Important for today's discussion of digital advertising, our policies also prohibit Unilever employees from associating our products with figures or images likely to cause serious or widespread offense to any religion, nationality, culture, gender, race, sexual orientation, age, disability, or minority group. They also prohibit advertising in any media known for promoting violence, pornography, or insulting behavior.

Over the last several years, our advertising has shifted increasingly to online platforms—such as websites, video over-the-top streaming services, and applications—because consumers have done the same. Currently, about 80% of our U.S. advertising spending is directed at some form of digital media.

Early in the growth of online advertising, Unilever experienced the unique challenges presented by this medium. In 2013, Dove, which is one of Unilever's most popular and

profitable personal care brands, was directly linked to misogynistic content on Facebook.² Thousands of concerned consumers addressed Dove and Unilever via social media, including posting screenshots of Dove advertisements adjacent to posts promoting rape and domestic violence. The damage to the Dove brand from appearing alongside these horrific images was considerable. Numerous consumers posted online that they would no longer purchase Dove products. In response to this event, Dove refined its advertising targeting and Facebook updated its policies related to hate speech.



Unilever formalized its approach to advertising on platforms by launching our Responsibility Framework in February 2018. The framework provides three guiding principles: First, our advertising will be directed at responsible platforms. We will not invest advertising spending in platforms or environments that fail to protect children or that promote anger or hate. Second, we will only advertise with responsible content. Third, we will only advertise with responsible partners that are committed to creating a better digital infrastructure and an improved consumer experience.

As an example of our approach to responsible digital advertising, in June 2020, Unilever announced that it would pause advertisements on Facebook, Instagram, and Twitter in the United States. We took this action based on our review of the social media environment and our

² Cheryl Latham, *Dove in Twitter Storm as 'Self Esteem' Ads Appear Next to Images of Battered Women*, Metro (May 28, 2013).

conclusion, as we publicly announced at the time, that the content on certain outlets had become significantly polarized. We concluded that continuing to advertise on the platforms at that time would not have added value to people and society. We continued to assess the situation, and in January 2021, we renewed certain online advertising. A significant factor in our decision to resume advertising was the platforms' commitments to concrete steps to manage harmful content and processes for monitoring progress.

Our vast geographical footprint with a rich fabric of countries, cultures, and consumers leads us to embrace the benefits of making products for a diverse population as a way to retain and enhance our competitive advantage. We have adopted these policies because they align with the company's views and the views of our consumers. For example, recent polling has indicated that a majority of consumers would have an unfavorable view of a company advertising on a social media platform that had any of the following characteristics: known for hosting misinformation or conspiracy theories; known for hosting hate speech including racial slurs; known for hosting violent acts or extremist group content; or known for hosting sexual content.³

In addition to our overall approach to brand advertising, some of Unilever's brands have their own unique focus and identity. For example, in 2004, Dove launched an innovative and unprecedented campaign, the Dove Self-Esteem Project, that has helped young people around the world build positive body confidence and self-esteem. Since the launch, hundreds of thousands of teachers, parents, and youth leaders have engaged in the effort. Dove's body confidence educational efforts have reached more than 60 million young people across 139 countries. These initiatives are deeply ingrained in the public perception of the Dove brand, and it is essential that Dove's advertisements align with these efforts. For example, if a Dove ad were included alongside a social media post filled with body-shaming rhetoric, it would deeply harm the brand's identity and message.

Other Unilever brands operate even more independently in advertising, including Ben & Jerry's, Hourglass, Living Proof, and Liquid I.V. These brands generally operate their own advertising plans, guidelines, and programs, and they manage their own brands' identity and place in the market. Ben & Jerry's ice cream, for example, has a unique history and identity. Since its founding in 1978, Ben & Jerry's has been clear about its mission-driven objective, including its progressive, nonpartisan social mission that seeks to meet human needs and eliminate injustices in our local, national, and international communities. Respecting this tradition, when Unilever acquired Ben & Jerry's, Unilever agreed that Ben & Jerry's would maintain an independent board of directors that steers the company's social mission and brand integrity.

Global Alliance for Responsible Media

Beginning around 2017, advertisers began to see consistent and concerning reports that ads for brand-named products were appearing alongside despicable content, including content posted by Nazi supporters, ISIS followers, and al-Qaeda sympathizers. These ad placements created two significant problems for advertisers: First, our cherished brands that we have spent

³ Joanna Piacenza, *Hate Speech Is a Common Sight for Social Media Users. Here's How They Want Advertisers to Respond*, Morning Consult (Nov. 28, 2023) (linking to polling data).

decades cultivating and guarding were being directly associated with some of the most harmful online content. Second, because our ads were providing for the monetization of this content, our advertising spending was inadvertently providing financial support to these terrorists.

Although many individual platforms responded to this crisis by updating internal policies and procedures for monetization of harmful content, there continued to be a need for a framework that could provide greater certainty and clarity to advertisers about the types of content on the platforms that our advertisements would appear alongside. Platforms told the industry that they wanted to be helpful, but they could not keep up with thousands of companies each launching their own frameworks. There was a need for a common, voluntary vocabulary and framework.

To meet this need, more than a dozen large advertisers, several media agencies and industry associations, and a half-dozen platforms came together to form GARM. The initial advertising members included Adidas, Bayer, BP, Danone, Diageo, General Mills, GSK Consumer Healthcare, LVMH, Mars, Incorporated, Mastercard, Mondelēz International, NBCUniversal, Nestlé, Procter & Gamble, Shell, Unilever, and Vodafone. The media companies and platforms that joined at the launch of GARM included Facebook, Google/YouTube, Teads, TRUSTX, Twitter, Unruly, and Verizon Media.⁴

Since its founding, GARM has focused on ensuring brand safety for advertisers by seeking to provide companies with the ability to understand the types of online content—primarily user-generated content on social media platforms—that will appear in connection with the companies’ advertisements. A key goal of GARM is ensuring that advertisements do not appear with, and therefore provide financial support for, harmful content.

Across twelve different categories, GARM provides a framework that enables advertisers and content platforms to assess content with a common set of criteria and vocabulary. First, GARM provides a Brand Safety Floor that specifies content categories that are not appropriate for monetization through advertising. Second, for each of the twelve categories, GARM provides a Suitability Framework that provides criteria for categorization of the content into three tiers: high, medium, and low risk. These tiers enable the platforms and advertisers to have a common understanding of the characteristics of the monetized content and to set criteria for purchasing advertising inventory.

Participating platforms are responsible for ensuring that they are monetizing only content that meets the Brand Safety Floor, and they are similarly responsible for categorizing content within the Suitability Framework, if they choose to do so. It is thus the platforms, and not GARM, that make decisions about the monetization and categorization of content. GARM also aggregates and publishes metrics that are created by the platforms to summarize each platform’s efforts with respect to GARM’s Brand Safety Floor and Suitability Framework. Platforms frequently use third-party entities to audit aspects of their implementation of the GARM framework.

⁴ *Global Alliance for Responsible Media Launches to Address Digital Safety*, World Federation of Advertisers (June 18, 2019).

The priorities of GARM are set by a Steer Team, which operates somewhat like a board of directors. The members of the Steer Team are P&G, Unilever, Mars, Diageo, Mastercard, GroupM, 4As, ISBA, and ANA. Since its founding, GARM has grown considerably and now includes more than sixty of the world's most significant advertisers, all six major agency holding companies, seven industry groups, and ten media platforms.

The work of GARM is completed in working groups. GARM currently has four working groups as follows:

Standards and Definitions Working Group: This working group focuses on the main GARM frameworks—the Brand Safety Floor and the Suitability Framework. After GARM was founded in mid-2019, this working group was formed in December 2019 and issued the first Brand Safety Floor and the Suitability Framework in September 2020.

Adjacency Standards and Controls Working Group: This working group focuses on the physical placement of advertisements in digital media, including webpage layout, format, and platform structures. Formed in 2020, this working group released GARM's Adjacency Standards Framework in June of 2022.

Measurement and Oversight Working Group: This working group focuses on the aggregated reporting framework. The group was formed in July 2020 and released their first Aggregated Measurement Report in April 2021. The most recent Aggregated Measurement Report was released in May 2024.

Independent Verification Working Group: This working group focuses on agreeing to and adopting best practices on content safety audits, with a focus on controls, integrations, measurement, and reporting. This working group collaborates with independent companies such as the Media Rating Council and the Trustworthy Accountability Group on content safety audits.

Even as the GARM framework creates a common vocabulary for platforms and advertisers to discuss the context in which the brands' message might appear as they make their respective decisions about advertising inventory to offer and advertising inventory to purchase, it is also important to understand what GARM is not. First, GARM plays no role in content moderation. Decisions about the content that is, or is not, permitted on each platform is entirely within the control of that platform. GARM's framework does not dictate—indeed, it does not even contemplate addressing in any way—whether particular speech should, or should not, be permitted on any given platform. Of course, as advertisers, we understand that our decisions to place advertisements on certain types of content will benefit creators that offer that type of content. Yet this is the inherent nature of advertising and is no different from a decision to place our ads on primetime sports rather than cable news.

Second, the GARM framework is entirely voluntary for both platforms and advertisers. Neither the platforms nor advertisers are required to use the common vocabulary created by the framework. Instead, the framework is merely a set of tools that platforms, agencies, or advertisers can choose to use when making decisions about advertising inventory that they offer for sale or choose to buy. Indeed, at Unilever, the GARM framework is only one of many factors that we take into consideration when making advertising decisions. For example, we often

choose to advertise on platforms that do not use the GARM framework. Within the digital advertising category, we spend more on advertising on digital commerce platforms than on any other category, and several of the digital commerce platforms where we advertise are not members of GARM, including Google search, Amazon retail, Target, Walgreens, and Instacart. Like others in the industry, we make our own decisions about our advertising spending. We believe the GARM framework is helpful, but it is just one consideration among many.

Third, GARM has no role in deciding whether or where any particular content—such as a channel, a poster, a speaker, or other content creator—fits within the GARM framework. Those decisions are left entirely to the individual platforms. Indeed, it is entirely within the control of each platform to make decisions regarding its content, including content monetization. Even where the GARM framework expresses views regarding the types of content that should be monetized, each platform is able to make its own decisions regarding monetization. GARM merely provides a common vocabulary to assist advertisers when making purchasing decisions, and a process for providing transparency by the platforms regarding their content. GARM aggregates and publicly publishes the platforms’ information annually.

Finally, GARM and its framework are apolitical. The breadth of companies involved in GARM—more than sixty companies from various industry sectors, including Carhartt, McDonald’s, Walmart, Spotify, Red Bull, X, and Twitch—demonstrates that the organization is dedicated to giving advertisers the ability to work with platforms to place ads wherever the advertisers feel is best for their brands. Where the GARM framework expresses advertisers’ views about the inherent brand safety concerns implicated by advertising adjacent to hateful and harmful speech, those expectations apply both to speech from the left and speech from the right.

Competition Policy

As a business operating around the world in the highly competitive consumer products marketplace, Unilever is committed to complying with all competition and antitrust laws and policies wherever it operates. Unilever’s Code of Business Principles and Code Policies require that all employees must comply with competition law for all categories and markets in which they operate. The policies cover Unilever’s interactions with trade associations and industry groups, such as GARM. The Code also requires that Unilever employees receive relevant training in antitrust compliance.

Similarly, Unilever is aware that GARM and its parent organization WFA have robust antitrust compliance procedures. WFA has stated that it has implemented a competition law compliance policy and consults with outside counsel to ensure compliance with antitrust laws. WFA’s antitrust policy prohibits anti-competitive or collusive conduct, or other activities that could violate any antitrust or competition law, regulation, rule, or directive. Finally, Unilever understands that WFA performs regular compliance checks and implements other procedures to ensure compliance with this policy.

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Thank you for this opportunity to discuss Unilever’s approach to purchasing advertising, including our efforts to ensure that our advertisements reach the consumers who use our

products, promote our products and brands in a manner that is consistent with their place in the market, and serve our business goals of offering consumers the brands they know and trust for their everyday needs. I would be happy to respond to your questions.