

AMENDED Exhibit 516

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

ED - Response to Shou

Article - <https://jezebel.com/tiktok-has-barely-done-anything-to-get-rid-of-its-growi-1850184669>

Overview

What happened / what are we being criticized for?

- ◊ Allowing hashtags relating to eating disorders to remain on platform
- ◊ Removing only 7 of 56 hashtags that CCDH identified as hosting pro-anorexia content and differences in response for health warnings/PSAs between the US and UK
- ◊ Inability to keep track of coded hashtags used within the eating disorder community
- ◊ Test accounts created by CCDH researchers posing as 13-year-old girls entering rabbit holes of "self harm, body image, mental health and suicide" within 8 minutes of being on the app
- ◊ CCDH "demanded" that TikTok "alters its moderation policies, work with experts and advocacy organizations to remove harmful content, and provide resources to vulnerable users".

Commented [1]: Would edit to "removing only 7 of 56 hashtags" as the criticism was that we did not remove more

Commented [2]: Is it worth highlighting the point about there being a differential level of 'follow up'/'intervention' between US and UK that was observed?

[REDACTED] : [Yes] 2023-03-07 10:06:17

Commented [3]: Yes, I think that's important info given Shou's scope in the company

Commented [4]: I added, feel free to edit

Context for CCDH report:

- ◊ The CCDH has not engaged with us constructively on this report, and they never shared a list of hashtags or content for us to review prior to engaging with media on this. They have also not responded to our multiple requests to meet.
- ◊ However, we have reviewed the content mentioned in their report and we are removing content found to violate our Community Guidelines. This includes updating our list of hashtags which are banned or which have a safety label attached.
- ◊ Certain hashtags which they mention e.g. #mentalhealth are not violative as we believe it is important to foster a community where creators can share their personal experiences in a safe way.
 - Experts from the [[HYPERLINK "https://pubmed.ncbi.nlm.nih.gov/33382136/"](https://pubmed.ncbi.nlm.nih.gov/33382136/)] and the [[HYPERLINK "https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf"](https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf)] assert that media can have a positive impact on young people when it includes stories of people seeking help, getting treatment, and successfully recovering.
- ◊ As the methodology notes acknowledge, this report focuses on content viewed by users aged 18-24. It is worth noting that TikTok has a range of tools and policies to support [[HYPERLINK "https://newsroom.tiktok.com/en-us/our-work-to-design-an-age-appropriate-](https://newsroom.tiktok.com/en-us/our-work-to-design-an-age-appropriate-)

Commented [5]: Pulled from[[HYPERLINK](#)

Commented [6]: This is great!! Wondering if it helps to combine the 'context' section across global and US/CA and leave the follow up items separate?

[REDACTED] : [Yes] 2023-03-07 09:56:30

EXHIBIT

23

TIKTOK-LINTHICUM

experience-on-tiktok" \h] on our platform, so this experience is not representative of that of most teens.

* This report, like previous ones by the CCDH, does not distinguish between positive content (i.e. recovery, support) and negative content. Academics have highlighted serious concerns with this methodology, which was described on Stanford's podcast, which you can find [HYPERLINK "https://law.stanford.edu/podcasts/mc-weekly-update-12-5-the-moderated-content-files/" \h], as "not a methodology that is at all scientifically accurate".

Response:

Global Issue Policy & North American Regional Policy:

Immediate follow ups to address concerns in the article

- * After the original report in December 2022:
 - US/CA & Global removed 7 hashtags due to violating policies
 - US/CA added PSAs or search guide interventions to 66% of the hashtags/keywords identified by CCDH
- * After the March 2023 follow-up, we re-reviewed the 56 hashtags identified by CCDH:
 - In both Global & US/CA, in addition to the initial 7 hashtags that were removed, 2 were removed and 10 were NR'ed.
 - For Global, A PSA, directing users to the in-app Safety Center and local mental health/eating disorder helplines, was included on 27 hashtags relating to weight loss and diets that remain on platform.
 - In US/CA, an additional 74 keywords had PSAs or search guides added that were found during sweeps.
- * Took the opportunity to further sweep the platform for more 'variants' of the hashtags that CCDH had provided, more extensive review of these ~300 hashtags are being conducted by issue and feature teams.
- * Moderation teams in Global are conducting a review of ~4000 videos and ~800 photo posts that may relate to eating disorders and extreme diet and fitness content.
- * The FYF dispersion of Extreme Diet and Fitness (EDF) content was launched globally in EN markets in Nov, which would address the concerns highlighted about users entering rabbit holes relating to body image (CCDH tested the feed in Aug, before the roll-out of this feature).
 - The content flagged by CCDH was tested against the dispersion model performance, and verified that it would have been caught and dispersed in users' feeds.

Global Issue Policy:

Commented [7]: Acknowledging this doc intends to focus on what we are doing (vs just criticizing the report), I do think its helpful context setting to note that the CCDH work does not distinguish btwn harmful and positive/neutral content. Certain hashtags which they mention e.g. #mentalhealth are not violative as we believe it is important to foster a community where creators can share their personal experiences in a safe way. The US Surgeon General's recent report asserts that media can have a positive impact on young people when it includes stories of people seeking help, getting treatment, and successfully recovering.

: [JIAYI] 2023-03-07 08:12:58

Commented [8]: [REDACTED] clarity, is this 66% of the hashtags that were mentioned in the CCDH report, or that we uncovered during our escalation coverage of this report? Did we ever receive a hashtag/keyword list from the CCDH?

Commented [9]: The 66% was pulled from CCDH'S follow up report- so no list that I'm aware of

Commented [10]: This bit might be a bit confusing to the reader, because we haven't mentioned that there are actually two separate articles/reports and distinguished between the two. Do you want to do that in the 'what happened' section? It might help with clarity.

Commented [11]: Was this the same for global? Edit if so

Commented [12]: [REDACTED] are you pulling number this from? I'm not sure about the alignment we have with it, so want to follow up and confirm.

Commented [13]: I pulled it from the sensitive word intake that IM put terms that global IM requested be added- it also contains the #term versions (we had to do the as a work around for issues with not having the search guide for hashtags). I can recount in a bit to remove the #term versions from the number

Commented [14]: Prob need to supplement with pointers from the negative affect end - am not updated about that but we should address it since the rabbit holes CCDH mentions were not just about body image.

What are we doing to address eating disorder content on the platform?

Beyond the immediate follow ups, various teams are taking a holistic approach to address such content, focusing on policy and enforcement, detection of keywords and trends, 'filter bubbles' of content on the FYP, and user education and outreach.

- * Policy

- We have finalized two new policies on eating disorders. One is a violation-outcome policy that will cover content promoting and showing eating disorder behaviors, that will replace two existing policies. The second is an NR policy that will make content promoting extreme or dangerous weight loss behaviors (restrictive low calorie diets, intermittent fasting, excessive exercise, weight loss hacks, weight loss products) hard to find for adults and not available for minors. Both policies are more restrictive than existing ones. The two new titles have shown a 30% increase in accuracy through policy testing (~44% to 75%) and are tentatively scheduled to launch in mid-2023.
- We are also working on policies that will cover other issues raised in this investigation, such as eating disorder recovery content.

- * Product

- We have developed new strategies to target leakage of violative content. In the short term, we have set up rules-based recall strategies to target content from the worst performing model recall markets (e.g. Spanish rules address 5/10 lowest MRR) markets. In the medium term, we are working to refine the new policy-aware model strategy by iterating and testing with grey/nuanced cases.
- Review and sweep of content being recommended by discoverability channels. We are looking to scale a pilot where we had reviewed and taken down violative content that had been leaked and we were actively being recommended through search. We took down 428 items over 2.5 weeks, which had a median age of 210 days on the platform and had 4x the vv traction indicating that these items were actively being viewed/consumed.

- * Feed dispersion

- Following multiple escalations in 2021 that said TikTok's FYP sent users into filter bubbles of eating disorder and extreme diet and fitness ("EDF") content, in November 2022 we launched feed dispersion efforts for such content in 60 global English-language markets. This has resulted in an improvement in EDF bubble users by 52%. Model training for feed dispersion for 14 other languages (including French, Spanish, German, Indonesian, Korean) is currently ongoing, and scheduled for launch later in 2023.

- * Outreach

- Over the past year, the team has done 15 engagements with external experts (academics, NGOs, clinicians) who have confirmed and validated the approach our new policies take, agreeing that more restrictive policies are useful in the eating disorder space. We are also working with several experts globally to redesign and improve our

in-app user resources and to expand coverage of our eating disorder helpline resources across the world.

North American Regional Policy:

What is the US/CA Policy Team doing to address eating disorder content on the platform?

Due to the prior separation of US/CA from Global T&S & current considerations of USDS, US/CA has some differences in how disordered eating content is handled. However, much of the approach used across the globe is also used in the North American market. US/CA policy is overseen by the North American Regional Policy (NARP) team.

* **Policy**

- In February 2022, a clinical psychologist who specializes in eating disorders was onboarded to the US/CA T&S Suicide, Self-Harm, & Dangerous Acts Issue Policy Team (now located in North American Regional Policy).
- In December 2022, US/CA T&S deprecated many of the policies that were previously controlling disordered eating content and replaced these sub-par policies with 4 new improved policies. The US/CA Operational Guidelines & Trainings were also overhauled and improved in tandem.
 - These policies are different than the policies that Global T&S is currently planning to roll-out due to differences in market demand and the speed of which US/CA was able to cascade policy in comparison to Global T&S.
 - However, these policies are interoperable with the finalized policies Global is planning to cascade. North American Policy continues to closely work with and align with Global Issue Policy on future updates to disordered eating policy to ensure interoperability.
- Currently, US/CA policies that control disordered eating content are (see Annex for more detailed information):
 - *Promotion of Disordered Eating* (Violation) [Cascaded December 2022]: Controls content that promotes disordered eating/ eating disorders.
 - *Disordered Eating Without Promotion* (Violation) [Cascaded December 2022]: Controls content that goes into too much detail about disordered eating behaviors and can be imitated.
 - *Extremely Restrictive Diets* (Violation) [Cascaded December 2022]: Controls content promoting or depicting diets of 1,000 or fewer calories for more than 18 hours for body fat or weight-loss.
 - *Moderately Restrictive Diets and Diet Products* (Not Recommend) [Cascaded December 2022]: Controls content promoting or depicting diets of 1,001-1,500 calories in 24 hours, diet products (e.g., diet pills), and any diet/exercise/hack that is advertised to lead to "quick" or "unhealthy" weight loss.

Depiction of Suicide or Self-Harm in an Acceptable Context (Limit to US/CA Market) [Pre-existing policy]: Content discussing suicide or self-harm (which includes disordered eating context) is in an educational or neutral context is only allowed in its own market to reduce misunderstanding in other markets.

✧ **Product**

- The North American Regional Policy (NARP) team collaborates closely with Global Issue Policy on in-app resources for disordered eating.
- Currently in North America, users are provided access to a [HYPERLINK "https://newsroom.tiktok.com/en-us/new-resources-to-support-well-being/?ipid=post_link_1" \h] who may need support, including the NEDA Helpline and a [HYPERLINK "https://www.tiktok.com/safety/en-us/eating-disorder/" \h] on our Safety Center
- The NARP team also collaborates with various North American assigned teams to generate product interventions that can also be applied globally.

✧ **Feed Dispersion:**

- The US market was the first market to launch the "extreme diet and fitness" dispersion model, which was beta tested in early 2022 and launched in its current form in November 2022.
- Content mentioned in the original CCDH report also touches on topics related to the "negative affect" dispersion model. This model disperses content related to hopelessness, grief, loneliness, and other similar emotions. The US market was the first to launch a beta version of this model in early 2022 and launched in its most current form in February 2023.

Commented [15]: [REDACTED] please correct if I got the approximate dates wrong. Was having a hard time finding in old docs

✧ **Outreach:**

- In addition to the outreach done by Global Issue Policy over the past year, the North American Regional Policy (NARP) team completed 11 engagements with external experts to discuss policy, platform interventions, and awareness campaigns.
- NARP has also onboarded one new external eating disorder organization, the [HYPERLINK "https://www.allianceforeatingdisorders.com" \h], who recently partnered with the platform for [HYPERLINK "https://activity.us.tiktok.com/magic/eco/runtime/release/63ebaff42db0af0335039b5f?appType=magellan&magic_page_no=1" \h] in the US, in addition to our longstanding partner, [HYPERLINK "https://www.nationaleatingdisorders.org" \h].
- NARP has worked with multiple external expert organizations to develop in-app videos to encourage users to seek help for disordered eating and raise awareness, such as was featured in the US [HYPERLINK "https://activity.us.tiktok.com/magic/eco/runtime/release/63ebaff42db0af0335039b5f?appType=magellan&magic_page_no=1" \h] campaign or in other instances ([HYPERLINK

"https://www.tiktok.com/@tiktoktips/video/7169309320956398891" \h] and [HYPERLINK "https://www.tiktok.com/@tiktoktips/video/7169304915767119150" \h]).

Annex:

- * US/CA Policy Titles:
 - *Promotion of Disordered Eating* (Violation) [Cascaded December 2022]:
 - This controls the content with the most harmful disordered eating content. This content intentionally or unintentionally sends the message to users that disordered eating is something to strive for and will improve your life. This content also instructs users on how to engage in disordered eating behaviors, avoid treatment, and hide these behaviors from other people who may want the person to get help. This content can also minimize the severity of disordered eating and normalize these harmful thoughts and behaviors.
 - *Disordered Eating Without Promotion* (Violation) [Cascaded December 2022]:
 - Disordered eating is a popular topic and many people want to discuss their experiences with disordered eating and recovery. It can be tricky to safely and appropriately talk about disordered eating. People may inadvertently create harmful content when talking about their experiences or seeking support without the intention of promoting disordered eating. This is often done by giving too much detail about their experiences, which can serve as a form of unintentional instruction that vulnerable users can follow or be distressing for other individuals with disordered eating. The *Disordered Eating Without Promotion* title covers this in-between area of content that is not severe enough to be tagged with *Promotion of Disordered Eating*, but is more harmful than content that is meant to be captured under *Suicide or Self-Harm in an Acceptable Context*.
 - *Extremely Restrictive Diets* (Violation) [Cascaded December 2022]:
 - This controls content promoting or depicting diets of 1,000 or fewer calories for more than 18 hours for body fat or weight-loss. Extreme restriction of caloric intake for extended periods of time can have harmful physical effects, even resulting in hospitalization or death. Extreme restriction is also linked to development of disordered eating in adolescent girls and adults and worsening of symptoms for women with eating disorders and men with muscle dysmorphia. While much of this content is posted by individuals living with disordered eating, much of it is also posted by individuals trying to lose weight or body fat in attempts to improve their perceptions of their appearance, health, wellness, or fitness ability. No matter the intention of the content, it is highly harmful and must be removed from platform.
 - *Moderately Restrictive Diets and Diet Products* (Not Recommend) [Cascaded December 2022]:
 - We limit content related to *Moderately Restrictive Diets and Diet Products* intended to result in weight or body fat loss. Moderate restriction of caloric intake

(1,001-1,500 calories in 24 hours) can result in negative physical and mental health effects and development of eating disorders in adolescents. Diet products for weight or body fat loss have strong links to severe medical events (e.g., hospitalization, disability, death), due to low regulation, and are linked to development of eating disorders in women. While much of this content is posted by individuals trying to lose weight or body fat in attempts to improve their perceptions of their appearance, health, wellness, or fitness ability, due to the harms associated with these practices, we limit its reach.

◦ Depiction of Suicide or Self-Harm in an Acceptable Context (limited to US/CA Market) [Pre-existing policy]:

- Content discussing suicide or self-harm (which includes disordered eating context) is in an educational or neutral context is only allowed in its own market to reduce misunderstanding in other markets.

DOCUMENT METADATA

Bates Number: TIKTOK3047MDL-078-LARK-01859676-TIKTOK3047MDL-078-LARK-01859682

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ENDATTACH: TIKTOK3047MDL-078-LARK-01859718

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