

AdTech Groups Seek California AG Clarification on CCPA Scope

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Last week, five advertising and marketing trade associations jointly [filed comments](#) with the California Attorney General seeking clarification on provisions within the California Consumer Privacy Act (CCPA).

While expressing “strong support” for the CCPA’s intent, and noting the online ad industry’s longstanding consumer privacy efforts like the DAA’s [YourAdChoices Program](#), the group proposed the following three clarifications relating to CCPA provisions that, unless modified, the group believes could reduce consumer choice and privacy:

- **Notice relating to a sale of consumer data:** A company’s written assurance of CCPA compliance should satisfy the requirement to provide a consumer with “explicit notice” (under 1798.115(d)) when a company sells a consumer’s personal data that the company did not receive directly from such consumer;
- **Partial opt-out from the sale of consumer data:** When responding to a consumer’s request to opt out of the sale of personal data, companies can present consumers with choices on the types of “sales” from which to opt-out, the types of data to be deleted, or whether to opt out completely, rather than simply offering an all or nothing opt-out.
- **No individualized privacy policies:** Businesses should not be required to create individualized privacy policies for each consumer to satisfy the requirement that a privacy policy disclose to consumers the specific pieces of personal data the business has collected about them.

The associations signing on to the comments include the Association of National Advertisers, American Advertising Federation, Interactive Advertising Bureau, American Association of Advertising Agencies, and the Network Advertising Initiative. The comments represent an “initial” submission intended to raise the proposals above and, more broadly, highlight to the California AG the importance of the online-ad supported ecosystem and its impact on the economy. The associations plan to submit more detailed comments in the coming weeks.

The comments coincide with a [series of public forums](#) that the California AG is hosting to provide interested parties with an initial opportunity to comment on CCPA requirements and the corresponding regulations that the Attorney General must adopt on or before July 1, 2020.