



Highlights this week include newly published guidance on CCPA and the appellee brief filed by ANA and our co-plaintiffs in the HHS prescription drug advertising case.

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### News of Interest

- [A Privacy Law That Actually Protects Americans, \*Morning Consult\*, November 15, 2019](#)
  - An op-ed by Stu Ingis who is an adviser to Privacy for America of which ANA is a founding member. Ingis is Chairman of Venable LLP and serves as co-chair of their eCommerce, Privacy, and Cybersecurity Group
- [First multi-million GDPR fine in Germany: €14.5 million for not having a proper data retention](#)

[schedule in place](#), *Data Protection Report*, November 12, 2019

- [Calling All Retailers - Ready or Not, CCPA Is on Its Way](#), *eCommerce Times*, November 9, 2019
- [DOJ issues new warning to big tech: Data and privacy could be competition concerns](#), *Washington Post*, November 8, 2019
- [Why Employers Need to Pay Attention Right Now to California's Consumer Privacy Law](#), *Forbes*, November 8, 2019
- [Google to Restrict User Information It Gives Advertisers](#), *Wall Street Journal*, November 14, 2019
- [States planning to expand Google antitrust investigation: report](#), *The Hill*, November 14, 2019

## Word on the Street

- Impeachment hearings began in the House of Representatives for just the fourth time in United States' history on Wednesday. Go [here](#) for a recap of the day's events.

## Upcoming ANA Events

- [Countdown to CCPA: ANA Guidance for Members Webinar](#) – November 25 @ 2PM ET
- [The Business of Marketing Law: 1-Day Conference](#) – December 4 in NYC
- [Brand Activation Legal Webinar](#) – December 17 @ 1PM ET

## Federal Affairs

### [ANA Submits Appellee Brief in HHS Prescription Drug Advertising Disclosure Case](#)

On November 12, ANA, along with co-plaintiffs Merck, Eli Lilly, and Amgen, [filed](#) with the U.S. Court of Appeals for the District of Columbia a brief asking it to uphold a DC District Court decision that invalidated a Department of Health and Human Services (HHS) rule requiring pharmaceutical drug makers to include the “list price” for drugs in DTC television ads. Our filing states that the mandated disclosure is beyond the authority of HHS and violates the First Amendment.

For our entire press release on the filing, please click [here](#).

### [Chairman of the FTC Urges Congress to Develop Federal Privacy Law During House Judiciary Antitrust Hearing](#)

On November 13, 2019, the House Committee on the Judiciary's Subcommittee on Antitrust, Commercial and Administrative Law held a hearing entitled, “Online Platforms and Market Power, Part 4: Perspectives of the Antitrust Agencies.” The hearing was the fourth in the Subcommittee's ongoing series on “Online Platforms and Market Power,” and featured Joseph Simons (Chairman, Federal Trade Commission) and Makan Delrahim (Assistant Attorney General, Antitrust Division, U.S. Department of Justice) as witnesses.

Over the course of the November 13 hearing, participants discussed data privacy and data portability, data's value, antitrust investigations into online platforms, federal agency resources, the EU's General Data Protection Regulation (GDPR), online behavioral advertising, and emerging technologies including artificial intelligence (AI) and machine learning (ML). Please click [here](#) for a detailed summary.

## State Affairs

### ANA Publishes CCPA Guidance

The ANA continues to actively work to help our members navigate the CCPA. With an effective date of January 1, 2020, the time to begin planning compliance with this extremely impactful privacy law is now.

Yesterday, in our most recent step, the ANA published “California Consumer Privacy Act Guidance” which provides a set of nonbinding principles and best practices to assist ANA members and the industry in meeting the requirements of the CCPA. To download the document, please click [here](#).

The ANA is also hosting a [complimentary webinar](#) for ANA members on Monday, November 25, from 2:00–3:00 p.m. to address specific aspects of the California Consumer Privacy Act Guidance. [Register now](#).

### “California Privacy Rights Act of 2020” Ballot Initiative Revisions Submitted to California AG

Alastair Mactaggart, the wealthy real estate developer behind the CCPA, has filed revisions to his proposed 2020 ballot initiative entitled “The California Privacy Rights Act of 2020” with the California Attorney General’s office on Wednesday. According to the California Secretary of State’s website, 623,212 signatures must be collected by Spring 2020 in order to qualify for the November 3, 2020 election.

To read the newest version of the initiative, please click [here](#).

### State Legislative Weekly Tracker

Click [here](#) for a summary report of this week’s legislative activity in the states.

### Contact Us

If you have questions on any of the issues mentioned in the ADviser, please feel free to contact ANA’s Government Relations team in Washington, D.C.:

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You can also reach the D.C. office at any time at 202.296.1883

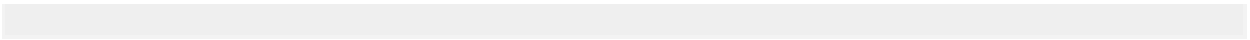
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