

# WASHINGTON



## Federal Affairs

- Blackburn Calls for COPPA Overhaul During Consumer Protection Subcommittee Hearing on “Toxic Marketing Claims and Their Dangers”
- Bicameral Food Labeling Act Introduced
- Republican Senators Send Letter to FTC Chair Khan Regarding Transparency at the FTC

## State Affairs

- ANA State Legislative Report

## News of Interest

- Amazon's Massive GDPR Fine Shows the Law's Power—and Limits, *Wired*, Aug 5, 2021
- Zoom will pay \$85 million to settle lawsuit over privacy and 'zoombombing', *Yahoo*, August 1, 2021
- College athletes are finally allowed to profit off their own images. So, of course, they're turning to Cameo., *Washington Post*, August 3, 2021

## Word on the Street

- More work on Sundays makes senators 'cranky'

## Save the Date

- Brand Activation Legal Webinar: The Legal Complexities Of Paying Influencers – August 10, 2021 at 1PM ET
- 2021 ANA Nonprofit Federation Summer Conference (Hybrid) - August 25 to 27, 2021

**2021 ANA NONPROFIT FEDERATION  
SUMMER CONFERENCE**  
AUGUST 25-27 | CHICAGO, ILL. AND VIRTUAL

POSTAL RATES & DATA PRIVACY — SUMMER HEAT FOR TOP REGULATORY ISSUES

**CHRIS OSWALD**  
SVP, ANA Government Affairs  
ANA

**SENNY BOONE**  
SVP, Nonprofit Federation  
ANA

ANA Nonprofit Federation #ANAnonprofit

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The graphic features a light blue background with a faint map of the United States. At the top right, there is an illustration of two yellow hands holding a red heart with colorful rays emanating from it. Below the main title, there is a white banner with the text 'POSTAL RATES & DATA PRIVACY — SUMMER HEAT FOR TOP REGULATORY ISSUES'. Two circular headshots are shown: one of Chris Oswald on the left and one of Senny Boone on the right. At the bottom, there is the ANA Nonprofit Federation logo and the hashtag #ANAnonprofit. A dark blue banner at the very bottom contains the text 'REGISTER TODAY' in white.

- Legal Webinar: COVID-19 Business Interruption Claims – “State of the Union” on Litigation & Legislation - September 14, 2021 at 1PM ET
- The Intersection of Marketing Law and Intellectual Property, Hosted by Finnegan (Hybrid) – September 14th at 11:30 AM ET
- 2021 ANA/BAA Marketing Law Conference (Hybrid) - November 15 to 17, 2021

## Federal Affairs

### Blackburn Calls for COPPA Overhaul During Consumer Protection Subcommittee Hearing on “Toxic Marketing Claims and Their Dangers”

Earlier this week, the Senate Committee on Commerce, Science, and Transportation’s

Subcommittee on Consumer Protection, Product Safety, and Data Security held a [hearing](#) entitled “Toxic Marketing Claims and Their Dangers.” Hearing witnesses included North Carolina AG Josh Stein and former FTC Acting Chair Maureen Ohlhausen. During the hearing participants discussed children’s privacy, app stores, digital advertising and algorithms. During the hearing, Subcommittee Ranking Member Marsha Blackburn (R-TN) called for an overhaul of the Children’s Online Privacy Protection Act (COPPA). Further highlights from the hearing are available [here](#).

### **Bicameral Food Labeling Act Introduced**

House Energy and Commerce Committee Chairman Frank Pallone, Jr. (D-NJ), House Appropriations Committee Chairwoman Rosa DeLauro (D-CT), and Senators Richard Blumenthal (D-CT), Sheldon Whitehouse (D-RI), and Ed Markey (D-MA) have introduced the [Food Labeling Modernization Act of 2021](#). If passed the bill would amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels. The bill also includes some provisions related to marketing and online sales, including new guidelines regarding the use of the word “healthy.” The bill has been referred to the Senate HELP Committee.

### **Republican Senators Send Letter to FTC Chair Khan Regarding Transparency at the FTC**

Sens. Marsha Blackburn (R-TN), John Cornyn (R-TX), Thom Tillis (R-NC), Cynthia Lummis (R-WY), and Bill Hagerty (R-TN) wrote a [letter](#) to Federal Trade Commission (FTC) Chair Lina Khan. In the letter, the Senators expressed concern about transparency at the FTC. The Senators requested more information on recent FTC decisions, including the votes related to Section 18 rulemaking and the policy statement on unfair methods of competition under the FTC Act. They questioned if the FTC would take public comment prior to votes and noted concern about a ban on public events and outreach. According to the letter, the Senators asked if Chair Khan would recuse herself from cases where she has expressed public opinions on the companies.

## **State Affairs**

### **ANA State Legislative Report**

Click [here](#) for a summary report of this week’s legislative activity in the states. To schedule a tutorial provided by a member of the team at Leonine Focus please contact Travis Frazier (tfrazier@ana.net).

## **Virtual Coffee?**



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### **News of Interest**

- [Google Ads To Block Targeting Based On Age, Gender, Interests For Kids, \*Mediapost\*, August 10, 2021](#)
- [Senate Passes \\$1 Trillion Infrastructure Bill, Handing Biden a Bipartisan Win, \*New York\*](#)

*Times*, August 10, 2021

- Biden to deliver 'forceful' call for Congress to lower drug prices, *The Hill*, August 12, 2021
- Firefox Beefs Up Cookie Deletion Capabilities, *Mediapost*, August 10, 2021
- Facebook is rebuilding its ads to know a lot less about you, *The Verge*, August 11, 2021
- State redistricting can start with new census data, but litigation looms, *Roll Call*, August 12, 2021
- Google Bans Tracking Tool That Sold Location Data, *Mediapost*, August 12, 2021

## Word on the Street

- Friday The 13th Fear Has A Name: Paraskevidekatriaphobia. Here's How To Say It

## Save the Date

- 2021 ANA Nonprofit Federation Summer Conference (Hybrid) - August 25 to 27, 2021

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### **News of Interest**

- [U.K Privacy Regulatory Seeks Views on Data Transfer Agreement](#), *Bloomberg Law*, August 12, 2021
- [Twitter Tests Feature That Lets Users Call Out Misinformation](#), *MediaPost*, August 18, 2021



- [A T-Mobile Breach Exposed Nearly 50 Million People's Personal Data](#), *NPR*, August 18, 2021
  - [Energy & Commerce Republican Leaders Release Statement on T-Mobile Data Breach](#)
- [FTC Files Renewed Antitrust Complaint Against Facebook](#), *CNBC*, August 19, 2021
- Click [here](#) for a summary report of this week's legislative activity in the states. To schedule a tutorial provided by a member of the team at Leonine Focus please contact Travis Frazier ([tfrazier@ana.net](mailto:tfrazier@ana.net)).

## Word on the Street

- [How to Help Afghan Refugees Get Resettled in the U.S.](#)

## Save the Date

Webinars and Committee Meetings (all virtual):

- [ANA Brand Activation Legal Committee](#) – August 26, 2021, 2:00 pm EDT
- [Webinar: COVID-19 Business Interruption Claims – “State of the Union” on Litigation & Legislation](#) – September 16, 2021, 1:00 pm EDT (note new date)
- [ANA Government Relations Committee Meeting and Capitol Hill Day](#) – September 22, 2021, 11:00 am EDT

Conferences (hybrid events):

- [2021 ANA Nonprofit Federation Summer Conference](#) – August 25-27, 2021
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- [UK to overhaul privacy rules in post-Brexit departure from GDPR, \*The Guardian\*, August 26, 2021](#)
- [Telling conservatives it's a shot to 'restore our freedoms': How online ads are promoting](#)

coronavirus vaccination, *Washington Post*, August 24, 2021

- False advertising lawsuits are ramping up in food and beverage, *Food Dive*, August 23, 2021
- US Judge Dismisses First-Ever GDPR Suit In American Court, Brought Against PubMatic, *Ad Exchanger*, August 20, 2021
- China Plans to Ban U.S. IPOs for Data-Heavy Tech Firms, *Wall Street Journal*, August 27, 2021
- Postage rate increase will go into effect Aug. 29, Court of Appeals says, *E&P*, August 26, 2021

## Word on the Street

### ANA Releases 2021 Privacy Shield Report

For companies that transfer personal data from the EU, U.K., and/or Switzerland to the United States, the ANA Privacy Shield offers the safeguards and protection to handle any potential unresolved data privacy complaints. Companies are required to adhere to core data privacy principles established by the **Privacy Shield Framework** and must select an independent, third-party dispute resolution service provider.

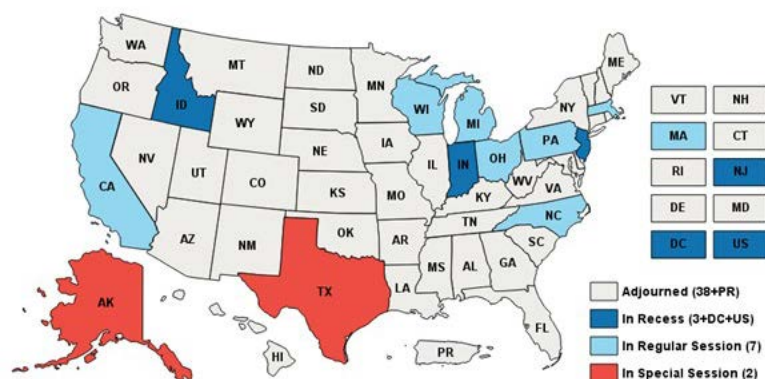
As an accepted mediator, the ANA offers its Privacy Shield service as a member benefit — either complimentary or \$300, depending on membership level. Nonmembers can also select the ANA Privacy Shield for an applicable fee. Prices vary depending on the company's annual revenue. The ANA is the only marketing trade association to serve in this compliance role.

We are not just a mediator for complaints under the program. We also provide monthly updates/alerts to our participants regarding news, announcements, and activity related to the frameworks, and serve as a liaison between our participants and the U.S. Department of Commerce.

Learn more about the ANA Privacy Shield Report [here](#). If you have questions, contact Lisa Brown Shosteck or Senny Boone.

## Peek at the States

### States in Session



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- [ANA Government Relations Committee Meeting and Capitol Hill Day](#) –September 22, 2021, 11:00 am EDT. **ANA has just announced that we will have a Keynote and Q&A from Congresswoman Jan Schakowsky**, Chair of the Consumer Protection and Commerce Subcommittee of the House Energy & Commerce Committee!



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