

Online Interest-Based Advertising Accountability Program Releases New Enforcement Decisions

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The Online Interest-Based Advertising Accountability Program administered by the Better Business Bureau recently announced four new decisions and nine administration closures in connection with its enforcement of the [Self-Regulatory Principles for Online Behavioral Advertising](#).

In three of the cases (against Etsy, 247 Sports, and Imgur), the websites in question disclosed information collection and sharing practices but failed to provide enhanced notice about information collection and use for online behavioral advertising (OBA) through the requisite stand-alone link on each page of the respective websites. TWiT, the company that was the subject of the fourth decision, acknowledged that it did not provide information because it was not aware of the Principles.

In each of the four cases, the company at issue agreed to bring its OBA practices into compliance with the Principles. The administrative closures included cases where there was determined to be no violation of the Principles or where the violation was only technical and the company was otherwise in substantial compliance. In the latter situation, the companies failed to affirmatively state that they were in compliance with the Principles, an explicit requirement under the Principles.

These latest cases bring the number of enforcement actions up to 21 as the Accountability Program continues to actively review consumer websites to ensure website operators are aware of their obligations under the Principles.

TIP: These cases show the Accountability Program continues to enforce the Principles with an emphasis on ensuring enhanced notice obligations are met. Companies engaging in OBA should ensure they comply with the Principles, in particular that they have implemented a stand-alone link to OBA disclosures on the home page and on all pages where OBA occurs (typically companies accomplish this by placing the stand-alone link in the footer near the link to the privacy policy).

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