



Mr. Sundar Pichai
Google
1600 Amphitheatre Parkway
Mountain View, CA 94043
USA

4 March 2019

Dear Mr. Pichai,

We are writing to you as members of the International Consumer Protection and Enforcement Network (ICPEN), a worldwide network of more than 60 consumer protection authorities, to highlight the important issue of being clear and comprehensive about (information on) the collection and use of consumer data by mobile applications (“apps”) in the Google Play Store.

As a provider of an app store and mobile operating system, Google plays a unique and integral role in users’ interactions with apps. The Google Play Store is an important landing spot where consumers can search for new apps, read reviews, and access technical information about a particular app prior to downloading it - this information is essential to let consumers make informed decisions.

Since 2016, we have prioritised work on terms and conditions in the digital economy. We believe that without effective disclosure of terms and conditions on collection and use of consumer data, consumer information may be used in a manner not foreseen or desired by the consumer. Moreover, lack of disclosure, or buried, lengthy or complex privacy policies or terms and conditions, may prevent consumers from taking privacy and data security concerns into account when assessing the attractiveness of different offers. This may result in consumers becoming dissatisfied with their decision to download an app. They may even suffer financial loss or infringements of privacy rights.

In February 2018, 23 ICPEN members carried out a coordinated ‘sweep’ action. A sweep means that participating members during a set time period identify concerns in their own jurisdiction with terms and conditions, and associated practices, which could harm consumers and may not comply with consumer law. In June 2018 ICPEN published an open letter on terms and conditions in the digital economy, based on the sweep results, announcing that

ICPEN members may take action to address or mitigate concerns by themselves or through bilateral or multilateral joint enforcement.¹

One of the concerns that was identified in the sweep was a lack of information on apps' collection and processing of personal data in the Google Play Store. It is important to note that Google is not the only app store that has been addressed by us in regard to this issue, as these obligations apply to all app stores.

Our key observation was that important information on the use of data by the app was missing from the apps main product page in the app store. The consumer should be informed about this upfront and in a comprehensive manner. To access this information a consumer must per our findings scroll down more than one screen and follow a link that redirects the consumer to the relevant policies on the developer's website. This makes comparing apps on these parameters practically impossible. Material information on apps' data usage that could have bearing on consumers' decision to download an app, should be given up front, so that consumers reasonably can take it into account. This information should be provided in the app store, and directly on the main product page.

All the undersigned ICPEN members believe that the Google Play Store should facilitate developers to provide this information upfront in a clear and comprehensive manner, by allocating screen real estate on the main product page for this information.

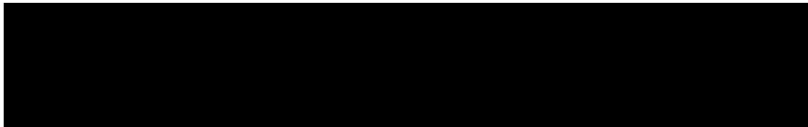
We believe our interests and yours are aligned in relation to ensuring consumers are receiving the information they need in a clear and comprehensive manner. In many member countries the issues we identified may constitute infringements of national consumer law. With this letter we are offering you the opportunity to address these issues informally and in an open dialogue with us as a network. This letter does not imply endorsement of its content by any other authorities than those listed below, and will not bar or prejudice any enforcement initiatives in any jurisdiction. Considering our advice and implementing the changes in your app store, may however help reduce any risk to your business of possible future enforcement action for non-compliance with consumer law. By not adjusting your trade practices you increase the risk of individual and joint enforcement actions by national enforcers.

- We would like to invite you to meet with us to discuss our concerns and potential solutions.
- Ahead of that, you may wish to set out any proposals you have to address our concerns.

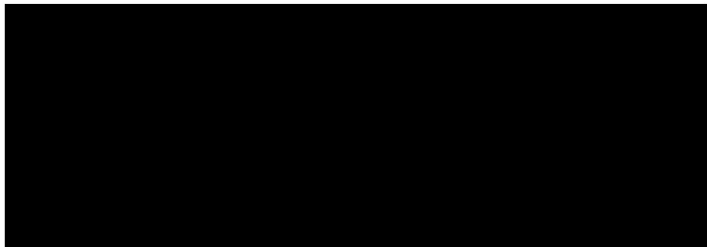
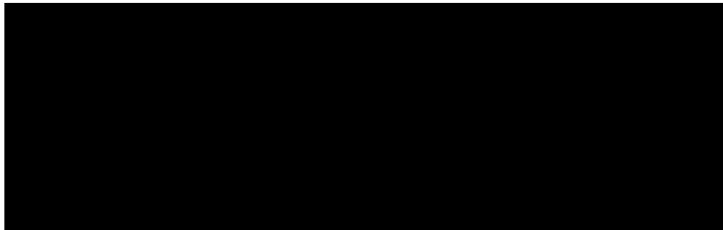
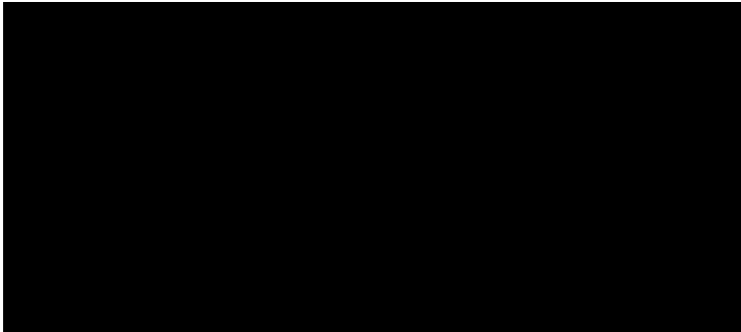
¹ <https://www.icpen.org/news/902>

Confidential

We trust you share our interest in addressing these issues, thereby showing your responsibility to consumers worldwide. For setting a date for the meeting you can contact:



Sincerely,



On behalf of

