

**Comments of Joanne McNabb, Director of Privacy Education and Policy,
California Attorney General's Office**

on Mobile App Transparency Discussion Draft of 3/18/13

Page 1: Preamble

- Bullet 6: App developers should make a good faith effort to provide consumers with access to the short notice prior to download or purchase of the app.

Comment: A good way for developers to do this is to post or link the short form notice on the app's page in the app platform store. The major app platform companies (Amazon, Apple, Facebook, Google, HP, Microsoft, RIM) provide a data field for a link or the text of an app's "privacy policy or a statement describing the app's privacy practices," in accord with their agreement with the California Attorney General to the Joint Statement of Principles.¹

- Bullet 7: Privacy and consumer advocates recognize some consumers' choice to share data with apps in exchange for a wide variety of tools, content, and entertainment.

Page 4: Linkage to Data Usage, Terms of Use and/or Long Form Privacy Policies

Add the language in red below.²

In addition to implementing short form notices, participating app developers and publishers shall provide ready access for consumers to each participating app's data usage policy, terms of use, or long form privacy policy where legally required. When a long form privacy policy is legally required, include a link to it in the short form notice. These documents should include explanations of:

- i. how consumers may request deletion of their data collected by the app, if such deletion is available;
- ii. identification of those business affiliates if any, where the data elements identified in this code are being shared; and,
- iii. any data retention policies, if any exist.

¹ <http://oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-secures-global-agreement-strengthen-privacy>

² California law requires that a privacy policy, where legally required, be readily available from within the app or online service. <http://oag.ca.gov/privacy/COPPA>. The requirements for such a privacy policy are not met by the short form notice as described in the 3/18/13 draft.