

Summary of E.U. Consumer Privacy Policy

The EU's consumer privacy policy is governed by the General Data Protection Regulation (GDPR), which provides a comprehensive legal framework for the collection, use, and storage of personal data. The GDPR gives consumers a set of rights, including the right to access their personal data, the right to have their data erased, and the right to object to the processing of their data. Companies must obtain explicit consent from consumers before collecting their personal data and provide clear and concise information about how the data will be used. The EU also has the ePrivacy Directive, which governs the use of electronic communications and sets rules for the use of cookies and similar technologies. Overall, the EU takes consumer privacy seriously and has established a robust legal framework to protect the personal data of its citizens.

- General Data Protection Regulation (GDPR): <https://gdpr-info.eu/>
- European Commission: Protecting your privacy: https://ec.europa.eu/info/law/law-topic/data-protection/reform/rules-business-and-organisations/principles-gdpr/individual-rights_en
- European Commission: ePrivacy Directive: <https://ec.europa.eu/digital-single-market/en/electronic-communications-privacy-directive>
- European Data Protection Board: <https://edpb.europa.eu/>
- European Commission: Digital Single Market Strategy: <https://ec.europa.eu/digital-single-market/en/digital-single-market-strategy>

The ePrivacy Directive, also known as the Privacy and Electronic Communications Directive, is an EU law that governs the use of electronic communications, including email, SMS, and internet messaging services. The directive was originally adopted in 2002 and was last amended in 2009.

- the 2009 amendment included changes to the policy related to the use of cookies and similar technologies that involve storing or accessing information. The amendment required consent from the consumer and applies to both first-party and third-party entities.
- Additionally, the amendment revised rules on unsolicited marketing communications, such as email spam and SMS messages. It required companies to obtain consent of users before sending marketing communications by electronic means, and allowed users to opt-out at any time.

What are the differences between the U.S. and the E.U.?

1. Legal Framework: The EU has a comprehensive legal framework for the protection of personal data, including the General Data Protection Regulation (GDPR) and the ePrivacy Directive. These laws give consumers a set of rights and establish clear rules for the collection, use, and storage of personal data. In contrast, the US has a patchwork of federal and state laws that provide some protection for personal data, but there is no comprehensive federal law that governs data protection.
2. Consent: The EU requires companies to obtain explicit consent from consumers before collecting and using their personal data. In the US, consent requirements vary by state, but generally, companies are only required to provide notice of their data collection

practices and offer opt-out options for consumers. ******(Most CPA's require consumer consent).

3. Enforcement: The EU has established strong enforcement mechanisms for data protection, including fines of up to 4% of a company's global revenue for violations of the GDPR. In the US, enforcement of data protection laws is generally left to private litigation, and fines are typically much lower.
4. Data Transfer: The EU restricts the transfer of personal data to countries that do not provide adequate data protection, while the US has no such restrictions.
5. Rights of Individuals: The GDPR provides a set of rights for individuals, including the right to access, correct, and delete their personal data. In the US, there is no federal law that guarantees these rights, although some states have enacted their own laws.

EU legal framework: General Data Protection Regulation (GDPR): <https://gdpr-info.eu/>

ePrivacy Directive: <https://ec.europa.eu/digital-single-market/en/electronic-communications-privacy-directive>