

For Immediate Release

## **CARU RECOMMENDS BONNE BELL MODIFY WEBSITE TO BETTER PROTECT CHILDREN'S PRIVACY; COMPANY AGREES TO DO SO**

*New York, NY – May 15, 2009* – The Children's Advertising Review Unit of the Council of Better Business Bureaus (CARU) has recommended that the Bonne Bell Company implement new measures to better protect the privacy of children who visit the company's Website at [www.smackers.com](http://www.smackers.com)

The site came to the attention of CARU through CARU's routine monitoring of the Internet. CARU was directed to the Website through a television commercial for *Smackers* lip gloss during children's programming. The site features Bonne Bell product information, games, cyber dolls and e-cards.

In its initial review of the site, CARU found that the site allowed children under the age of 13 to register for a customer profile in the shopping area, but required visitors to provide personally identifiable information including full name, address, and email address without first obtaining prior verifiable parental consent. CARU also found that the site allowed children under 13 to send personally identifiable information in an e-card without first obtaining prior parental consent.

CARU's Online Privacy Protection guidelines address concerns about the collection of personal data from children and other privacy-related practices on the Internet. CARU monitors Websites directed to children under 13 years of age, and those sites where operators know or should know that a visitor is a child under the age of 13, to evaluate their compliance with its *Guidelines* and the federal Children's Online Privacy Protection Act.

CARU's *Guidelines* provide that where there is a reasonable expectation that a significant number of children will be visiting a Website, the operator should employ age-screening mechanisms before collecting PII to identify children under the age of 13 and either obtain verifiable parental consent or block underage users from features where PII is collected or disclosed.

CARU determined that the site did not comply with its *Guidelines* with respect to age screening and recommended that the Website employ an appropriate age screening mechanism to prevent children under 13 from registering for a shopping profile. CARU further determined that the Website's information-collection practices for its e-card feature were not in compliance with the *Guidelines* and COPPA.

Following CARU's initial inquiry, the company implemented neutral age screening for its shopping profile. stated that it would either, refrain from collecting the sender's email address and remove the ability to freely type a message in the card's body, or it would age screen and obtain parental consent.

The company, in its operator's statement, said it "has worked with CARU directly to ensure the site's compliance, and is making all suggested modifications to the [www.smackers.com](http://www.smackers.com) web site. The Bonne Bell Company will also continue to monitor all of the sites it operates for full CARU compliance."

###

*CARU's inquiry was conducted under NAD/CARU/NARB Procedures for the Voluntary Self-Regulation of National Advertising. Details of the initial inquiry, CARU's decision, and the advertiser's response will be included in the next NAD/CARU Case Report.*

**About Advertising Industry Self-Regulation.** The National Advertising Review Council (NARC) was formed in 1971 by the Association of National Advertisers, Inc. (ANA), the American Association of Advertising Agencies, Inc. (AAAA), the American Advertising Federation, Inc. (AAF), and the Council of Better Business Bureaus, Inc. (CBBB). Its purpose is to foster truth and accuracy in national advertising through voluntary self-regulation. NARC is the body that establishes the policies and procedures for the CBBB's National Advertising Division (NAD) and Children's Advertising Review Unit (CARU), as well as for the National Advertising Review Board (NARB) and Electronic Retailing Self-Regulation Program (ERSP).

NAD and CARU are the investigative arms of the advertising industry's voluntary self-regulation program. Their casework results from competitive challenges from other advertisers, and also from self-monitoring traditional and new media. The National Advertising Review Board (NARB), the appeals body, is a peer group from which ad-hoc panels are selected to adjudicate those cases that are not resolved at the NAD/CARU level. This unique, self-regulatory system is funded entirely by the business community; CARU is financed by the children's advertising industry, while NAD/NARC/NARB's sole source of funding is derived from membership fees paid to the CBBB. Funding for ERSP is derived from membership fees paid to the Electronic Retailing Association. For more information about advertising self regulation, please visit [www.narcpartners.org](http://www.narcpartners.org).