

2019 Annual Highlights



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FEDERAL TRADE COMMISSION

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A Message from Chairman Joe Simons

As we share this message, the country is facing significant challenges and uncertainty as we cope with the Coronavirus pandemic. I could not be prouder of how the Federal Trade Commission and its dedicated staff have rallied behind our critical missions: to protect consumers and promote competition. The FTC rapidly transitioned to almost-entirely remote operations and, as of this writing, has barely missed a beat. Today more than ever, it is critical that the FTC continue to pursue vigorous enforcement, effective advocacy, and thoughtful policy work on behalf of American consumers. Times like these highlight the talent and resilience of our staff, and I am honored to work alongside them.

While we continue to pursue new matters, I appreciate this opportunity to reflect on our prior accomplishments. I am pleased to share the FTC's 2019 Annual Highlights, which describes last year's most significant efforts to protect consumers and promote competition. In 2019, the FTC challenged anticompetitive mergers and conduct to protect consumers from higher prices and other anticompetitive harm, and also brought numerous enforcement actions targeting consumer fraud, deception in the marketplace, and harms to consumer privacy. To ensure that we harness our resources effectively and efficiently, we focus our work on areas that have the greatest consumer impact: technology, health care, and consumer products and services.

The Commission continued its efforts to challenge harmful mergers and stop anticompetitive business conduct in 2019. For example, as part of its program to stop pharmaceutical companies' anticompetitive conduct to hinder generic competition, the FTC charged [Vyera Pharmaceuticals, LLC](#) with engaging in an anticompetitive scheme to preserve a monopoly for the life-saving drug, Daraprim. The Bureau of Competition established a new [Technology Enforcement Division](#) to investigate potential anticompetitive conduct in digital platform markets and take swift action where appropriate. The FTC also brought its first case involving a health information platform, alleging [Surescripts LLC](#) unlawfully maintained its dominant position in two e-prescription markets through exclusionary conduct.

In 2019, the FTC achieved a number of successes on the consumer protection front. The FTC required [The University of Phoenix](#) to pay \$50 million in cash and cancel \$141 million in debt owed to the school by students harmed by their deceptive ads, which touted job opportunities and relationships with top tech companies. The FTC continued to demonstrate its privacy enforcement leadership, announcing record-breaking settlements in its actions against [Facebook](#) and [Google and YouTube](#). And we brought a steady stream of actions involving frauds of every stripe, from imposter scams to pyramid schemes, from illegal robocalls to phony business opportunities. In all, the Commission's actions led to the return of more than \$232 million in refunds to consumers across the country.

We know the FTC's staff is fantastic—and we also know that they are our agency's greatest strength and most prized asset. In 2019, the FTC maintained its high ranking among the [Best Places to Work in Federal Government](#) for agencies of our size, with #1 ratings in multiple subcategories. In addition, the Bureaus of Consumer Protection and Competition both ranked in the top 10 out of a total of 420 subcomponents from all federal agencies. These awards confirm one of my most deeply held management philosophies: when we focus on maintaining and improving staff morale, we end up with more satisfied employees *and* we boost productivity.

While we celebrate huge accomplishments from 2019 and early 2020 (including five deal challenges voted out by the Commission in January and February alone), we also believe our best work is yet to come. Our staff and my fellow Commissioners already are looking ahead to new opportunities. In February, the Commission issued [6\(b\) orders to five major technology firms](#) to examine past acquisitions, including how these firms report their transactions to the federal antitrust agencies, and whether these companies are making potentially anticompetitive acquisitions of nascent or potential competitors that fall below HSR filing thresholds. The Coronavirus pandemic is, unfortunately, directly influencing our consumer protection mission, with new scams arising daily. Our staff is monitoring the marketplace, and we will take swift action where appropriate. We already have issued [joint warning letters with](#)

[the FDA](#) to seven companies about allegedly deceptive or unsubstantiated claims to treat Coronavirus, and we have provided [tips for consumers](#) to spot Coronavirus scams. Our commitment to protect consumers and promote competition is unwavering, and despite current challenges we will continue our work on behalf of American consumers.

Introduction

The FTC is a bipartisan federal agency with a unique and important mission: to protect consumers and promote competition. In 2019, the FTC protected consumers from higher prices and other harm by challenging anticompetitive mergers and conduct. For example, the FTC continued to scrutinize mergers between large incumbents and smaller rivals, and challenged those that threatened innovation and other important types of competition. The FTC took action to prevent harm to competition in U.S. markets for microprocessor prosthetic knees and next-generation DNA sequencing systems. The FTC also challenged mergers that were likely to lead to higher prices and reduce quality for consumer staples, such as, most recently, private label ready-to-eat cereals and wet shave razors. The Commission also continues to combat a variety of anticompetitive conduct that keeps prices high and options few, bringing new cases in novel areas of the law. In the past year, the FTC brought its first monopolization case against a multisided health information platform, its first case alleging illegal product hopping as a method of maintaining a monopoly for a life-saving drug, and, most recently, a case filed with the New York Attorney General (NY AG), alleging that a pharmaceutical company engaged in an illegal scheme to protect its monopoly and charge high prices for off-patent drugs.

In 2019 on the consumer protection front, the Commission returned more than \$232 million in refunds to consumers across the country. The FTC's actions resulted in a settlement requiring a for-profit school to pay \$50 million in cash and cancel \$141 million in debt owed to the school by students who were harmed by the deceptive ads. The FTC also obtained a \$170 million settlement with a video-sharing platform for failing to protect children's privacy. The Commission forged new ground with its first case to challenge fake paid reviews on an independent retail site and its first case against a VOIP service provider for a key role in promoting a deceptive scheme. The Commission brought other enforcement actions against fraudsters involved in imposter scams, pyramid schemes, phony business opportunities, illegal robocalls, and deceptive and unfair loan servicing practices.

Enforcement

The FTC fulfills its law enforcement mission by bringing court and administrative actions to enhance competition and protect consumers.

Health Care

The Commission has long prioritized competition in health care markets because such competition helps contain costs, improves quality, increases access, and encourages innovation. Relying primarily on enforcement, the Commission works to prevent anticompetitive mergers and conduct that would harm competition in these markets.

The Commission maintains a robust program to stop pharmaceutical companies' anticompetitive conduct designed to stave off generic competition. For instance, [Reckitt Benckiser Group plc](#) agreed to pay \$50 million to settle charges that it violated the antitrust laws through a deceptive scheme to thwart lower-priced generic competition to its branded drug Suboxone, a prescription oral medication used to treat opioid addiction. Reckitt introduced Suboxone tablets in 2002. Before generic versions of Suboxone tablets became available, Reckitt developed a dissolvable oral film version of the product and worked to shift prescriptions to this patent-protected film, a tactic known as "product hopping." To further this scheme, Reckitt falsely claimed the reformulated film version was safer than the tablets because the film packaging reduced the risk of accidental pediatric exposure.

More recently, the Commission charged [Vyera Pharmaceuticals, LLC](#) with engaging in an anticompetitive scheme to preserve a monopoly for the life-saving drug, Daraprim. The complaint, which the FTC filed with the NY AG, alleges that Vyera purchased Daraprim in 2015, raised its price by more than 4,000 percent, and kept the price high through anticompetitive acts that deterred and prevented potential generic competitors from entering or attempting to enter the market. The complaint also names as defendants Martin Shkreli and Kevin Mulleady, who allegedly were directly responsible for orchestrating the scheme, as well as Phoenixus AG, Vyera's parent company. In another matter, the Commission successfully challenged a

conspiracy involving dental products distributors. In this matter, an administrative law judge held that two of three dental product distributors named in the FTC's complaint [violated the antitrust laws](#) by conspiring to refuse to provide discounts to, or otherwise serve, buying groups representing dental practitioners.

In 2019, the Commission achieved an important milestone in its efforts to combat harmful reverse-payment settlements when the last defendant in the landmark case [FTC v. Actavis](#) settled on the eve of trial. The 2009 case was on remand from the Supreme Court, which ruled in 2013 that reverse-payment settlement agreements are subject to antitrust scrutiny, an important validation of the agency's decades-long efforts to challenge these agreements. [AbbVie, the owner of defendant Solvay](#), agreed to settle the charges with broad relief that prevents the company from entering into certain patent infringement settlement agreements that restrict generic entry and contain common forms of reverse-payments, such as a side deal or a commitment not to make an authorized generic version of a brand name drug.

In another reverse-payment case, the Commission ruled that Impax Laboratories entered into an [illegal reverse-payment settlement](#) with Endo Pharmaceuticals to block consumers' access to a lower-cost generic version of Endo's branded drug, Opana ER. Eliminating the risk of competition through a reverse-payment settlement is a cognizable anticompetitive harm under the antitrust laws, and the Commission found there was ample evidence of a risk that Impax could have launched a generic product before the agreed-upon date, had it not entered into the reverse-payment settlement with Endo. Impax has appealed, and the case is pending before the Fifth Circuit.

Another key enforcement effort is to prevent mergers that would remove competitive constraints and likely enable health care providers to raise rates or decrease quality for vital services. Recently, the Commission closed its investigation into the proposed merger of in-home nursing providers [Aveanna Healthcare and Maxim Healthcare](#) after the parties abandoned their deal. The Commission's investigation raised concerns about the transaction's

potential anticompetitive effects. With the deal abandoned, patients and private duty nurses will continue to benefit from competition between Aveanna and Maxim. In another case, the Commission required health care provider and insurer UnitedHealth Group Incorporated and health care provider DaVita, Inc. to [divest a health care provider organization](#) in the Las Vegas area to preserve competition for managed care provider organization services sold to Medicare Advantage insurers and Medicare Advantage plans sold to individual Medicare Advantage members. Without this remedy, the transaction would have increased the likelihood that the Centers for Medicare and Medicaid Services would make higher payments to Medicare Advantage insurers, and that seniors in the Las Vegas area would incur higher co-pays and receive fewer benefits and lower quality health care services.

The Commission also continues to review carefully mergers between medical device manufacturers. For instance, the Commission required Boston Scientific Corp. to [divest assets](#) used to make drug eluting beads, which are used to treat certain liver cancers, to resolve charges that Boston Scientific's proposed acquisition of medical equipment and pharmaceutical supplier BTG plc would be anticompetitive. The Commission also ordered Otto Bock HealthCare North America, Inc. to [unwind its consummated acquisition](#) of Freedom Innovations (FIH Group Holdings), finding that the acquisition resulted in anticompetitive harm in the microprocessor prosthetic knee market and likely leading to higher prices and less innovation for amputee patients and prosthetic clinic customers. Otto Bock has appealed the case to the D.C. Circuit.

In late 2019, the Commission ordered the largest ever divestiture in a merger enforcement matter when [Bristol-Myers Squibb Company and Celgene Corporation](#) agreed to divest Celgene's Otezla, the most popular oral treatment in the U.S. for moderate-to-severe psoriasis, for \$13.4 billion. The Commission required the divestiture after concluding that BMS's pipeline oral product to treat psoriasis would likely be the next entrant into the market and compete directly with Otezla.

On the consumer protection front, health-related misrepresentations remain a core enforcement priority. The Commission settled its lawsuit against [Gerber Products Company](#), which allegedly made deceptive claims about its Good Start Gentle baby formula's ability to reduce the risk that infants would develop allergies. The FTC also obtained orders and substantial monetary relief in two cases, [NatureCity, LLC](#) and [A.S. Research, LLC](#), to resolve allegations that the companies deceptively promised that their products would treat a variety of conditions and chronic pain affecting older consumers.

In the FTC's first case challenging fake paid reviews on an independent retail site, the settlement with [Cure Encapsulations, Inc.](#) resolved allegations that the defendants made false and unsubstantiated claims for their garcinia cambogia weight-loss supplement and that they paid a third-party website to write fake reviews on Amazon.com.

As a supplement to lawsuits, the Commission also notifies companies of their responsibilities when advertising their products. In March 2020, the FTC and the U.S. Food and Drug Administration (FDA) sent [joint letters](#) to seven companies about allegedly deceptive or unsubstantiated claims to treat Coronavirus. According to the FDA, there are no approved vaccines, drugs, or investigational products currently available to treat or prevent the virus. During 2019, the two agencies also sent [warning letters](#) about unsubstantiated claims that certain dietary supplements treat or cure serious medical conditions. The FTC sent [warning letters](#) to three sellers of cannabidiol (CBD) products, explaining the long-established principle that advertisers must have sound science to support their statements. Finally, the FTC issued orders to six [e-cigarette manufacturers](#) seeking information to study the companies' sales, advertising, and promotional methods to complement the agency's similar studies on cigarettes and smokeless tobacco products.

Technology

Competition in technology sectors can be especially important in driving innovation and growth in the economy, introducing more efficient products and processes into the marketplace,

increasing quality, and decreasing prices. In recognition of the growing importance of technology in our economy and to ensure that consumers benefit from free and fair competition in technology markets, the Bureau of Competition established the [Technology Enforcement Division](#) to look closely at the markets in which digital platforms compete, investigate any potential anticompetitive conduct in those markets, and take enforcement action when warranted.

Earlier in the year, the FTC achieved a notable victory when a district court ruled that [Qualcomm's licensing practices](#) relating to its modem chips violate the antitrust laws and that those practices enable the company to maintain its monopoly power, extract higher royalty rates, and foreclose a substantial share of the market from rivals. The court ordered extensive injunctive relief, including requiring Qualcomm to renegotiate all of its existing patent-licensing deals. Qualcomm has appealed and the case is pending before the Ninth Circuit.

The Commission also brought its [first case involving a health information platform](#). In April, the FTC filed a federal court action against Surescripts LLC alleging that the company unlawfully maintained its dominant position in two e-prescription markets through a web of exclusive arrangements and other exclusionary conduct. More recently, the Commission challenged a [consummated merger](#) between two makers of body-worn camera systems used by large, metropolitan police departments across the United States. The administrative complaint alleges that the May 2018 acquisition by Axon Enterprise, Inc. of its closest competitor VieVu, LLC eliminated direct and substantial price and innovation competition between the two firms, and allowed Axon to raise prices paid by police departments for cutting-edge products that officers need to do their job. The Commission's complaint also challenges the non-compete agreement that barred the former owner of VieVu from entering into any line of business in which Axon operated, not just body cameras. Both cases are pending.

In 2019, the agency continued its ongoing efforts to combat illegal robocalls. The FTC announced four new cases and three settlements as part of [Operation Call It Quits](#), a

coordinated action against scammers responsible for more than a billion illegal calls. The FTC—with 25 federal, state, and local law enforcement partners—filed another 87 lawsuits, including five criminal cases.

In the FTC's first [Telemarketing Sales Rule](#) action against a Voice over Internet Protocol (VoIP) service provider, a federal court stopped the operations of [Globex Teleco. Inc.](#), which allegedly played a key role in robocalling to promote a credit card interest reduction scheme that bilked consumers out of millions of dollars. [Four separate operations](#) settled the FTC's charges that they violated the FTC Act and the Telemarketing Sales Rule when they allegedly bombarded consumers nationwide with billions of unwanted and illegal robocalls to pitch auto warranties, debt-relief services, fake charities, and more. The settlements ban the defendants from robocalling and most telemarketing activities.

Two settlements about the use of endorsements in social media demonstrate the FTC's commitment to stopping deception online. The FTC's action against [Devumi, LLC](#) alleged the company sold fake followers, phony subscribers, and bogus likes to companies and individuals that wanted to boost their social media presence. The case against [Sunday Riley Modern Skincare, LLC](#) alleged its employees posted fake product reviews on a well-known retail website. The Commission also took steps to stop deception online more generally. For example, online lender [Avant, LLC](#) paid \$3.85 million to settle the FTC's charges that the company allegedly used deceptive and unfair loan servicing practices, such as imposing unauthorized charges on consumers' accounts and unlawfully requiring consumers to agree to automatic payments from their bank accounts.

Consumer Products and Services

The Commission works to prevent anticompetitive mergers and conduct that could lead to higher prices or fewer choices for consumers purchasing everyday products. For instance, the Commission stopped a merger between the country's [two leading makers of private label ready-to-eat cereal](#), charging that the merger was likely to result in higher prices for a

household staple. In April, [two distributors of wine and spirits](#) abandoned their proposed merger in the face of Commission concerns that their deal likely would have resulted in higher prices and diminished service in several states. The evidence developed in the investigation strongly suggested the merger would have harmed wine and spirits suppliers that depend on these distributors to promote and distribute their products, and retail and foodservice customers that purchase those products.

The Commission also took action to prevent higher prices for food products distributed to restaurants and other venues that serve food to consumers away from home. In September, [US Foods, Inc. agreed to divest assets](#) in order to acquire Services Group of America, Inc. The Commission alleged the acquisition would raise prices for broadline foodservice distribution for customers in four local markets and for national and multiregional customers throughout the country.

Also on the merger front, the Commission filed suit to block [Edgewell Personal Care Company's acquisition of Harry's](#), alleging that the proposed transaction threatens to eliminate the disruptive competitive force that Harry's has brought to the wet shave razor industry in the past few years. The complaint also alleges that the proposed transaction threatens to make the market more vulnerable to coordination. In the face of the Commission's challenge, the parties abandoned their transaction. In September, the Commission blocked a [merger between two of the so-called "Big Four" title insurance underwriters](#) in the country, alleging that Fidelity National Financial, Inc.'s \$1.2 billion acquisition of Stewart Information Services would substantially lessen competition in state markets for title insurance underwriting for large commercial transactions and in several local markets for title information services. The Commission also took action to preserve competition for [office supply products sold to small- and mid-sized businesses](#). Office supply distributors Staples, Inc. and Essendant, Inc. agreed to establish a firewall separating Staples' business-to-business sales operations from Essendant's wholesale business to settle Commission charges that their merger would violate the antitrust

laws. The firewall will restrict Staples' access to the commercially sensitive information of Essendant's customers.

In the consumer protection arena, retailer [Truly Organic Inc.](#) and its CEO paid \$1.76 million to settle the FTC's charges that they falsely claimed that their bath and beauty products are "100% organic" and "certified organic" by the U.S. Department of Agriculture (USDA). Snack box company [UrthBox, Inc.](#) settled the FTC's charges that they misrepresented customer reviews as being independent. In reality, the company gave people free products to post positive reviews. In addition, those who signed up to receive a supposedly free snack box from UrthBox, Inc. were charged automatically for six months of shipments because they did not opt out before the end of the month.

Stopping Activities Related to Deceptive and Unfair Marketing

Fighting fraud is a major focus of the FTC's law enforcement efforts, including cases against imposters, pyramid schemes, sweepstakes scams, deceptive debt collectors, phony business opportunities, and other companies that deceive consumers.

Tech support software provider [Office Depot, Inc.](#) and its supplier paid \$35 million to settle charges that they falsely claimed a scan detected signs of malware, then tricked consumers into buying millions of dollars' worth of computer repair and technical services. In another tech support case, the FTC alleged that [Elite IT Partners, Inc.'s](#) scheme tricked consumers into believing their computers were infected with viruses in order to sell them costly computer repair services. The terms of the settlement permanently ban the company from offering tech support products and services.

In 2019, the Commission took action against two illegal pyramids. In [AdvoCare International, L.P.](#), the FTC alleged that the multi-level marketer deceived consumers into believing they could earn significant income as "distributors" of its health and wellness products. Under the settlement, the defendants paid \$150 million and are banned from the multi-level marketing

business. The FTC's case against the leading AdvoCare promoters is continuing. In the case against Neora, LLC (formerly known as [Nerium International, LLC](#)), the FTC alleged the company falsely promised recruits that they could achieve financial independence by joining the scheme. The FTC is seeking to permanently stop the defendants' deceptive practices and return money to consumers.

The FTC also brought an action against online dating service [Match Group, Inc.](#)—the owner of Match.com, Tinder, OKCupid, and PlentyOfFish—alleging the company used fake love interest advertisements to trick hundreds of thousands of consumers into purchasing paid subscriptions on Match.com.

In the [Career Education Corporation](#) case, the operator of several post-secondary schools paid \$30 million to settle the FTC's charges that they used sales leads from lead generators that falsely told consumers they were affiliated with the U.S. military, and that used other unlawful tactics to generate leads.

In the largest forfeiture the FTC has ever obtained in a case of this kind, the operators of a [sweepstakes scam](#) surrendered a record \$30 million in cash and assets and were permanently banned from the prize promotion business. The proceeds were used to refund money to victims.

At the FTC's request, a federal court has temporarily stopped operation and frozen the assets of [Global Asset Financial Services Group, LLC](#), a debt collection scheme that allegedly bilked consumers out of millions of dollars, using deceptive and threatening tactics to collect phantom debts that they did not owe. A related settlement permanently banned the operators of the scheme from the business of debt collection.

The Commission and the Utah Division of Consumer Protection sued [Nudge, LLC and affiliated companies](#), alleging that they made empty promises about earning money by “flipping” houses,

to convince consumers to buy real estate training packages that cost thousands of dollars. A federal court in Utah issued a preliminary injunction; the case is ongoing.

Under the terms of the settlement with [Digital Altitude, LLC](#), the defendant paid \$1.9 million to resolve the FTC's allegations that they deceptively claimed people could earn "six figures in 90 days" by using their business coaching scheme. In a related matter, the FTC alleged that the operators of [Allied Wallet, Inc.](#) knowingly processed payments for merchants that were engaged in fraud, including some merchants the FTC had taken enforcement action against, such as Digital Altitude, LLC.

In the [Manhattan Beach Venture, LLC](#) matter, the FTC charged the operators of two similar student loan debt relief schemes, and a financing company that assisted them, with bilking millions of dollars from consumers.

Finally, the Commission brought its [first actions](#) solely enforcing [Consumer Review Fairness Act \(CRFA\)](#), which prohibits companies from barring consumers from writing or posting negative reviews.

Money for Consumers

A core part of the FTC's mission is to return money to consumers who are harmed by illegal business practices. In 2019, FTC actions led to [more than \\$232 million in refunds](#) to consumers across the country. Over the last four years, consumers have cashed more than \$1 billion in FTC refund checks.

In a record settlement, the [University of Phoenix, Inc.](#) paid \$191 million to settle the FTC's charges that the for-profit school used deceptive advertisements falsely touting their relationships and access to job opportunities with companies such as AT&T, Yahoo!, Microsoft, and Twitter. The settlement requires them to pay \$50 million in cash, as well as cancel \$141 million in debt owed to the school by students who were harmed by the deceptive ads.

[AT&T Mobility, LLC \(Mobile Data Service\)](#) paid \$60 million to settle litigation with the FTC over allegations that the wireless provider misled millions of its smartphone customers. AT&T allegedly charged consumers for “unlimited” data plans while reducing their data speeds to the point that many common mobile phone applications, such as web browsing and video streaming, became difficult or nearly impossible to use.

As part of a settlement with [Lifelock, Inc.](#), the FTC sent more than \$31 million in refund checks to affected consumers. The settlement resolved allegations that the identity theft protection provider violated a 2010 Commission data security order.

Privacy

Protecting the privacy of consumers’ information is one of the Commission’s top enforcement priorities. In a history-making settlement order, [Facebook, Inc.](#) agreed to pay a record-breaking \$5 billion penalty, the largest ever imposed on any company for violating consumers’ privacy. The FTC charged the tech company with violating a 2012 FTC order by deceiving users about their ability to control the privacy of their personal information. Facebook also submitted to new restrictions and a modified corporate structure that will hold the company accountable for the decisions it makes about its users’ privacy. In a related matter, the Commission issued an Opinion and Order that data analytics company [Cambridge Analytica, LLC](#) violated the FTC Act by using deceptive tactics to collect personal information from tens of millions of Facebook users for voter profiling and targeting. The Commission also settled related charges against the company’s former CEO and an app developer for their use of deceptive tactics.

In its case against [Equifax, Inc.](#), the FTC alleged that the company did not secure the massive amount of personal information stored on its network, leading to the 2017 data breach that exposed the personal information of 147 million people. Under a global settlement that includes the CFPB and states, Equifax will pay at least \$575 million, and up to \$700 million.

Auto dealer software provider [LightYear Dealer Technologies, LLC](#)—doing business as DealerBuilt—settled the FTC’s charges that it allegedly did not take reasonable, readily available, and low-cost steps to secure consumers’ data, leading to a breach that exposed the personal information of about 12.5 million consumers.

Under the terms of its settlement with the FTC, technology company [InfoTrax Systems, L.C.](#) will implement a comprehensive data security program to resolve allegations that the company didn’t have security safeguards in place, which allowed a hacker to access the personal information of a million consumers. The FTC also brought charges against 12 companies that allegedly misrepresented their participation in the EU-U.S. Privacy Shield framework, which enables companies to transfer consumer data legally from EU countries to the United States. In 2019, 11 of the cases settled: One in [June](#), five in [September](#), one in [November](#), and four in [December](#). The case against [RagingWire Data Centers, Inc.](#) is ongoing.

The Commission continued its initiatives to protect children’s privacy through rigorous enforcement of the Children’s Online Privacy Protection Act (COPPA). [Google LLC and its subsidiary YouTube, LLC](#) paid a record \$170 million to settle allegations that the video-sharing platform illegally collected personal information from children without their parents’ consent, in violation of COPPA. Under the terms of the settlement, the companies paid \$34 million to the NY AG and \$136 million to the FTC, the largest amount the FTC has ever obtained in a COPPA case.

In another of the FTC’s largest COPPA civil penalty cases, the operators of the video social networking app [Musical.ly](#)—now known as TikTok—paid \$5.7 million to settle allegations that the company illegally collected personal information from children.

In its first action against a marketer of stalking apps, the FTC barred [Retina-X Studios, LLC](#) from selling apps that monitor consumers’ mobile devices unless the company takes certain steps to ensure the apps will only be used for legitimate purposes. The settlement resolves allegations

that these apps compromised the privacy and security of the consumer devices on which they were installed.

Industrial and Manufactured Goods

The Commission also works to maintain competitive markets for industrial and manufactured goods. In 2019, the Commission took action to preserve competition for [several types of machine oils used to make aluminum, tin, and steel](#). However, the Commission was unsuccessful in gaining a preliminary injunction to [prevent a merger between two producers of hydrogen peroxide](#) after a federal district court allowed the merger to proceed despite Commission concerns that the merger would harm competition. Specifically, the Commission alleged that the merger would increase the likelihood of coordination in a market already vulnerable to coordination and with a long history of price-fixing. The Commission also alleged that the merger would eliminate significant direct competition between the merging firms in the Pacific Northwest and southern and central United States. The Commission alleged that the merger would eliminate significant direct competition between the merging firms and would increase the likelihood of coordination in the Pacific Northwest and southern and central United States. Although the parties agreed to divest its plant servicing the Pacific Northwest, the district court allowed the parties to consummate their acquisition of the plant servicing the southern and center United States.

Energy

Promoting competitive energy markets is another Commission priority. In September, the [Commission imposed conditions](#) on a joint venture's acquisition of a pipeline serving the Toledo, Ohio area. Joint venture NEXUS Gas Transmission, LLC agreed to buy Generation Pipeline LLC, a 23-mile pipeline in the Toledo area, from a group of sellers for \$160 million. The Commission alleged the agreement was anticompetitive due to a non-compete clause that would have prevented one seller from competing to provide natural gas pipeline transportation within a three-county Ohio area for three years. According to the complaint, the clause eliminated actual and potential competition for natural gas pipeline transportation between

the seller and any other pipeline competitor in the market, and was not reasonably limited in scope to protect a legitimate business interest. To preserve this important competition, the Commission required the parties to remove the non-compete clause from their agreement and barred them from entering similarly anticompetitive agreements with their pipeline competitors in the market.

International Law Enforcement

The FTC cooperates on investigations and enforcement with competition, consumer protection, and privacy agencies around the world to halt deceptive, unfair, and anticompetitive business practices that affect U.S. consumers.

In 2019, the FTC cooperated on over 30 merger and anticompetitive conduct cases of mutual concern with international counterpart agencies, including in Australia, Brazil, Canada, Chile, China, the European Union, Germany, Israel, Italy, Japan, Korea, Mexico, New Zealand, Saudi Arabia, Singapore, South Africa, Spain, and the United Kingdom (U.K.). Such cooperation facilitated consistent approaches and outcomes by the FTC and other investigating authorities, including with regard to cases involving high tech markets and novel issues. For example, the FTC, the U.K. Competition and Markets Authority (CMA), and the Competition and Consumer Commission of Singapore cooperated in their investigations of [Illumina, Inc./Pacific Biosciences of California, Inc.](#) concerning nascent competition in the market for next-generation DNA sequencing systems. The parties abandoned the transaction due to the agencies' competition concerns. In the investigation of [Boston Scientific/BTG plc](#), following cooperation with the FTC, Spain's competition agency closed its investigation and cleared the transaction subject to Boston Scientific fulfilling the terms of the FTC's consent order, thereby avoiding duplicative remedial and monitoring obligations.

To further promote collaboration on cross-border competition cases, the FTC exchanges experience and enforcement techniques with its counterpart agencies through bilateral engagement, technical assistance, and participation in multilateral fora. In October 2019, for

example, the heads of the antitrust agencies of the United States, Canada, and Mexico exchanged views on enforcement and policy priorities, while senior merger case handlers met to address merger investigative process and techniques. During 2019, senior FTC officials also held bilateral discussions with counterparts in the EC Directorate General for Competition (DG COMP), the CMA, and the Japan Fair Trade Commission (JFTC) on competition enforcement issues in the digital economy. Through the FTC's technical assistance program, staff provided investigative training to case teams, including staff of the Competition Commission of India (CCI), on effective enforcement in technology markets. FTC officials also participated in hands-on workshops of the International Competition Network (ICN) on topics such as merger investigation and analysis, and the evaluation of single firm conduct.

In the consumer protection area, the FTC engaged in enforcement-related mutual assistance with foreign agencies or multilateral organizations in 50 matters. The assistance included using the FTC's powers under the U.S. SAFE WEB Act to obtain information for and share information with foreign authorities in investigations ranging from government imposter to romance to cryptocurrency scams, as well as privacy and data breach investigations. One highlight was the FTC's use of the U.S. SAFE WEB Act's information-sharing powers to collaborate successfully with the U.K. Information Commissioner's Office in the FTC's investigation into [Cambridge Analytica, LLC's](#) use of deceptive tactics to harvest personal information from tens of millions of Facebook users for voter profiling and targeting. In its Opinion and Order, the Commission also found that the company engaged in [deceptive practices](#) relating to its participation in the EU-U.S. Privacy Shield framework.

The FTC also worked on joint enforcement-related projects with foreign counterparts through the International Consumer Protection Enforcement Network (ICPEN), the Global Privacy Enforcement Network (GPEN), the Unsolicited Communications Working Group (UCENet), and the International Mass Marketing Fraud Working Group (IMMFWG), which the FTC co-chairs along with the U.S. Department of Justice (DOJ) and U.K. law enforcement agencies. The FTC continued to support enforcement efforts to combat sweepstakes fraud, including through

complaint-sharing with international enforcement authorities. The FTC also worked with its IMMFWG counterparts to coordinate investigations and develop a comprehensive tech support fraud consumer education campaign in the recently announced [elder fraud and tech support takedown sweep](#) led by DOJ. Alongside this effort, the agency conducted [several trainings and roundtables](#) in the U.S. and India to promote enhanced technological defenses, help develop the capacity of Indian law enforcement to address tech support and other impostor scams, and coordinate further with its international counterparts.

The FTC also entered into a memorandum of understanding (MOU) to facilitate information-sharing and enforcement cooperation on consumer protection matters with the CMA. The MOU recognizes the long-standing partnership between the two agencies and provides for enhanced cooperation in the future. The MOU streamlines sharing investigative information and complaint data, simplifies requests for investigative assistance, and facilitates joint law enforcement investigations. It also provides strong and clear confidentiality and data safeguards.

The FTC brought, or continued to litigate, several significant enforcement actions involving large-scale international frauds. These include new lawsuits against a Canadian-based operation, [Educare Centre Services, Inc.](#), which sold sham credit card interest rate reduction services to U.S. consumers through Dominican Republic-based telemarketers, and also used a Canada-based VoIP provider, [Globex Telecomm, Inc.](#), to make illegal robocalls. The FTC also took action against payment processor [Allied Wallet, Inc.](#) which, through intertwined U.S. and U.K.-based entities, assisted numerous scams, including the global business coaching scams [MOBE Ltd.](#) and [Digital Altitude LLC](#), by knowingly processing fraudulent transactions to consumers' accounts. The FTC also added Latvian defendants to its case against [Apex Capital Group LLC](#) and continued litigation involving the [Sanctuary Belize](#) overseas real estate investment scam, including a Belizean-based bank that [paid \\$23 million](#) to settle the FTC's charges that it substantially assisted various U.S. and foreign individuals and entities that defrauded U.S. consumers. In these and many other cases, the Commission relied on the [U.S.](#)

[SAFE WEB Act's provisions](#) that allow the FTC to reach foreign conduct that has a “reasonably foreseeable” effect on U.S. consumers or that involves “material conduct” in the U.S. as the basis for challenging practices involving international defendants.

In addition, the FTC continued to add enforcers and make improvements to [econsumer.gov](#), an ICPE project that gathers and shares cross-border consumer complaints. It features a public website for consumers in eight languages and an enforcement portal that provides participating consumer authorities with access to more than 390,000 consumer complaints, from [econsumer.gov](#) and elsewhere, about cross-border transactions. The agency, together with foreign counterparts, has also pursued a social media campaign encouraging consumers to report cross-border complaints on such topics as [online shopping](#) and [travel scams](#).

Finally, through its International Fellows Program, the FTC brought 13 foreign officials from competition and consumer protection agencies in Australia, Canada, Ecuador, The Gambia, India, Japan, Kenya, Korea, Mexico, Ukraine, and the U.K. to work alongside FTC staff, providing the Fellows with a deep understanding of FTC practices and approaches.

Policy

Advocacy Comments

The Commission continues to provide guidance and recommendations to government bodies and lawmakers on how to incorporate competition principles into proposed laws, regulations, or policies. Staff filed comments regarding allowing podiatrists to practice within the scope of their training ([Massachusetts](#)); the elimination of direct supervision of public health dental hygienists by a supervising dentist, which would allow the provision of clinical hygiene care in certain facilities ([North Carolina](#)); and against a proposed rule that would impose additional supervisory requirements on certified registered nurse anesthetists ([Texas](#)). Staff also provided testimony supporting the reform of certificate-of-need laws that limit competition in the health care sector ([Alaska](#)).

The FTC responded to the FDA's request for public comment with its [FTC Staff Comment](#) to the FDA Department of Health and Human Services on Its Updated Guidance for Industry on the "Nonproprietary Naming of Biological Products." The comment stated that the proposed "unusual naming convention," which applied exclusively to a subset of new entrants, "likely would create consumer confusion and discourage use of newly introduced biosimilar and interchangeable products. Inconsistency of naming practices may thus diminish future competition." [Staff also raised competition concerns](#) relating to provisions of a draft "information blocking" rule in response to a Notice of Proposed Rulemaking. Finally, the FTC filed a [Statement of Public Interest](#) to International Trade Commission Investigation No. 337-TA-109, explaining the chief administrative law judge's Initial Determination was inconsistent with federal court decisions which treat SDO RAND commitments as contracts that are enforceable by third parties, and noting the decision/determination could have a negative impact on standard-setting.

In February 2020, the [FTC issued special orders](#) to Alphabet, Amazon, Apple, Facebook, and Microsoft to study prior acquisitions not reported under the Hart-Scott-Rodino (HSR) Act. The orders will help deepen our understanding of large technology firms' acquisition activity, including how these firms report their transactions to the federal antitrust agencies, and whether large tech companies are making potentially anticompetitive acquisitions of nascent or potential competitors that fall below HSR filing thresholds and therefore do not need to be reported to the antitrust agencies.

Amicus Briefs

The Commission authorized staff to file three amicus briefs in 2019 in cases in which the agency believed that its experience and expertise would be useful to the court. In a [joint brief with DOJ to the Eleventh Circuit](#), the Commission argued in *Leeds and SmileDirectClub v. Jackson* that the district court properly declined to dismiss a case on state-action grounds under a proper application of the Supreme Court's decision in *North Carolina Board of Dental Examiners v. FTC*. In [another joint brief with DOJ in the Eleventh Circuit](#) in a related case, *SmileDirectClub v.*

Battle, we again argued that the district court properly declined to dismiss on state action grounds under *North Carolina Board*. Commission staff also filed an [amicus brief](#) in *Staley v. Gilead Sciences Inc.*, an antitrust case pending in the Northern District of California, explaining that market definition is merely a tool to help courts determine whether the challenged conduct is likely to have anticompetitive effects; where multiple types of harm are alleged, multiple markets may be relevant to the analysis.

Testimony

Members of the Commission and FTC staff testified to the U.S. Congress on a variety of issues including: the [antitrust agencies' perspectives on online platforms and market power](#); [competition in labor markets](#); [abusive debt collection practices](#); the [role of data and privacy in competition](#); [protecting consumers and fostering competition](#); [competition in digital technology markets](#); [private sector data security](#); [consumer reporting agencies' data security practices](#); oversight of [the federal antitrust laws](#); and [funding](#) and [oversight](#) of the FTC.

Hearings and Workshops

In support of pursuing a vigorous policy and enforcement agenda, for many years the FTC has engaged in substantial research to stay informed of market developments. This helps shape our policy agenda and identify opportunities to develop the law consistent with our enforcement authority. Hosting hearings and workshops on emerging business practices and technologies is another example of how the Commission advances its competition and consumer protection missions.

In June 2019, the FTC concluded its [series of public hearings](#) on *Competition and Consumer Protection in the 21st Century* examining whether broad-based changes in the economy, evolving business practices, new technologies, or international developments might require adjustments to competition and consumer protection law, enforcement priorities, and policy. Over the course of the hearings, the agency hosted over 350 unique non-FTC participants

throughout the 23 days of public hearings, and received more than 900 non-duplicative, germane written comments.

The FTC held a [workshop](#) to bring together state regulators and law enforcers, health policy experts, and academics to discuss practical experiences with Certificates of Public Advantage (COPA) in health care markets and to present research regarding the actual effects of COPAs. Informed by workshop testimony and public comments, the Commission issued [special orders](#) in October 2019 to five health insurance companies and two health systems under its 6(b) authority to obtain data to study the effects of COPAs recently approved for Ballad Health in Tennessee and Virginia, and Cabell Huntington Hospital in West Virginia.

The FTC hosted a number of workshops examining consumer protection issues, including [Made in USA claims](#), [small business financing](#), [repair restrictions on consumer products](#), [accuracy in consumer reporting](#), [class action notices](#), [online ticket sales](#), [loot boxes in gaming](#), the [COPPA Rule](#), [voice cloning](#), and [PrivacyCon 2019](#). In addition, the FTC hosted several [Common Ground conferences](#) that brought together consumer protection agencies and community groups.

Reports

Many comments received during the *21st Century Hearings* called for the FTC and DOJ's Antitrust Division to draft new Vertical Merger Guidelines. On January 10, 2020, the agencies issued [draft 2020 Vertical Merger Guidelines](#) and asked for public comments. The draft guidelines describe how the federal antitrust agencies review vertical mergers to evaluate whether the mergers violate antitrust law.

On the consumer protection front, the FTC issued [Data Spotlights](#) revealing the staggering financial losses caused by [romance scams](#), the rise of [government imposter scams](#), the different forms of fraud most frequently reported by [millennials](#) and [consumers 60 and over](#), and the losses incurred from [fake check scams](#). This year the FTC also introduced a new way to visualize and customize data: the agency's interactive [Tableau Public page](#).

International Policy Initiatives

The FTC promotes sound approaches to competition, consumer protection, and privacy issues by building relationships with counterpart agencies around the world.

This year, the FTC continued to work bilaterally and in multilateral bodies to promote convergence toward sound competition enforcement, policy, and procedures. Key areas of attention concerned procedural fairness, competition in the digital economy, the application of antitrust rules to intellectual property rights, and the territorial scope of remedies. FTC representatives held senior-level meetings with key counterparts, including from Australia, [Canada](#), [China](#), the EU, India, [Japan](#), [Korea](#), [Mexico](#), New Zealand, and the U.K. on these and other competition policy issues. For example, we continued engagement with counterparts in China to discuss procedural fairness, enforcement of monopolization laws, and the antitrust treatment of the exercise of intellectual property rights. The FTC also played important roles in promoting convergence toward sound policies in the ICN and the competition bodies of the Organization for Economic Co-operation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD), and the Asia-Pacific Economic Cooperation (APEC).

In the ICN, the FTC serves on the Steering Group where it works with international counterparts to advance best practices in competition law and policy. In 2019, the FTC continued to lead groundbreaking initiatives to improve the fairness of competition agency procedures around the world, culminating in the adoption of [ICN Recommended Practices for Investigative Process](#). The practices reflect broad international consensus and provide comprehensive and detailed high-level standards and guidance for competition agencies on the use of investigative tools, transparency, engagement with parties, decision-making safeguards, and protection of confidential information. The FTC also played a key role in drafting the [2019 ICN Framework on Competition Agency Process](#), which sets minimum standards for procedural fairness and provides a mechanism for agency-to-agency dialogue on procedural concerns. The Commission

will continue its leadership on procedural fairness issues, focusing on promoting international understanding and implementation of these important benchmarks.

In view of the increasing importance worldwide of issues at the intersection of competition, consumer protection, and privacy law and policy, the ICN Steering Group approved a project to exchange experience in this area. The FTC introduced this project and will play a key role in its development. The FTC continued to lead the ICN's Promotion and Implementation and Working Group, which promotes use of ICN work by member agencies. The FTC also led the [ICN Training on Demand Project](#), which continues to build a comprehensive curriculum of training materials that serve as a virtual university on competition law and practice for competition agencies. The FTC will have further opportunities to promote convergence toward best practice and showcase U.S. approaches to critical competition issues of our day, such as competition in the digital economy, as the [co-host of the ICN's 2020 annual conference](#).

The FTC also continued to help lead the work of the OECD Competition Committee, playing a key role in developing long-term projects on competition in the digital economy and market studies, as well as collaborating with the OECD Secretariat on strategic projects on procedural fairness and the application of competition laws to intellectual property rights.

The FTC's technical assistance program plays an important role in the agency's convergence initiatives by helping young agencies apply their laws to support competitive markets and conduct analyses that lead to compatible outcomes in cross-border matters. During the past year, FTC staff conducted 29 technical assistance missions in 19 jurisdictions, including regional programs for Africa and Eastern Europe. As an example, our work with the Philippine Competition Commission focused on three goals: agency capacity building, outreach to build a culture of competition, and regional convergence. The FTC led training workshops not only for Commission staff, but also to introduce competition law to clerks of the Philippine Supreme Court, and trained regional ASEAN members on IP issues. The FTC makes a major commitment

to international training by seconding long-term expert advisors to other agencies, including this past year to the competition agencies of Brazil and Ukraine.

The FTC also continued to work with other U.S. government agencies to address competition issues that implicate broader U.S. policy interests. For example, the FTC participated in interagency groups that developed [G7](#) and G20 statements on issues involving competition in the digital economy.

In the consumer protection area, the FTC's international policy efforts concentrated on developing and promoting market-oriented policies and practices with foreign counterparts and international organizations and networks. The FTC provided policy input on U.S. government submissions to organizations such as the OECD, the G7, the G20, and APEC on consumer protection issues relating to influencer advertising, artificial intelligence, online platforms, personalized pricing, online ratings, and review mechanisms. For example, the agency developed three good practice guides in the OECD for businesses—on [online advertising](#), [consumer ratings and reviews](#), and [consumer data](#)—and is playing a leading role on long-term OECD empirical work relating to consumer understanding of online pricing and measuring the benefits of consumer protection. The FTC also actively engaged in consumer protection issues related to the Internet Corporation for Assigned Names and Numbers (ICANN), the organization that deals with Internet domain names, including issues relating to Whois data and privacy laws. The Commission advocated for global interoperability and strong enforcement of data privacy laws in the OECD, APEC, and the International Conference of Privacy and Data Protection Commissioners. On the consumer education front, [the FTC and U.S. charities regulators joined with partners around the globe](#) for the second time to promote wise giving during International Charity Fraud Awareness Week. As part of that initiative, the FTC ran a social media campaign featuring cybersecurity and data security tips for nonprofits, as well as tips for consumers.

The agency also continued its collaboration with the U.S. Department of Commerce (Commerce) on three key cross-border data transfer mechanisms for the commercial sector: the EU-U.S. Privacy Shield, the Swiss-U.S. Privacy Shield, and the APEC Cross-Border Privacy Rules (CPBR) System. The Privacy Shield framework (and its counterpart Swiss Privacy Shield) provides legal mechanisms for companies to transfer personal consumer data from the EU (and Switzerland) to the United States. The APEC CBPR system is a voluntary, enforceable code of conduct designed to enhance the privacy and security of consumers' personal information transferred among the U.S. and other APEC members. Under these mechanisms, the FTC enforces companies' privacy promises as violations of Section 5 of the FTC Act. This year, in addition to bringing 12 new enforcement actions under the Privacy Shield, the agency worked with Commerce to conduct a successful [third Annual Review](#) of the framework with the EC.

Finally, the FTC continued to help build the capacity of other consumer protection and privacy agencies to develop market-oriented policies that promote consumer trust and to implement and enforce sound laws. During the past year, FTC staff conducted 11 programs on consumer protection, privacy, and data security issues in countries including Argentina, Brazil, Ecuador, El Salvador, India, Nigeria, Paraguay, Peru, the Philippines, Tunisia, and Zambia. One highlight was the [10th African Consumer Protection Dialogue Conference](#), which brought together 80 officials from African agencies responsible for enforcing consumer protection laws in nearly 20 countries, along with representatives from regional bodies and multinational organizations. Participants reaffirmed their commitment to the 2013 [African Dialogue Principles on Cooperation in Consumer Protection Enforcement](#), and pledged to continue to implement these international enforcement best practices.

The FTC's overall international engagement was the topic of a two-day hearing conducted as part of the agency's [Hearings on Competition and Consumer Protection in the 21st Century](#). Featuring input from competition, consumer protection, and privacy enforcers and experts from around the world, these sessions explored the FTC's international role in light of globalization, technological change, and the growth of non-U.S. competition, consumer

protection, and privacy enforcement regimes. The hearing produced several key takeaways, including widespread, bipartisan backing for Congressional reauthorization of the U.S. SAFE WEB Act and support for pursuing mechanisms for enhanced information-sharing and investigative assistance in antitrust investigations. Other significant recommendations included expanding initiatives to build strong relations with counterparts, including through the FTC's technical assistance and International Fellows programs; recognizing the FTC's role in formulating broader U.S. government policies that involve international issues within the agency's mandate; and continuing the FTC's international leadership on policy and enforcement.

Education

The Commission's outreach program is a critical component of the FTC's efforts to fulfill its consumer protection mission. The FTC's consumer and business education reach tens of millions of people each year through the FTC's website, the media, and partner organizations that disseminate consumer information on the agency's behalf. The agency delivers actionable, practical, plain-language guidance on dozens of issues, and updates its consumer and business education materials whenever it has new information to share.

In 2019, the Consumer Center blog published 210 consumer blog posts (131 in English, 79 in Spanish) sent to more than 282,000 subscribers (243,492 in English, nearly 53,000 in Spanish). The most popular posts overall in 2019 were about Social Security imposters (with more than 5.6 million total views).

The Commission also developed several new offerings this year, including a video describing the [warning signs of a Social Security scam](#), and expanding the topics covered by the Pass It On campaign to include [unwanted calls](#), [home repair scams](#), [money mule scams](#), and [work-at-home scams](#). As part of Operation Call It Quits, the FTC created new [articles, videos, and shareable graphics](#) with tips on battling unwanted calls. For the Tech Support Take Down 2019 campaign, the Commission developed a [new video, infographic, and tips](#). The National

Association of Attorneys General featured these resources on its site, which is a national forum to support the work of attorneys general and their staff.

A critical element of the FTC's outreach program is collaborating with key partners. The agency works with partner networks to promote Tax Identity Theft Awareness Week, Financial Literacy Month, National Consumer Protection Week, Military Consumer Month, and more. It continued in 2019 to collaborate with community and ethnic media, holding roundtables in four cities around the country. The Commission also maintains an ongoing partnership with AARP to reach older adults. During the past year, the Commission has worked with AARP on events such as nationwide webinars and tele-town halls, a series of fraud prevention videos aimed at Asian American Pacific Islander older adults, and in-person events with AARP in Washington, Oregon, California, Oklahoma, and West Virginia.

This year, the FTC, the Consumer Financial Protection Bureau, and the Social Security Administration collaborated to produce a double-sided placemat (in English and Spanish) about Social Security scams. The agencies worked together to provide fraud education at senior centers, meal sites, and other places older adults gather. Within a week of release, organizations placed 100,000 orders for the placemat.

The FTC also works closely with the Department of Defense and other federal agencies to reach the military community. To make sure military consumers are aware of their new rights under the [Free Electronic Monitoring for Active Duty Military Rule](#), the Commission provided [blogs](#), and webinars in collaboration with a wide range of partners. The Commission also updated [IdentityTheft.gov](#) and revised its identity theft publications, including the booklet for military personnel and families. The Commission also created new information cards explaining fraud alerts and credit freezes.

In addition, the FTC informs businesses of their rights and responsibilities. In 2019, the FTC's Business Center blog—with nearly 83,000 subscribers—featured 119 blog posts for businesspeople and attorneys. During the same period, the public ordered more than 1.6

million copies of 17 business publications (in English and Spanish) and watched the FTC's business videos for more than 165,800 views.

The Commission's new publication, [Disclosures 101 for Social Media Influencers](#), offers guidance to influencers and advertisers about how to comply with the established truth-in-advertising principle that any material connection between influencers and advertisers must be clearly and conspicuously disclosed to consumers. The brochure's plain-language approach and eye-catching graphics were designed to achieve two goals: to communicate the "clear and conspicuous" standard in a legally accurate way; and to convey the information in a manner that resonated with a social media-savvy audience. The [accompanying how-to video](#) registered more than 17,000 views in its first two months.

In the summer, the FTC held [Green Lights-Red Flags: FTC Rules of the Road](#), a workshop in Atlanta that covered truth-in-advertising, data security, antitrust law basics, and other compliance topics. More than 200 business executives, in-house counsel, law firm practitioners, and ad agency personnel attended.

During National Small Business Week, FTC staff joined the National Cybersecurity Alliance for a webinar and with the Small Business Administration and other partners for a Twitter chat on small business cybersecurity.

COMPETITION

ANTITRUST ENFORCEMENT

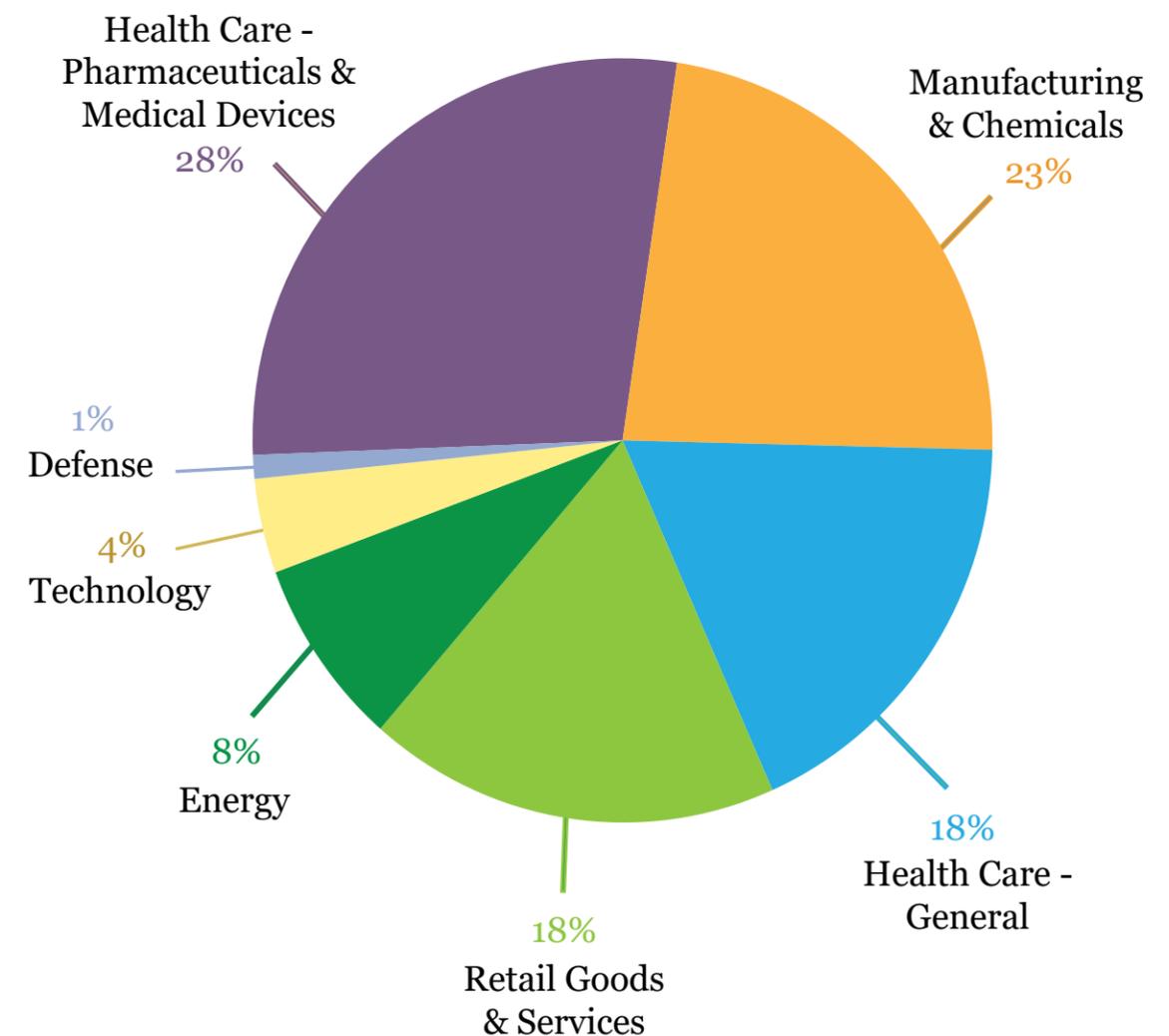
Merger Consent Orders	8
Filed Merger Cases	4
Abandoned Transactions	8
Non-Merger Actions	2
Civil Penalty Actions	2

POLICY INITIATIVES

Hearings & Workshops	2
Reports	2
Advocacy & Amicus Briefs (7 advocacy letters & 2 briefs)	9

ENFORCEMENT ACTIONS BY SECTOR

FISCAL YEARS 2015-2019



CONSUMER PROTECTION

ACTIONS FILED

Administrative	27
Federal	41
Civil Penalty	8

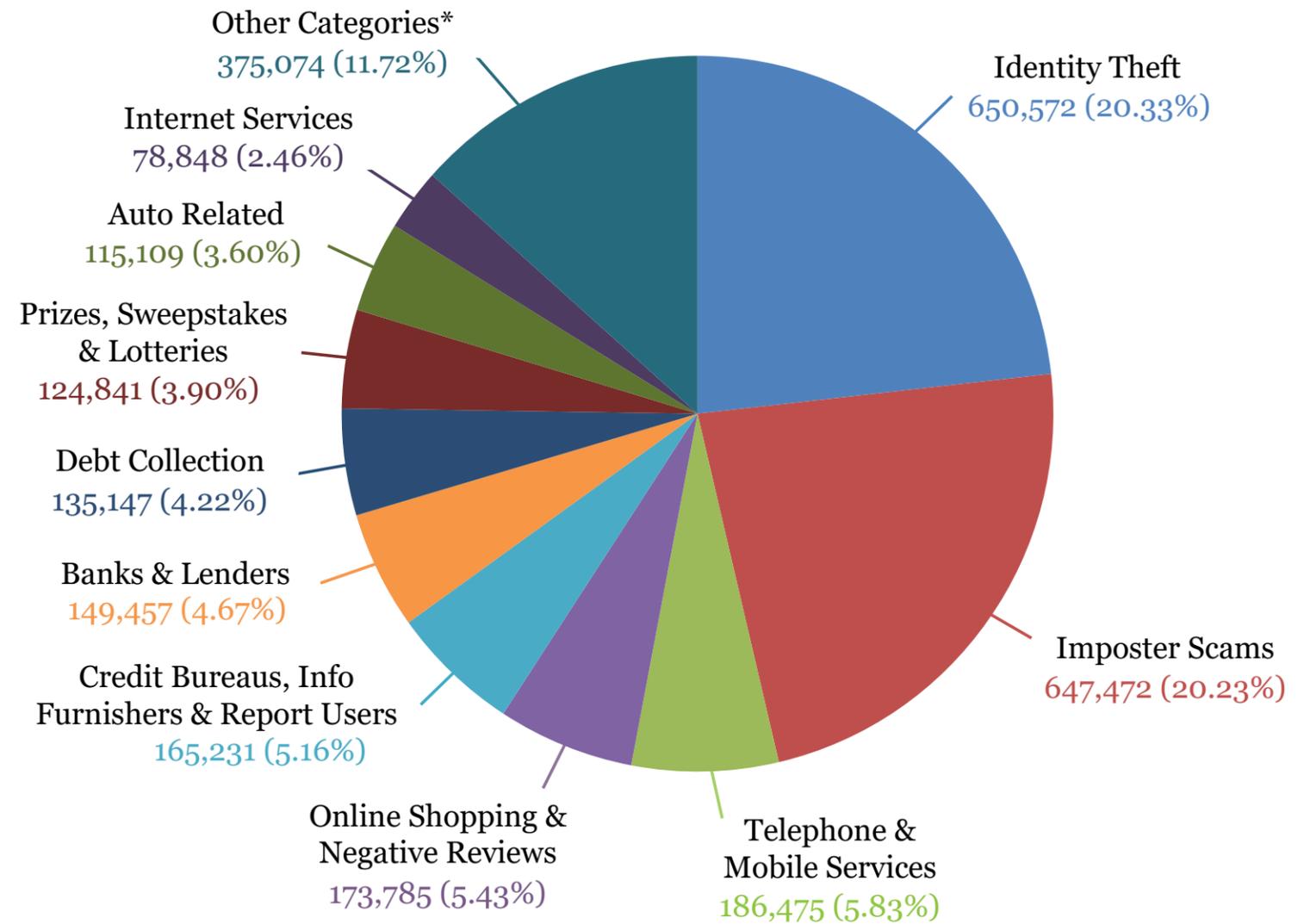
ORDERS OBTAINED

Administrative	19
Redress, Disgorgement & Permanent Injunction	97
Civil Penalty	10

POLICY INITIATIVES

Workshops, Conferences & Hearings	14
Rulemakings Completed	1
Reports	14

CONSUMER REPORTS



3,200,329 TOTAL REPORTS*

* Does not include Do Not Call reports. "Other Categories" does not include Unspecified or Miscellaneous reports.

MONETARY RELIEF



TOP 5 REDRESS, DISGORGEMENT AND CIVIL CONTEMPT JUDGMENTS

Equifax*	\$425 million
University of Phoenix	\$190.97 million
AdvoCare International, L.P.	\$150.1 million
AT&T Mobility	\$60 million
OMICS Group	\$50.13 million



TOP 5 CIVIL PENALTY CASES**

Google LLC & YouTube LLC***	\$136 million
Musical.ly (TikTok)	\$5.7 million
NetDotSolutions (James Christiano)	\$1.35 million
Jasjit Gotra (Alliance Security)	\$300,000
Media Mix 365	\$264,000

*Equifax will also pay an additional \$175 million in civil penalties to 48 states, the District of Columbia and Puerto Rico, as well as \$100 million to the CFPB

**This does not include the Facebook settlement, which would require the company to pay \$5 billion in civil penalties, because the final order and judgment has not yet been entered by the court.

***Google and YouTube paid an additional \$34 million to the state of New York

1.92 MILLION
consumers received
\$136 MILLION
in redress directly from the FTC

**ADDITIONAL
REDRESS
ADMINISTERED
BY OTHERS**

\$95.86 million

**NEW REDRESS,
DISGORGEMENT
AND CIVIL
CONTEMPT AWARDS**

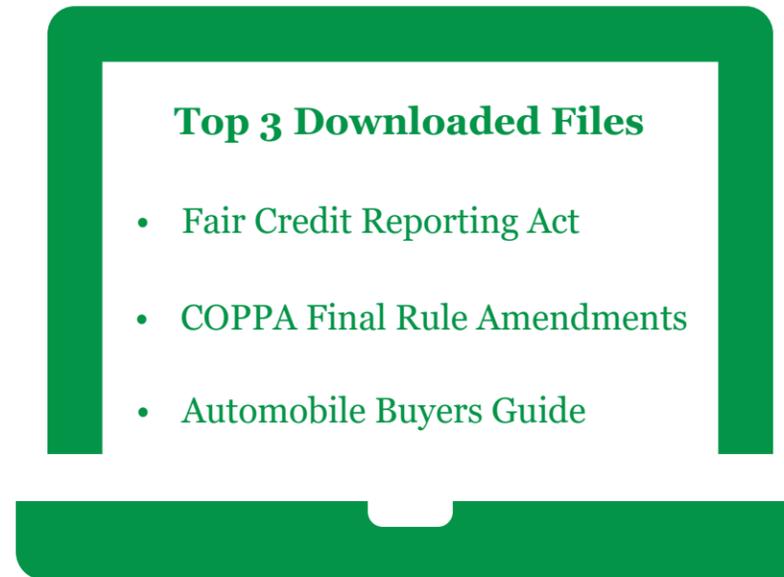
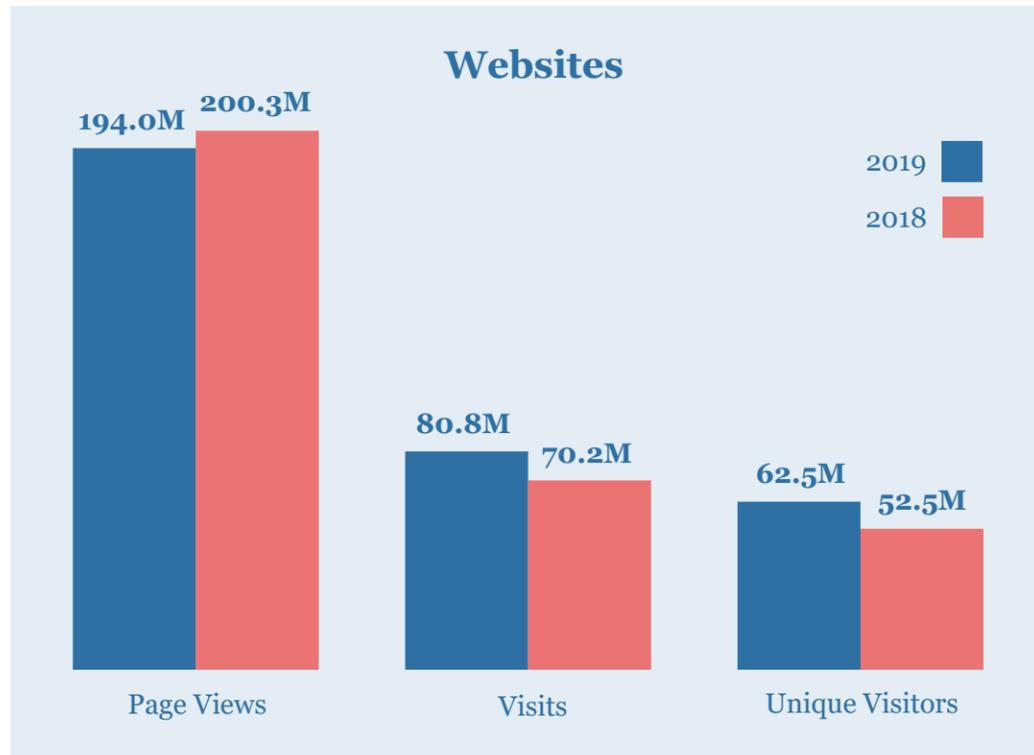
\$1.17 billion

**CIVIL PENALTIES
AWARDED****

\$143.76 million

DIGITAL OUTREACH

M = millions
K = thousands



Most Popular Tweet

Devumi, owner and CEO settle FTC charges they sold fake indicators of social media influence; Cosmetics firm Sunday Riley, CEO settle FTC charges... : go.usa.gov/xp3xV

