

Union Directive on Data Protection (“Directive”). Enacted in 1995, the Directive sets forth European Union (“EU”) requirements for privacy and the protection of personal data. Among other things, it requires EU Member States to implement legislation that prohibits the transfer of personal data outside the EU, with exceptions, unless the European Commission (“EC”) has made a determination that the recipient jurisdiction’s laws ensure the protection of such personal data. This determination is referred to commonly as meeting the EU’s “adequacy” standard.

6. To satisfy the EU adequacy standard for certain

13. From at least April 2009 until November 2013, respondent disseminated or caused to be disseminated privacy policies and statements on the www.reynoldspkg.com website, including but not limited to, the following statements:

Due to the global nature of Reynolds' business, transfers of Personal Data across national boundaries may occur. As a result, this Privacy Policy complies with the Safe Harbor Principles as agreed upon by the United States Department of Commerce and the European Commission regarding the collection, use, processing, disclosure, transfer and retention (collectively "Processing") of Personal Data with respect to Personal Data transferred from the European Economic Area (EEA) to the United States.

14. Through the means described in Paragraph 13, respondent represented, expressly or by implication, that it was a "current" participant in the U.S.-EU Safe Harbor Framework.
15. In truth and in fact, from April 2010 until November 2013, respondent was not a "current" participant in the U.S.-EU Safe Harbor Framework with respect to the customer data it handles. Further, from April 2011 until November 2013, respondent was not a "current" participant in the U.S.-EU Safe Harbor Framework with respect to the human resources data in handles. Therefore, the representation set forth in Paragraph 14 is false and misleading.
16. The acts and practices of respondent as alleged in this complaint constitute deceptive acts or practices, in or affecting commerce, in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this nineteenth day of June, 2014, has issued this complaint against respondent.

By the Commission, Commissioner McSweeney not participating.

Donald S. Clark
Secretary

SEAL: