

U.S. EDITION

Wednesday, January 15, 2014 As of 1:41 PM EST

January 15, 2014, 1:41 p.m. ET

# Canada Cites Google Again for Privacy-Law Violation

By Paul Vieira

OTTAWA--Canada's privacy watchdog said Wednesday that Google Inc. violated the country's privacy laws after it used a person's Internet searches about a personal health matter to tailor advertisements he would see when surfing online.

Google, whose ability to track individuals' online activity has drawn concern and ire from privacy advocates and government authorities, cooperated with the watchdog's investigation and is "pleased to be resolving the issue," a company spokeswoman said. The watchdog, meanwhile, said it received assurances from the Mountain View, Calif., Internet-search company that it would take steps to prevent future such occurrences, with a series of agreed-upon measures to be implemented by June.

This marks the second time Canada's Privacy Commissioner has said Google violated Canada's privacy laws. It took the company to task in 2010 when Google was found to have collected information from unsecured wireless networks for its Street View program. Google, which faced similar scrutiny in other countries, agreed to delete the data and boost training for employees.

In the latest incident, Canada's Privacy Commissioner said that, after a six-month investigation, it determined Google delivered ads to a Canadian resident based on websites he had visited when researching how best to treat his sleep apnea. Later, unrelated websites the complainant visited for roughly a month featured ads highlighting devices, most notably CPAP masks, which help apnea sufferers breathe in pressurized air through a face mask attached to a hose and bedside pump.

Google is able to deliver such ads through the use of browser cookies, which help track users' actions as they surf from site to site on the web.

The privacy watchdog said Canada's guidelines on behavioral advertising forbid advertisers from collecting sensitive personal information, such as individuals' health information, for the purpose of delivering tailored pitches. Further, privacy laws mandate an individual's explicit consent is required for the collection and use of personal information, such as a medical condition.

"Implied consent for the collection or use of the complainant's sensitive personal health information for the purpose of delivering ads based on the complainant's online behavior is not appropriate. Express consent is required," the privacy commissioner said in a ruling posted on its website.

In November, Google agreed to pay \$17 million to settle allegations by 37 U.S. states and the District of Columbia that it placed unauthorized tracking cookies on Web browsers in 2011 and 2012. France and Spain also have levied fines against Google in recent months for privacy violations.

The Canadian watchdog said Google has committed to boost staff training on potential privacy violations and increased monitoring of so-called remarketing campaigns.

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