



Chairman Joseph J. Simons  
Commissioners Noah Joshua Phillips, Rohit Chopra, Rebecca Kelly Slaughter, and Christine S. Wilson  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

19 January 2021

**Subject: You Can Log Out, but You can Never Leave: How Amazon manipulates consumers to keep them subscribed to Amazon Prime**

Dear Chairman Simons,

We write in support of the action request sent by our TACD members to authorities in the EU and the US<sup>1</sup> to remedy anti-consumer practices by the Amazon Prime service, investigated by Norway Consumer Council<sup>2</sup>.

Our members' letters highlight that the cancellation procedure for Amazon Prime is designed in an unclear and obscure manner, it is very lengthy and omits essential information. This manipulative practice does not comply with the general consumer rights principles, such as the right to be informed or freedom of choice.

We would also like to recall that such manipulative design practices by Amazon, as well as other data protection and privacy infringing practices, were revealed by the findings of the TACD analysis published in December 2019, Privacy in the EU and the US<sup>3</sup>. For example, Amazon was found to be the platform with the most intrusive third-party tracking, set as default, out of three global platforms investigated.

Amazon Prime has 150 million subscribers globally, and this global behemoth has benefitted enormously from the current pandemic, with millions of consumers relying on online retailing for their essentials. A free trial that turns into an expensive trap out of which it is hard to escape can be doubly distressing in such circumstances. This Amazon practice also appears to be a representative example of how companies attempt to manipulate and confuse consumers. This was clearly revealed by both the Norway Consumer Council latest research and the TACD investigation.

We therefore consider that it is of the utmost importance for EU and US authorities to take action and set a precedent by issuing a decision against Amazon practices.

Yours sincerely,

**Burcu Kilic**  
Director, Digital Rights Program & Research Director  
Public Citizen  
U.S. Co-Chair of TACD Digital Committee

**Finn Lützow-Holm Myrstad**  
Director of Digital Policy  
Norwegian Consumer Council  
EU Co-Chair of TACD Digital Committee

<sup>1</sup> <https://www.forbrukerradet.no/siste-nytt/amazon-manipulates-customers-to-stay-subscribed/> and <https://www.citizen.org/news/ftc-complaint-ending-an-amazon-prime-membership-is-a-deceptive-unlawful-ordeal/>

<sup>2</sup> Norwegian Consumer Council report "You Can Log Out, But You Can Never Leave: How Amazon manipulates consumers to keep them subscribed to Amazon": <https://fil.forbrukerradet.no/wp-content/uploads/2021/01/2021-01-14-you-can-log-out-but-you-can-never-leave-final.pdf>

<sup>3</sup> Privacy in the EU and US: Consumer experiences across three global platforms: <https://eu.boell.org/en/2019/12/11/privacy-eu-and-us-consumer-experiences-across-three-global-platforms>