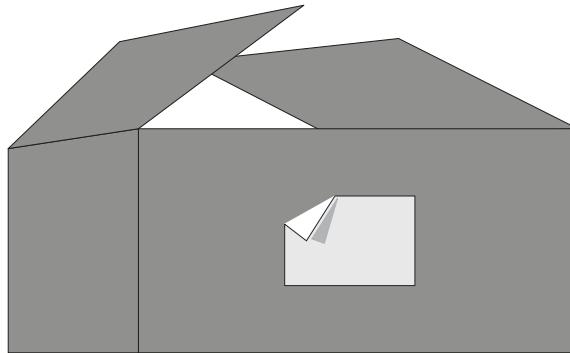


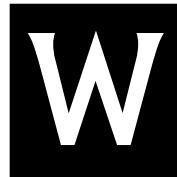
FTC FACTS for Consumers

Unordered Merchandise



You respond to an advertisement offering a free “trial” pair of pantyhose. To your surprise, you receive four pair with a bill.

You receive a pocket knife that you never ordered. Despite your objections, the company continues to send you notices demanding payment and threatening your credit rating.



hat do you do when you receive merchandise that you didn't order? According to the Federal Trade Commission, you don't have to pay for it. Federal laws prohibit mailing unordered merchandise to consumers and then demanding payment.

Here are some questions and answers about dealing with unordered merchandise.

Q. Am I obligated to return or pay for merchandise I never ordered?

- A. No. If you receive merchandise that you didn't order, you have a legal right to keep it as a free gift.

Q. Must I notify the seller if I keep unordered merchandise without paying for it?

- A. You have no legal obligation to notify the seller. However, it is a good idea to write a letter to the company stating that you didn't order the item and, therefore, you have a legal right to keep it for free. This may discourage the seller from sending you bills or dunning notices, or it may help clear up an honest error. Send your letter by certified mail. Keep the return receipt and a copy of the letter for your records. You may need it later.

Facts for Consumers

Q. What should I do if the unordered merchandise I received was the result of an honest shipping error?

A. Write the seller and offer to return the merchandise, provided the seller pays for postage and handling. Give the seller a specific and reasonable amount of time (say 30 days) to pick up the merchandise or arrange to have it returned at no expense to you. Tell the seller that you reserve the right to keep the merchandise or dispose of it after the specified time has passed.

Q. Is there any merchandise that may be sent legally without my consent?

A. Yes. You may receive samples that are clearly marked free, and merchandise from charitable organizations asking for contributions. You may keep such shipments as free gifts.

Q. Is there any way to protect myself from shippers of unordered merchandise?

A. When you participate in sweepstakes or order goods advertised as "free," "trial," or "unusually low priced," be cautious. Read all the fine print to determine if you are joining a "club," with regular purchasing or notification obligations.

Keep a copy of the advertisement or catalog that led you to place the order, too. This may make it easier to contact the company if a problem arises.

Q. Where can I go for help in dealing with unordered merchandise problems?

A. Always start by trying to resolve your dispute with the company. If this doesn't work, contact your state or local consumer protection office, local U.S. Postal Inspector, or the Better Business Bureau in your area for help. The Direct Marketing Association, 6 East 43rd Street, New York, New York 10017, also may be able to help you.

You also can contact the Federal Trade Commission. The FTC works for the consumer to prevent fraudulent, deceptive and unfair business practices in the marketplace and to provide information to help consumers spot, stop and avoid them. To file a complaint, or to get free information on any of 150 consumer topics, call toll-free, 1-877-FTC-HELP (1-877-382-4357), or use the complaint form at www.ftc.gov. The FTC enters Internet, telemarketing, identity theft and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

FEDERAL TRADE COMMISSION 1-877-FTC-HELP	FOR THE CONSUMER www.ftc.gov
--	--

Federal Trade Commission
Bureau of Consumer Protection
Office of Consumer and Business Education

May 1998