



Consumer Federation of America

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CONSUMER FEDERATION OF AMERICA APPLAUDS LIMITS ON PRERECORDED SALES CALLS

Call for Stronger Phone Privacy Clearly Heard

Washington, DC – Consumers frustrated by recorded sales messages that tie up their phone lines and take up space on their answering machines will breathe a sigh of relief when new amendments to the Federal Trade Commission’s Telemarketing Sales Rule (TSR) announced yesterday take effect. The amendments will only allow prerecorded sales calls to be made to consumers who have agreed in writing to receive them (this includes agreements made online). Consumer Federation of America joined with other consumer advocacy organizations in calling for this restriction. “We applaud the Federal Trade Commission for listening to consumer groups and the thousands of individuals who commented on the rulemaking,” said Susan Grant, CFA Director of Consumer Protection. “The telemarketers’ argument that recorded sales pitches were not privacy-intrusive was clearly unpersuasive in the face what the FTC heard directly from consumers.”

In amending the TSR, the FTC decided not to allow marketers to make prerecorded sales calls to consumers with whom they have existing business relationships. Consumer groups argued that the definition of existing business relationship, which includes merely inquiring about a company’s goods or services, was too broad, and that all consumers deserved equal protection from prerecorded sales calls. The FTC also agreed with consumer groups that the Rule should apply to recorded sales messages left on consumers’ answering machines or voicemail systems.

Since the amendments will be phased in, companies that have existing business relationships with consumers can still make prerecorded sales calls to them until September 1, 2009. However, starting on December 1 of this year, all prerecorded sales calls must provide an

automated interactive opt-out mechanism to make it easy for consumers to stop getting those types of calls, even if they have business relationships with the companies or previously agreed to receive such calls.

What Consumers Can Do to Protect Their Telephone Privacy

- Put your landline and cell phone numbers in the national “Do Not Call” registry. To use this free service go to www.donotcall.gov or call 1-888-382-1222 from the phone number you want to register.
- Exercise your right to tell companies that you do business with, which are still allowed to make live telemarketing calls to you even if your number is in the “Do Not Call” registry, to put you on their internal “Do Not Call” lists.
- Read the forms you fill out online and offline carefully to make sure that you are not agreeing to receive prerecorded sales calls if you do not wish to do so.
- Report violations of your “Do Not Call” rights to the Federal Trade Commission at www.ftc.gov or 1-877-FTC-HELP (877- 382-4357).