
TOO GOOD TO BE TRUE....

A Column on Consumer Issues by Attorney General Wayne Stenehjem's Consumer Protection and Antitrust Division

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Good Christmas Shopping Practices

The tough economic times we face today are even more difficult during the holidays. While we usually have good intentions about saving money each month for our Christmas shopping, we don't always follow through with the plan. Now, more than ever, it is important to be "smart shoppers" when we hit the stores for our holiday shopping. Of course, the best plan is to shop early, but that is not always possible. Here are some things to consider before hitting the mall or the Internet to do your Christmas shopping.

- Set a budget before beginning the shopping process.
- Make a list before leaving home. Do research on brands, features of the product, and rebates that may be available and general product information.
- Don't limit your choices. Have a back-up plan in case you are not able to find the exact item you are seeking.
- Advertised items are not always the cheapest. Before making your final selection, check out other brands of similar products.
- If an item you wish to purchase is sold out, ask for a "rain check" or if the business is substituting another item in its place. Make sure the product will arrive in time for the holidays if you are given a "rain check."
- Watch store ads and look for unadvertised specials while in the store. Most items will go on sale at some point during the holiday season.
- Save your receipts for at least 90 days after your purchase. This will allow you or the recipient of the gift to return a product that doesn't fit, is broken or is a duplicate.
- Be sure to check each store's refund and exchange policy. If you have to return an item to a store, you have only limited rights. In North Dakota, no laws regulate store return policies. A store may set its own policy, which may include a cash refund, a store credit, an exchange, or no refund at all. Others may limit the amount of time in which a return may be made, such as 30 days from the date of purchase. It is best to ask about refund policies before buying anything.
- Don't wait until the last minute. It will help avoid frustration if you are unable to find that perfect gift. Allow time for an alternate plan.
- Shop during off peak hours. Early morning hours and evening hours during the week are usually the busiest.

Gift cards have become very popular in the past several years. These cards allow the recipient to "get what he or she really wants." Universal or "general use prepaid" gift cards are the most frequently purchased gift cards and allow the recipient to go just about anywhere they want to make their purchase including retailers and restaurants.

Examples include mall gift cards contained on a plastic card or other electronic payment device and redeemable at the unaffiliated stores throughout the mall. While gift cards can be the easy gift to buy for someone who has everything, they are not without problems. If a company goes out of business, or files for Chapter 11 bankruptcy, what will be the status of the outstanding gift cards? In many cases, the holders of the gift cards will not receive anything and the giver will be out the money. The gift card will hold no value. If you do give or receive a gift card this year, it should be spent within a reasonable period of time.

In North Dakota, there is a law that addresses gift certificates/cards. This law states that the recipient may not be charged additional monthly or annual service or maintenance fees on gift certificate/cards. The time for redemption on the gift certificate/card may not be limited to a date before six years after the date of purchase. The gift certificate/card may not contain any statement suggesting that any different expiration date or redemption date apply to the gift certificate/card. "General use prepaid cards" are not subject to these restrictions.

Most U.S. adults believe it is better to give, than to receive, the perfect gift. For those on the quest for the perfect gift, there are many options. If all your gifts arrive on time and everyone likes them, and if you like all of your gifts and don't have to return any of them, your Christmas will indeed be Merry! The holidays can be the start of many consumer headaches, but with a little preparation you can avoid the stress.

The Attorney General's Consumer Protection Division investigates allegations of fraud in the marketplace. Investigators also mediate individual complaints against businesses. If you have a consumer problem or question, call the Consumer Protection Division at 328-3404, toll-free at 1-800-472-2600, or 1-800-366-6888 (w/TTY). This article and other consumer information is located on our website at www.nd.ag.gov.

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