

UNORDERED MERCHANDISE IS A FREE GIFT

You do not have to pay for merchandise you did not order because federal laws prohibit mailing unordered merchandise to consumers and then demanding payment.

If you are sent clothing, cookware, office supplies, or any other merchandise that you did not order, you have a legal right to keep the shipment as a free gift.

You have no legal obligation to notify the seller that you intend to keep the unordered merchandise as a free gift. However, sending a letter stating your intention is an advisable precaution. Your letter may discourage the seller from sending you repeated bills or it may help to clear up an honest mistake. You may want to send your letter by certified mail and keep the return receipt and a copy of the letter. This will help you to establish later, if necessary, that you did not order the merchandise.

If you ever receive bills for unordered merchandise, you can use the same approach. Write a letter to the company stating that you did not order the item and, therefore, you have a legal right to keep the merchandise. Again, you may wish to send your letter by certified mail and keep the return receipt and a copy of the letter.

If the unordered merchandise was the result of an honest shipping error, you may 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, such as 30 days, in which to pick up the merchandise or arrange to have it returned at no expense to you. Inform the seller that after the specified time period has passed, you reserve the right to keep the merchandise or to dispose of it as you wish.

There is merchandise that may be sent legally without your consent. Free samples that are clearly and plainly marked as such and merchandise mailed by charitable organizations asking for contributions may be sent legally without an order from you. In either case, you may keep such shipments as free gifts.

Be very careful when buying trial items, free items, or unusually low-priced items. Your order may enroll you in some type of club, which requires you to purchase additional merchandise. For example, book and compact disk clubs will send you merchandise every six weeks if you do not return the company's reply cards. Those types of shipments are not considered unordered merchandise.