



Consumer Watch

A Monthly Newsletter from the Connecticut Department of Consumer Protection

William M. Rubenstein, Commissioner

Dannel P. Malloy, Governor

www.ct.gov/dcp

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In This Issue

- 1 It's all about convenience
- 2 Twelve scams of the holidays
- 2 Take our quick survey
- 2 True or False?
- 3 Medical marijuana hearing held to consider petitions for additional qualified illnesses
- 4 Product Safety unit targets recalled items

Suggested Links

www.ct.gov/dcp

Our website offers the latest and most comprehensive information that we have on dozens of consumer-related topics!

www.smartconsumer.ct.gov

Basic information to protect yourself and avoid scams!

<https://www.elicense.ct.gov>

To verify a license, permit or registration, or to run a roster of licensees. Also, the place for online renewal!

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It's All About Convenience for Today's Shoppers

What's new for holiday shoppers in December 2014? No single thing in particular, just a deeper shift into the "new normal" -- where retailers optimize every possible shopping opportunity before, during, and after Thanksgiving Day and online retailers vie for market share with free shipping and returns, coupons, and one-day markdowns. Shoppers will again sprint for hot bargains on high-ticket items at the very start and very end of the shopping season, use online and mobile tools to help them find the best deals, and will spend an increasing percentage of their gift dollars online.



Two recent, separate industry surveys, one conducted for the National Retail Federation (NRF) and one conducted by consulting firm Deloitte, both predict that shoppers nationwide will spend more this December on everything related to the holiday season including gifts, entertaining, clothing, and home and holiday furnishings.

Convenience seems to be the watchword these days for both buyers and sellers, and smart marketers play this theme with slight variations, depending upon the shopping venue.

Take, for example, extended sales and store hours.

more, page 3

While experts are predicting a positive holiday shopping year for retailers, consumers, now more tech savvy and dollar-conscious than a decade ago, will hopefully approach holiday shopping in this recovering economy with care. Our lead article and our scam warnings on page 2 are intended as words to the wise! Late last month, the Medical Marijuana Program marked a milestone in that its Board of Physicians heard the first petitions from the public to add new medical conditions to the list of those that qualify for palliative marijuana treatment. We summarize on page 3. All year long, the safety of all goods sold in Connecticut is a high priority for our Product Safety unit. We hope you'll read on page 4 what they've been up to this year in order to keep unsafe recalled products out of Connecticut homes. Last but not least, whether you've been a reader of this newsletter for a few months or a few years, we'd like to hear from you! On page two there's a link to a quick, anonymous survey to help us improve "Consumer Watch." Please lend your voice!



Best wishes for the holidays,

Bill Rubenstein

Everyday Scams: *Holiday-Style*

1. **Deceptive advertising** -- Shoppers looking for one-of-a kind-deals during the holidays have to be careful, especially when shopping for in-demand items. Read all terms carefully. If you believe an advertisement is purposely deceptive, you may [file a complaint](#) with the Department of Consumer Protection. When online, be alert -- outrageous sale offers, phony contests and bogus gift cards are just a few of the ways scammers try to steal personal information. Year-round, if a bargain seems too good to be true, it's probably not true!
2. **Phishy Emails** -- As more people holiday shop online, the prevalence of clever phishing scams is increasing. Common this year are bogus "shipping notification" emails claiming to be from UPS or FedEx. Don't click on links inside these unless you recognize merchandise that you have ordered. Watch for emails from retailers you haven't used, and be careful with "click here" coupons in emails. These could connect you to sites that will load spyware or viruses on your computer.
3. **Parcel-Waiting** -- Also somewhat new is a scam in which a consumer receives a postcard at their door saying an unsuccessful attempt was made to deliver a package, and asking the consumer to call a particular number for more details. Callers will get a recorded message or music that keeps them on the line for a while. At some point the consumer may hang up and try again, but each time they call they are secretly being connected to a premium line or overseas service charging exorbitant rates. These charges will show up on the consumer's next phone bill. Or, the consumer may reach a fake "delivery representative" who asks for personal information that could be used for identity theft, or that will let a burglar know when the house will be unattended. Before responding to a delivery postcard, thoroughly check out the delivery company online to see if it's a legitimate business. Check that the phone number on your card corresponds to an official number for the company. If the phone number is not local to your area **and** not a 1-800 number, it may be a premium number scam. Don't give out personal details over the phone to anyone you don't know, and don't ever give specific information about times when no one is home.
4. **"App-scams"** -- New mobile apps for Android and iOS devices are added every day. Even the funniest, most festive, innocuous or official-looking app could be malicious and access your personal information. Download apps only from reputable sources.
5. **Malware greetings** -- Digital e-cards can spread viruses along with holiday cheer. Well-known e-card sites are safe, but steer clear of potential scams that cause you to download malware onto your device.
6. **Phony fundraising** -- 'Tis the season for giving and also the end of the calendar year. Be wary of fake charities that could reach you via email, regular mail or social media. Check them out at www.guidestar.org before you donate.
7. **Credit crush** -- Unfortunately, a huge data breach caused by hackers is one crime that each and every one of us could fall victim to. Check your credit card and other banking accounts weekly at holiday time. Watch for small, unexplained charges that could indicate that a thief is "testing" your account availability. Stay on top of breaking news to be alert to any new data breaches that may occur.
8. **Trippy travel scams** -- With travel on the agenda for many during peak holiday times, scammers are primed to exploit the fact that consumers, in their rush, may be less vigilant about their safety. So watch for fake online travel deals -- and don't click on links you get in unsolicited email travel offers.

More, page 4



Please Help Us to Improve "ConsumerWatch!"

How can we make this newsletter better and more useful to you? Please take our 3-minute, anonymous survey at:

<https://www.surveymonkey.com/s/BQ2PCMB>

True or False?

My hair salon refuses to let me return a hair dryer I bought there just three days ago, even though I have the receipt. Although they have a sign at the register that says No Returns, Connecticut law says they must take it back within seven days if I have the receipt.

True or False? (Answer, page 4)

Medical Marijuana Board of Physicians Holds Public Hearing to Consider Four Possible New Qualifying Conditions

On November 26th, the Medical Marijuana Board of Physicians convened its first public hearing to accept testimony from petitioners and the public on the possible addition of four illnesses to the existing list of 11 debilitating illnesses that may qualify for treatment with medical marijuana.

The illnesses considered were:

- Sickle Cell Disease
- Tourette's Disorder
- Post Laminectomy Syndrome with Chronic Radiculopathy
- Severe Psoriasis and Psoriatic Arthritis

The hearing was held in response to written petitions submitted by four separate individuals. In order to qualify for a hearing before the Board of Physicians, each petition included required information, including:

- a comprehensive definition of the illness from a recognized medical source;
- negative effects of current treatment including severe or chronic pain, severe nausea, spasticity or other effect that otherwise substantially limits one or more major life activities;
- evidence, generally accepted among the medical community and other experts, that supports a finding that the use of marijuana alleviates suffering caused by the condition or the treatment thereof.
- information regarding beneficial or adverse effects from the use of marijuana in patients with the condition, treatment or disease, from professionally recognized sources such as peer reviewed articles or professional journals.
- letters in support of the petition from physicians or other licensed health care professionals knowledgeable about the condition, treatment or disease.

Once the Board is finished reviewing and considering all testimony it will issue a recommendation to Consumer Protection Commissioner William M. Rubenstein as to which of the illnesses should be added as qualifying conditions. The Commissioner will make the final determination, and for those illnesses that he decides should be added, the Department will draft and propose regulations to expand the current list. This regulation will require approval from the Legislature's Regulation Review Committee.

Shoppers, continued from page 1



The new trend among retailers of staying open and running sales for longer stretches over Thanksgiving weekend and beyond as opposed to focusing on Black Friday, is designed to make it easier for shoppers to take advantage of advertised bargains. When retailers ran their big holiday sales only on the morning of Black Friday, they were all competing for the exact same shoppers. Likewise, shoppers may have had to choose one sale over another

Now, as retailers offer big sales over many days, shoppers theoretically have access to every sale there is -- and potentially, retailers have access to every shopper there is. It appears that retailers are hoping that everyone will benefit from the increased shopping traffic. But there are risks on both sides. First, it's not a given that stores' extended sales will generate enough revenue to offset their costs. Second, consumers who are prone to overspending may find themselves over-extended on hard to resist deals. Anyone who wants to watch their budget is encouraged to make a list and stick to it -- resist the urge to splurge on impulse items around sales displays, and don't be a slave to midnight sales!

Online shopping is a huge consumer convenience, as reflected by its growing popularity. At least half of U.S. consumers are expected to make some if not all, of their holiday purchases online this year. One interesting finding: DeLoitte predicts that consumers who shop in-store, online, and over mobile devices will spend 66% more on gifts than those shopping in stores only. In short, the more you shop, the more you will spend. So while it's terrific that online retailers are making shopping so efficient, cost effective and convenient, shoppers who want to avoid overspending should take heed of the research and put a halt to shopping once all gifts are bought.

Finally -- for the ultimate in ease and convenience, **gift cards** still rank at the top of most givers' and receivers' lists. Both industry surveys found gift cards rate highly as items that people plan to give, and gift cards are what most surveyed consumers want to receive -- followed by, of course, cash. More than half of gift card buyers report preferring to give gift cards because recipients can select their own gifts, and 25% reported appreciating that gift cards are easier and faster to buy. Once again, convenience is a determining factor in choosing holiday gifts -- and again, there is a small caveat attached.

While Connecticut law bans gift cards sold in the state from expiring, be aware that stores, spas and restaurants can and do go out of business. When that happens, gift card holders may lose all the value of their card. According to the National Retail Federation survey, gift cards to specific department stores, restaurants and coffee shops are among the most popular choices for card givers. If you are giving a gift card for a particular business, choose with care, but once the gift is given, it's up to the recipient to redeem the card promptly.

On any gift card you buy, all the terms must be clearly disclosed. If the terms are not clear, consider purchasing a different card!

Gift cards sold in, or shipped to Connecticut that are issued by or backed by a federal financial institution, such as a VISA Gift Card or an American Express Gift Card, are governed by federal law. Federal law treats gift cards somewhat differently. They may expire after five years, and they may have an inactivity fee after one year. For a full discussion, see our [webpage](#) on gift cards.

And that sums up 2014's holiday shopping update. Hope your holidays are happy!

Unsafe, Recalled Items a Year-Round Priority for Product Safety Unit

The Consumer Product Safety Commission actively inspects shipments of foreign products and stops delivery into the United States of items it deems unsafe. It also tests consumer products year-round and works with manufacturers to recall unsafe new products. But older unsafe items that are already in resale stores can slip through the cracks and potentially cause harm to unsuspecting shoppers -- if not for the vigilance and hard work of Product Safety staff at Connecticut's Department of Consumer Protection.

Throughout 2014, staff conducted unannounced inspections of second hand stores across the state, looking for recalled items from cribs to exercise equipment, toys and children's clothing to electrical appliances. About half of the inspected stores had an item or two that had been recalled (either recently or in prior years), which needed to be taken off sale.

Given the thousands of items retailers stock each day, it's understandable that something could be missed. In order to improve safety and compliance even further among Connecticut resale stores, the Product Safety Unit is providing additional training and education for second-hand store managers and staff.



This beautiful but unsafe, recalled drop-side crib was one of four removed from a local thrift shop earlier this year.

On December 12th, product safety inspectors from the Department of Consumer Protection and the Consumer Product Safety Commission will conduct a joint training for managers of 14 Easter Seals-Goodwill Industries stores in central and southern Connecticut. The session will instruct retailers about product safety laws, how to identify items that might be subject to a recall, how to confirm an item's recall status, and what to do with any recalled items that they find. Similar programs were run for Salvation Army staff, Savers, and Goodwill of Western and Northern Connecticut in recent months.

Major retailers such as Target, Kohl's, Costco and smaller stores were also visited throughout the year by Product Safety staff in order to ensure that recalled, new items are appropriately removed from store shelves and disposed of according to guidance provided by the Consumer Product Safety Commission.

The important Product Safety program helps Connecticut shoppers rest secure in the knowledge that the items they purchase for their homes and family will not cause damage or harm.

Holiday Style Scams, continued from page 2

9. **"Official" Robocall Scams** -- Hackers even use the threat of data breaches as an opportunity to prey on vulnerable consumers. In these cases, consumers receive a fake phone call from an automated (or live) "security agent" claiming to represent the customer's financial institution. The "agent" tells the consumer that their account has been compromised and asks for personal information including passwords, in order to correct the problem. Don't provide any information over the phone to calls of this type. Hang up and dial your financial institution directly to verify the existence of any so-called problem.
10. **ATM Skimming** -- During the holiday season, you need cash and are usually in a rush to get it. Criminals steal ATM users' information by installing skimming devices within ATM machines to steal the data off the cards, and then capture customers' PIN numbers with either a video camera or keypad overlay. Before using any ATM, look carefully at the machine for anything that appears "added on" or suspicious. Also, shield the keypad with your other hand when entering your PIN on any ATM machine.
11. **Just-in-time "free" money:** Unexpected prize checks for contests you never entered are bogus and will include a request for you to deposit the check and forward part of the cash in a MoneyGram or money card somewhere else. If you do this, you will learn within a couple of weeks that your "prize" check bounced, and the money you sent from your own account is gone forever!
12. **Buying tickets for special holiday events.** Special events make for lively holiday entertainment and tickets are popular gifts, so it's a great opportunity for ticket forgers or bogus ticket sellers to exploit the excitement. Even though you believe you've carefully verified an offer on an unknown seller's site, or one listed on a free online auction or classified ad website, you really can't be sure it's fully legit until you or your gift recipient tries to redeem the ticket at the gate. It's wisest to buy from a reputable ticket reseller, or better yet, from the venue itself.

True or False? Answer

The answer is **False**. The salon is NOT required to accept a return, even with a receipt. Connecticut retailers can set their own refund or exchange policies, provided that they post the policy in a conspicuous place for customers to see. The salon's policy is clearly posted on the sign that says "No Returns."

If there is no policy posted, you may return any new, unused item to the store with a proof of purchase within seven calendar days, and get a cash refund on a cash sale, or a credit to your account on a credit sale. Receipt or not, you are not entitled to a refund on: food; perishable items, including live plants; custom-ordered or custom-made items; items that were sold "as is" or as a "final sale"; used items; and items which by law cannot be resold, such as mattresses.

Be sure to check return policies when holiday shopping, and remember to get gift receipts!