

# Chapter 29

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## Consumer Rights and Laws

### Consumer Bill of Rights

- The right to safety
- The right to be informed
- The right to choose
- The right to be heard
- The right to redress
- The right to consumer education

### Airline Passenger Rights

- Confirmed reservations
- Refunds
- Delays and cancellations

### Consumer Technology Bill of Rights

- Time-shifting
  - Consumers are time-shifting when they record video or audio for later viewing or listening.
- Space-shifting
  - Space-shifting allows you to copy the contents of CDs and other media to portable devices, as long as the use is personal, not commercial.
- Backup copies
- Platform of choice
- Translation

### Patients' Bill of Rights

- Information disclosure
- Choice of providers
- Access to emergency services
  - Health plans must pay for costs that a prudent layperson (a reasonable untrained person in a similar position) would reasonably expect to cover.
- Treatment decisions
- Respect and nondiscrimination
- Confidentiality

## **Consumer Protection Laws**

- Food, Drug, and Cosmetic Act
- Flammable Fabrics Act
  - Flammability is the capacity for catching on fire.
- Meat Inspection Laws
- Hazardous Substances Labeling Act
  - A recall is a request for consumers to return a defective product to the manufacturer for a refund or repair.
- Kefauver-Harris Drug Amendment
  - Generic drugs are medications with the same composition as the equivalent brand-name drugs, but they are generally less expensive.
- Cigarette Labeling and Advertising Act
  - Warning labels advise consumers of risks and safety issues.
- National Traffic and Motor Vehicle Safety Act
- Child Protection and Toy Safety Act
- Fair Packaging and Labeling Act
- Care Labeling Rule
  - Care labels give instructions for cleaning, wash and dry temperature, and other care needed to preserve the product.
- Toy Safety Act
- Generic Drug Act
- Nutrition Labeling and Education Act
- Children's Online Privacy Protection Act
- Family and Educational Rights and Privacy Act (FERPA)
- Health Insurance Portability and Accountability Act (HIPPA)

## **Consumer Agencies**

### **Sources of Consumer Protection**

- Federal agencies
- State and local assistance
- Private organizations
- Consumer advocates
- Public officials

### **Federal Agencies**

- Many federal government agencies provide information of interest to consumers.
- Some of these agencies handle consumer complaints, and others direct complaints to agencies or sources that address consumer issues.
- Most agencies can be easily located through the Internet.

### **Department of Agriculture**

- Within the USDA (United States Department of Agriculture), there are a number of agencies that exist to meet various consumer needs regarding the food supply in this country.

### **National Institute of Standards and Technology**

- The NIST (National Institute of Standards and Technology) is an agency within the U.S. Department of Commerce.
- One of its missions is to develop and reward standards of excellence in business.

### **Food and Drug Administration**

- The FDA (Food and Drug Administration) enforces laws and regulations preventing distribution of mislabeled foods, drugs, cosmetics, and medical devices.

### **Consumer Product Safety Commission**

- The CPSC (Consumer Product Safety Commission) protects consumers from unreasonable risk of injury or death from potentially hazardous consumer products.

### **Federal Communications Commission**

- The FCC (Federal Communications Commission) regulates interstate and international communications by radio, television, wire, satellite, and cable.

### **Federal Trade Commission**

- The FTC (Federal Trade Commission) regulates unfair methods of competition, false or deceptive advertising, deceptive product labeling, inaccurate or obsolete information on credit reports, and concealment of the true cost of credit.

### **United States Postal Inspection Service**

- The USPIA (United States Postal Inspection Service) is a federal law enforcement agency that investigates consumer problems pertaining to illegal use of the mail.
- The USPIA enforces postal laws, protecting consumers from dangerous articles, fraud, pornography, and identity theft involving the mail.

### **Federal Aviation Administration**

- The FAA (Federal Aviation Administration) is an agency of the U.S. Department of Transportation.
- It controls air traffic and certifies aircraft, airports, pilots, and other personnel.
- The FAA writes and enforces air safety regulations and air traffic procedures.

### **Securities and Exchange Commission**

- The main purpose of the SEC (Securities and Exchange Commission) is to protect investors and maintain the integrity of the securities markets.

### **State and Local Assistance**

- State consumer protection agency
- State attorney general
- County and city consumer protection offices
- Consumer leagues and public-interest research groups

- Legal aid societies
- Local newspaper and broadcast consumer action reporters
- Consumer representatives on local utility or licensing boards
- Independent consumer groups

### **Private Organizations**

- The BBB (Better Business Bureau) is a clearinghouse of information about local businesses.
- The Major Appliance Consumer Action Panel (MACAP) is comprised of representatives of the home appliance industry.
- Consumers may also seek the support of a consumer advocate—a person who actively promotes consumer causes.
- The National Consumers League (NCL) operates the National Fraud Information Center, established in 1992 to combat fraud.
- The Federal Citizen Information Center (FCIC) assists federal agencies in the development, promotion, and distribution of practical consumer publications.
- The Consumers Union has the largest consumer testing facility in the world and publishes test results and product ratings.

### **Contacting Public Officials**

- In person
- By phone
- By e-mail
- By letter