
ftc consumer feature

Bureau of Consumer Protection

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What's That in Your Mailbox? It's a Masquer-Ad!

The buyer was livid. He had received in his office mail a page ripped from a magazine with an article touting a book on public speaking. Ordinarily, he would have thrown the article away — but this one had one of those familiar yellow “stickies” attached, addressed to him by name. “Try this. It’s really good!” the handwritten note said, with the signature “J.”

“J” happened to be the first initial of his supervisor’s name, so the employee promptly ordered the materials, forking over almost \$300 for what he assumed to be “obligatory” professional reading.

It wasn’t. In fact, the clip wasn’t from a real magazine, and the buyer’s supervisor had never even seen the “article” — actually an advertisement crafted to look like an independent review, complete with a personal endorsement. Only the most observant fine-print reader was likely to notice the word “Advertisement” printed in tiny type at the top of the jagged-edged page.

Many consumers receive mountains of advertising every day through their mailboxes, their newspapers, their televisions, their telephones and their computers. Much of this advertising — it’s important to point out — is valued by the people who receive it because it helps them to identify products and services that fit their needs, and to make educated buying decisions.

But what many people *don’t* appreciate are “masquer-ads” — advertisements disguised as something else so consumers will put them in the “to read” pile instead of throwing them away unopened.

Sometimes these mailings come in official-looking envelopes or mock express delivery packets. Sometimes they bear return addresses with names just close enough to a real agency or organization to sound convincing — “Social Security Agency,” for example, instead of “Social Security Administration.” Sometimes they appear to contain actual checks or notification of a contest the receiver has won. And sometimes, they look more like personalized letters than bulk mailings, featuring a 33-cent stamp or a handwritten address.

These practices, often referred to as “door-opening devices,” might sound shady, but they’ve been adopted by legitimate companies, charities and political groups — all trying to cut through the clutter to get their own promotions noticed.

Yet the Council of Better Business Bureaus opposes them, fearing that they cast doubt not only on the “masquer-ad,” but on other ads as well. “It potentially sours the credibility of any advertisement,” said Ken Hunter, council president. “And that harms the many reputable businesses that use truthful advertising to inform consumers and engage them in a relationship of trust.”

The Federal Trade Commission and the U.S. Postal Inspection Service are vigilant at going after marketers whose advertising campaigns clearly break the law. And legislation passed by Congress in December 1999 is putting more teeth into their efforts to curb deceptive mailings. The law bans advertisers from

sending government look-alike mailings, often enclosed in brown window-style envelopes with official-looking markings that imply a connection with the federal government. It also requires disclosures on sweepstakes mailings to clarify that it's not necessary to buy something to enter the contest, and that a purchase doesn't boost the chances of winning. The mailings also have to disclose the odds of winning a prize.

Advertising that violates these requirements is against the law and subject to prosecution.

But many of the advertising ploys that are fooling consumers fall into a legal "gray area" and are a lot tougher to challenge in the courts.

That's why the Federal Trade Commission is going directly to consumers, warning them that when it comes to deceptive advertising tactics, the best offense is a strong defense. The FTC is working with the Better Business Bureaus and the U.S. Postal Inspection Service to show consumers how to recognize advertising even when it looks like something else.

"Not everything that shows up in your mailbox is necessarily what it appears to be," says Lesley Fair, an attorney in the FTC's Bureau of Consumer Protection who specializes in advertising practices. "Just because something looks official and is addressed directly to you doesn't mean that it is. It may well be an ad."

So what's a consumer to do? "Read your mail carefully and with a critical eye," Fair says. "It's important to keep your guard up."

Jodie Bernstein, director of the FTC's Bureau of Consumer Protection, recommends sometimes taking things a step further. "When consumers receive an advertising pitch in disguise, one that's clearly meant to make them think it's something else," she says, "their best bet may be to make a pitch of their own – into the trash."

Not every mailing that's designed to look like a check or uses a personalized message such as, "Try this. It works!" is a rip-off. But Bernstein questions, why should a consumer take chances? "After all," she says, "why trust a company that wiggles its way into your home or office using a clever disguise?"

As the buyer of the \$300 book learned, that's one personal message from "J" worth heeding!

Bernstein encourages consumers to find out more about recognizing deceptive mailings by calling the FTC's toll-free helpline at 1-877-FTC-HELP (382-4357).

What To Watch For In Your Mailbox:

- ☒ Government-like logos or addresses that make the information look important
- ☒ Magazine solicitations that look like renewal notices
- ☒ Checks that, if cashed, switch your telephone carrier
- ☒ Simulated checks that invite credit applications
- ☒ Companies or organizations with "sound-alike" names that play on the reputations of others
- ☒ Solicitations personalized with handwritten addresses or first-class stamps
- ☒ Mailings that imply a personal endorsement from someone you know
- ☒ Ads disguised as personal letters, news stories or independent reviews
- ☒ Endorsements with the word "advertisement" inconspicuously placed or in tiny print