



COMPETITIVE CASKETS, INC.

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JUN 2 1999
B2561640007

May 20, 1999

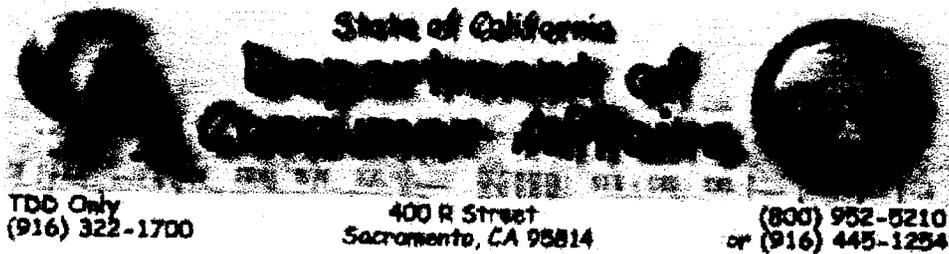
Mrs. Mercedes Kelley -

Subject 16 CFR PART 453-

First you can add to my list Cherokee Child
Casket, POBX, Griffin, GA 30224 1800-535-8667,
New York, Batesville, Amora, Casket Shells (Pa.)
and the rest of them won't sell to me.

LA. Archdiocese article: I guess the funeral
homes now know how the CASKET STORES feel.
I guess they can't tell the "Big Boy" don't sell
to the Archdiocese - if you do I want buy
from you. HA HA. "I Don't IT" I hope you
find other articles helpful. Please call
or write if you need me.

Thanking you in advance
George J. Silva



Press Release

State Requests Immediate Suspension of Contra Costa Crematory, Funeral Homes

**FOR IMMEDIATE RELEASE
THURSDAY, JULY 9, 1998**

SACRAMENTO-The Department of Consumer Affairs (DCA) announced today that it has requested the immediate license suspension of a Contra Costa County crematory/cemetery, five funeral homes and a funeral director based on allegations of gross negligence, unprofessional conduct and other violations of the Health and Safety Code, the Cemetery Act and the Funeral Directors and Embalmers Law.

G. V. Ayers, chief of the department's Cemetery and Funeral Programs, filed the ex parte petition for Interim Suspension Order (ISO) against funeral director Christopher Rogers and the six facilities he operates: Hidden Valley Memorial Park & Funeral Home and Affordable Mortuary Services in Martinez, Rogers Family Funeral Home in Walnut Creek, Antioch Funeral Home and Crockett Funeral Home. The crematory is located at the Hidden Valley facility.

"We are expediting this process because of the potential for public harm, and have been working closely with the families involved," Ayers said.

A hearing on the ex parte petition has been scheduled for 11 a.m. Friday, July 10, at the Office of Administrative Hearings, 1970 Broadway, 2nd Floor, Oakland, before Administrative Law Judge Jonathan Lew. If the ex parte petition is granted, Rogers and the six facilities would be required to immediately cease all operations requiring DCA licensure pending a full administrative hearing on the ISO petition, to be held within 20 days.

Rogers and Rogers Family Funeral Home, Inc. face charges of negligence and unprofessional conduct for allegedly: delivering the wrong cremated remains to families in three instances; allowing human bodies to decompose prior to cremation; failing to use refrigerator space available to store bodies; storing uncontainerized, leaking bodies around the facility; accepting more bodies than could be properly cremated; storing remains in an undignified manner; failing to maintain crematory logs; failing to provide for a system of identifying bodies being stored prior to cremation; and abandoning ten bodies in two vans parked outside one of the funeral establishments.

The alleged violations were uncovered during DCA inspections of the crematory at Hidden Valley and the Walnut Creek facility on June 2, 17, 22, and 27.

anyone from our store, makes it clear, the sealer was invented for, and nowhere is protection and preservation used to SELL OUR PRODUCT. Even the grave liners- or vaults, are sold simply to "make the cemetery grounds more stable, fullfill a requirement from g.yds. that require them." So **no, I am not in the same group with the average funeral director**, other than using the description of the "units" that the makers give us

ms. Kelly


-----copied from atty gen's findings -----
 The Funeral Industry's Advantage Over Consumers

By nature, the funeral industry enjoys a guaranteed demand for its goods and services, and through tradition and industry practice, it enjoys limited competition. Also, consumers often select and purchase their goods and services at a very emotional time. These characteristics grant the industry a unique advantage over consumers.

Death always has been a very local event. The goods and services associated with interment or cremation of the decedent continue to be provided most conveniently locally, even when required infrequently in low populated areas.

This situation is analogous to the health care industry. Demand is low in many poorly populated areas. However, there is a constant demand for the full range of goods and services available because the consumer's time of need is unpredictable. The high overhead costs of maintaining a facility and staff able to offer the full complement of goods and services are not matched by the low, albeit constant, demand for them. In these cases, rural hospitals and clinics often are subsidized by local and state governments.

The funeral industry enjoys no such subsidies but rather has been very successful in limiting competition. The industry assembled itself into trade associations many years ago. It lobbied states to create licensing boards that would limit new entry into the funeral home market. Funeral homes catered to specific populations, often based on religion, to avoid competition within urban areas.

Thus, the free market competition that drives prices down as businesses woo consumers does not apply to the funeral industry. As a result, funeral homes are able to charge higher prices for the goods and services they offer than if the market were competitive. As growing numbers of funeral homes are purchased by large corporations which lower overhead costs through centralization of many services, the existing limited competition allows the funeral homes to maintain their prices margins.

In addition, many consumers do not make arrangements in advance and are left to purchase funeral goods and services at an emotional time. The consumer being toured through a casket showroom usually is not as wary as when toured through a car showroom, although the sales techniques to convince the consumer to purchase a high end model are the same. The consumer has only a few days to become familiar with the many goods and services available, to ask questions, and to consider alternatives.

The unscrupulous funeral home director could take advantage of the consumer's vulnerability at this time. Inexpensive caskets may be displayed in an ugly color. A particular package of high end goods and services may be offered so the consumer buys items that are not needed or desired. The director may imply that anything less than the best would be disrespectful to the decedent's memory.

The Role of the Federal Trade Commission

The Federal Trade Commission (FTC) is charged with correcting any imbalance of bargaining power between consumers and service providers. As described above, the funeral home industry enjoys an advantage over consumers. Thus, the Federal Trade Commission first proposed a trade rule on funeral practices in 1975. Due to the industry opposition, the regulation was not adopted until 1982 and included a 2 year grace period.

The FTC's Funeral Rule is the consumer's first, and in many states, only line of defense. Its provisions require funeral homes to make the following disclosures:

When consumers call funeral homes to inquire about the goods and services offered, the staff must disclose that prices are available over the telephone and then provide them as requested.

When consumers inquire in person, the funeral home must provide a general price list describing the cost of each good and service available.

The consumer must be informed that embalming is required by law only in certain circumstances and that direct cremation or immediate burial are options that do not require embalming.

The funeral home staff may not imply that embalming or sealing the casket will indefinitely preserve the remains.

If the funeral home adds a service fee to the price of cash advance items or receives a refund, discount, or rebate from the supplier, that information must be disclosed to the consumer.

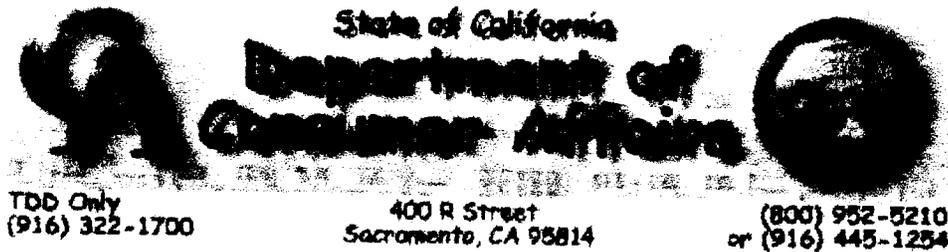
The consumer has a right to purchase only the goods and services desired. A written statement of the goods and services selected that includes an explanation of any items required by law must be provided.

These disclosures serve to protect the consumer from unwanted purchases. They also aim to increase competition within the funeral home industry by providing consumers with the information needed to engage in comparison shopping.

Findings of the Investigation

The investigation of Connecticut funeral homes revealed high prices and incomplete compliance with the FTC's Funeral Rule. It also discovered unintended consequences of the regulation that result in the consumer purchasing services that may not be needed.

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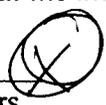
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When our volunteers visited funeral homes to inquire about the goods and services

they offered, they found that the prices of caskets and vaults were indicated by ranges on the general price list. A separate list of casket prices was volunteered by only 38 % of the funeral homes, and that number climbed only to 69 % when one was requested. Similarly, only 38 % of the funeral homes volunteered a separate list of vault prices, and no more than 56 % of them produced it when requested. The FTC Funeral Rule requires that both lists be provided to the consumer.

All funeral homes indicated in writing that embalming is not required by law, except in special circumstances. However, 31 % of the funeral homes failed to mention the cheaper options of direct cremation or immediate burial, and 6 % actively discouraged the consumer from selecting those options.

When discussing the protective value of sealing the casket or the vault, 19 % of the funeral homes implied that the remains would be protected indefinitely. Although perhaps intended to provide the consumer with some emotional comfort, the statement is false, and some funeral homes tactfully emphasized that fact.

When our visits were complete, only 75% of the funeral homes provided the required statement of the goods and services selected. This leaves the consumer unable to effectively engage in comparison shopping.

Additionally, only 63 % of the funeral homes displayed all caskets for viewing. There were no prices displayed on the caskets in 13 % of the funeral homes.

The general price list, the heart of the FTC Funeral Rule, was volunteered by 94% of the funeral homes.

Perhaps most surprising was that, despite an itemized price list, consumers may still pay for unwanted services because the FTC's Funeral Rule allows funeral homes to describe related services as a single item. Many general price lists combine cosmetology, hairdressing, reconstruction, dressing, and casketing "into the other preparation of the body" as a single item. Thus, the consumer pays the whole charge for other preparation even if dressing and casketing are the only services required.

Similarly, fees for the professional services of the funeral home's staff include services that the consumer may wish to complete without the staff's assistance. For example, consumers can easily arrange flower delivery, schedule a clergy member, prepare and place obituary notices, and file papers pertaining to cremation, burial, and transportation. However, charges for all these services and a proportionate charge of the funeral home's overhead costs are included in a nondeclinable fee for the basic services of the funeral director and staff. In addition to the above findings related to the FTC's Funeral Rule, our investigation revealed a wide range of prices for funeral goods and services. Our findings are summarized below: ____ (end copy) ____ See what I see and shout from the rooftops???

They have in the past and still to this day, try to keep it a closed market, limiting free trade or "best deals" or even shopping by the general public. The funeral industry claims such a caring business (and it is, it needs to be) such an honest one (not fully the truth here at all) such a trusting one (again, sure need to , and for the most part, you'd hope and pray it was true, but look at the findings) If it were true, 90% would have been reported complying, and the "victims" wouldn't write the

media or the FTC. **AS it is, this report states that the FTC is the public's first and sometimes only line of defense, "That is a sad state of affairs"** And yes, John, I used the words, nearly forever, because that is what indefinate means

"not clear, vaugé" (and the fact that the post was late at night and copy paste or correction recheck for spelling wasn't something I wanted to take the time to do. Indifinate is prob/how I would have spelled it, bad trait here, spelling, should have paid more attn in that class in school :-(. Think it's right, then have to stop and look it up, just to be sure. But at least I know the dif/and my limits.

Forever it is not, nor is it Indenfinately Maybe it is hardly past just a number of months in some cases. (Weather, water level, etc.etc. have a lot to do with it)(and yes, a number of months is vaugé, it could mean just 36 or could be a whole lot longer 144 (????) - but it is more accurate, don't you think? And yes, those attys sure get paid a bundle, and some of those have terrible reps too- *but most of them research and reduce to writing to back up what they say* I think that is the biggest difference.

Good Day

On Wed May 19, John wrote

>Savcash,

>Checked out your web sight this evening, and I found that you refer to certain caskets as SEALER or NON SEALER now "MOST people" (your words) might believe that this means protection or preservation... So I guess that you are in the same boat as the funeral homes...Please explain to me how you came up with the statement that the funeral homes had implied that the remains would be "preserved nearly forever" since again that is not what the attorney wrote.(who gets paid huge fee's even though there are 20 pages of them in the phone book)but thats another topic.

>John

Wed May 19

This message read 11 times