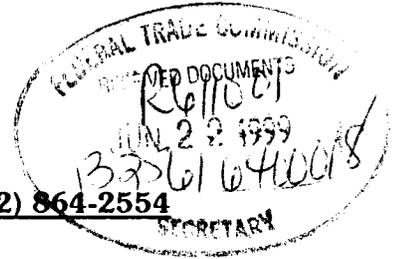




American Casket Company

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June 18, 1999

Secretary, Federal Trade Commission
Room H-159
600 Pennsylvania Avenue., NW
Washington, DC 20580

RE: 16CFR Part 453

As a retail casket store owner we are very interested in the upcoming review of the Funeral Rule 16 CFR Part 453. Specifically our concern centers on the following two issues;

* *expanding the Rule to include monument dealers and casket sellers.* Cemeteries have very clearly defined rules as to material, size, density, etc. If monument dealers sell something that does not meet those requirements it is rejected by the cemetery. Casket sellers must meet the regulations set by cemeteries and/or their State, when regulations exist. Monument dealers and casket sellers are not funeral providers. We are retailers. Any retail store that does not meet consumer needs will soon go out of business. People know their rights when dealing with retailers.

* *clarifying the Rule's "unbundling" provisions which are intended to promote competition and increase consumer choices.* We see "bundling" happen when funeral homes list a discount package of funeral services on the condition the family makes the casket purchase from them. No casket sale no discount package. You might think this sounds like a reasonable opportunity for a family to save money. However, grieving families don't have time to be savvy consumers and shop around to compare prices or options. Hospitals, nursing homes, coroner's offices typically tell the family they have 24 hours or less to get the body out of their facility. The grieving family will call the nearest funeral home, release the body and make a next day appointment to finalize service details. Only then do they find out that a discount package is offered on condition of purchasing the funeral home casket. There is virtually no opportunity for a grieving family to make a choice as an informed consumer after the funeral home has the body of their loved one. It is too expensive to change to another funeral home. This is a no win situation for the family. There is no competition when the funeral home is holding the body of their loved one as hostage to make a casket sale.

We have enclosed copies of one family's dilemma finding a funeral home that would give them a discounted package not tied to the condition of purchasing the casket from the funeral home. They really wanted to purchase a casket from us not just because it was a good price but because it was exactly what they wanted for their loved one.

The funeral industry is pushing for States to limit casket sales to licensed funeral directors. They are a well financed and connected group who intend to eliminate consumer choice and reasonable competition. The more regulations they can burden retailers with the less we will have to offer the consumer. Casket retailers and monument dealers offer the consumer a choice. Wasn't that the intent of the Funeral Rule amendment of 1994?

Respectfully submitted by

Evelyn Rapozo
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