

July 7, 1999

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

R611001  
B25616400062

### 16 CFR Part 453

#### Comments Concerning Trade Regulation Rule On Funeral Industry Practices

Commissioners:

Please accept the following comments representing the views of the owners of Vassar-Rawls Funeral Home, Inc., an independent funeral home and crematory owned and operated by the Vassar family for over 100 years.

The definition of "Funeral Provider" should be expanded to include cemeteries and casket retailers. They should be required to present itemized lists containing a description and price for each service, piece of property, or item of merchandise they offer. Relevant disclosures should also be required. This requirement would enable the purchaser to compare cemetery and casket prices which, in many cases, could result in significant savings for the purchaser. Substantial savings have resulted for purchasers because of disclosure requirements placed on entities included in the current definition of "funeral providers" and there is every reason to believe that there would be additional savings under an expanded definition that includes cemeteries and casket retailers. Competition between all entities, conducting business by the same rules, can only be beneficial to purchasers.

Funeral packages are a sham used to circumvent the purpose for requiring itemized pricing. Funeral providers that use funeral packages, in most instances, grossly inflate their itemized prices and offer the packages at what they represent as a discount. In reality the discounted package price represents their actual costs. It is a deceptive practice that is unfair to the purchasers and to providers that itemize their actual costs. Funeral packages should be prohibited unless they correspond exactly with the charges included on the required itemized price lists. Prohibiting discounted funeral packages would also alleviate the concern about casket handling fees.

The "basic service fee" for availability of staff and facilities should be expanded to include seven different service options (see item #2 of the "Itemization Of Services, Facilities And Motor Equipment" on page 1 of the enclosed General Price List). Funeral providers should be required to disclose a "basic service fee" for each of the following service options: (a) chapel or church service and a graveside service, (b) chapel or church service with no graveside service, (c) graveside service only, (d) sim-

ple burial without ceremony, (e) simple cremation without ceremony, (f) forwarding of remains without ceremony, and (g) receiving of remains without ceremony. This requirement would disclose to the purchaser the various options and prices for the particular types of services. It would also eliminate the need for a separate Minimum Services Price List because all charges would be listed on the itemized price list. In addition we recommend that the Commission require that many, if not all, of the remaining items included on page one of our price list be required. Requiring all providers to disclose their prices in this uniform manner would increase competition and greatly enhance a purchaser's ability to shop and compare prices.

The required disclosures on the "General Price List" should be revised and expanded. Providers should be required to furnish the "Casket Price List" and the "Outer Burial Container Price List" whenever purchasers request service and cost information, whether the request is before need or at need. Currently a provider is only required to furnish the two lists at the funeral home prior to the time the purchaser is actually selecting the casket or outer burial container. Requiring the providers to always give the purchaser the "Casket Price List" or the "Outer Burial Container Price List" whenever service and cost information is requested will greatly enhance the purchaser's ability to compare prices. We have found that the greatest price differences between funeral homes in our area are in the costs of caskets and outer burial containers. The price differences are very significant, but price shoppers will not be aware of that because the current regulation only requires providers to give price ranges for caskets and outer burial containers. Funeral providers should also be required to use the casket manufacturers description of the casket on the "Casket Price List". Many providers thwart a purchaser's ability to compare casket prices by using aliases to describe merchandise. The practice of using aliases to describe merchandise is unfair to providers that offer the same merchandise at a significantly lower price and to purchasers who are unable to take advantage of the lower prices.

We would also encourage the Commission to require that a "Cremation Merchandise Price List" be added to the "General Price List" requirements. This list should include a section for cremation caskets and a section for cremation urns (see page 5 of our enclosed "General Price List"). Cremation has become a major factor in the funeral industry and it would be very beneficial for purchasers to be able to compare cremation merchandise prices.

With regard to the amendments and additions requested by the Funeral and Memorial Societies of America ("FAMSA"), we submit the following comments. "Basic service fees" should be required to be disclosed as recommended in paragraph four of this letter. A separate disclosure for private viewing without embalming is unnecessary and would be burdensome. Private viewing without embalming is already offered and can be selected by the family from the "Itemization Of Services, Facilities And Motor Equipment" on page one of our "General Price List". Funeral providers should be required to make refrigeration available so private viewing without embalming is feasible. Many funeral providers do not offer refrigeration as an option so they can coerce the purchasers to select embalming. In our area, and I believe in most other areas, there is no charge for donating a body to a medical school, so there is absolutely no

need to require a disclosure for the item. The price for the cremation process itself should be a required disclosure. The price of rental caskets, if offered, should also be a required disclosure. Any mark-up on cash advance items should be a required disclosure. The Rule should definitely be expanded to include cemeteries, monument dealers, and casket sellers.

The Rule has had a beneficial economic impact on purchasers and has not created an adverse impact for funeral providers. There has been no conflict between the Rule and state, local, or other federal laws. Technological, economic and other industry changes have only served to make it easier and more practical for providers to comply with the Rule and would make it a simple process to adopt the changes we recommend.

We firmly believe that the Rule has, overall, been a tremendous benefit to our firm and the families we serve. We strongly believe that the Rule, with our suggested amendments and additions, needs to remain in effect.

Please contact us if you need clarification or have any questions regarding our comments. We would be willing to participate in the Public Workshop-Conference. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "John D. Vassar". The signature is written in a cursive style with a large, looping initial "J".

John D. Vassar  
Secretary-Treasurer

Enclosure: General Price List

## **GENERAL PRICE LIST**

Funeral homes are required by the Federal Trade Commission to present you with this information prior to discussing services or merchandise.

### **PAGE 1. ITEMIZATION OF SERVICES, FACILITIES AND MOTOR EQUIPMENT**

This page contains the itemized prices for the services, facilities, and motor equipment that we can provide.

### **PAGE 2. MINIMUM SERVICES PRICE LIST**

This page contains the lump sum prices for the minimum services, facilities and motor equipment required for each of the following: A. Simple Cremation Without Ceremony; B. Simple Burial Without Ceremony; C. Forwarding Of Remains Without Ceremony; D. Receiving Of Remains Without Ceremony.

### **PAGE 3. CASKET PRICE LIST**

This page contains the prices and descriptions of the caskets available at our firm.

### **PAGE 4. OUTER BURIAL CONTAINER PRICE LIST**

This page contains the prices and descriptions of the grave box and vaults available at our firm.

### **PAGE 5. CREMATION MERCHANDISE PRICE LIST**

This page contains the prices and description of the cremation caskets and urns available at our firm

### **PAGE 6. CASH ADVANCES ON BEHALF OF BUYER**

This page contains prices of services such as cemetery charges, musicians, hairdresser, classified notices and certified copies of the death certificate. The costs listed are the exact amount charged to Vassar-Rawls.

**ITEMIZATION OF SERVICES, FACILITIES AND MOTOR EQUIPMENT**

These prices are effective as of March 30, 1999 but are subject to change without notice.

CONSIDERATIONS

The services, facilities and motor equipment shown below are those we can provide. You may choose only the items you desire. However, any service option (see item 2) you select will include a charge for the basic availability of our staff and facilities to provide the service option selected. If legal or other requirements mean you must purchase any items you did not specifically request, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected.

	COST OF ITEMS	ITEMS SELECTED
1. Removal Of Deceased From Place Of Death.....	\$ 170.00	\$ _____
2. Basic Availability Of Staff And Facilities For The Following Service Options (select one):		
a. Chapel Or Church Service And A Graveside Service .....	\$ 1,590.00	
b. Chapel Or Church Service With No Graveside Service.....	\$ 1,465.00	
c. Graveside Service Only .....	\$ 1,370.00	
d. Simple Burial Without Ceremony.....	\$ 580.00	\$ _____
e. Simple Cremation Without Ceremony.....	\$ 300.00	
f. Forwarding Of Remains Without Ceremony.....	\$ 315.00	
g. Receiving Of Remains Without Ceremony .....	\$ 315.00	
3. Embalming.....	\$ 200.00	\$ _____
<i>Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain arrangements, such as a service with public viewing. If you do not want embalming you have the right to choose refrigeration or an arrangement which does not require you to pay for it, such as simple cremation without ceremony or simple burial without ceremony. Unless required, embalming will not be performed without an effort to obtain permission.</i>		
4. Refrigeration (per day).....	\$ 35.00	\$ _____
<i>Refrigeration is required when there is no embalming and final disposition is not within 24 hours.</i>		
5. Dressing.....	\$ 35.00	\$ _____
6. Preparation For Viewing.....	\$ 70.00	\$ _____
7. Special Care For Autopsied Remains .....	\$ 100.00	\$ _____
8. Use Of Viewing Or Visitation Room (per day).....	\$ 60.00	\$ _____
9. Evening Prayer Or Wake Service, Dressing Ceremony.....	\$ 100.00	\$ _____
10. Recorded Music .....	\$ 30.00	\$ _____
11. Securing And Recording Vital Statistics For Death Certificate And Permits.....	\$ 55.00	\$ _____
12. Preparation And Delivery Of Obituary Information To The Newspaper.....	\$ 50.00	\$ _____
13. Contacting Clergy.....	\$ 10.00	\$ _____
14. Contacting Musicians.....	\$ 10.00	\$ _____
15. Contacting Pallbearers.....	\$ 30.00	\$ _____
16. Contacting Cemetery.....	\$ 10.00	\$ _____
17. Visitors And Attendance Book.....	\$ 35.00	\$ _____
18. Printed Memorial Folders (Picture - Add \$25.00, Special Verse - Add \$15.00) .....	\$ 50.00	\$ _____
19. Acknowledgment Cards And Envelopes (50) .....	\$ 8.00	\$ _____
20. Temporary Grave Marker.....	\$ 25.00	\$ _____
21. Crematory .....	\$ 180.00	\$ _____
22. Funeral Coach.....	\$ 125.00	\$ _____
23. Mileage (\$1.50 per mile one way) .....		\$ _____

**TOTAL FOR SERVICES, FACILITIES AND MOTOR EQUIPMENT.....\$ \_\_\_\_\_**

**MINIMUM SERVICES PRICE LIST**

These prices are effective as of March 30, 1999 but are subject to change without notice.

CONSIDERATIONS

The following charges are the minimum for each service. **If any use of our services, facilities or motor equipment in addition to those listed under each minimum service is desired, please refer to page one.**

**A. SIMPLE CREMATION WITHOUT CEREMONY Price Range.....\$705.00 to \$730.00**

The minimum charge for simple cremation without ceremony includes only the following items from the itemization of services, facilities and motor equipment listed on page one:

- 1. Removal of deceased from place of death.
- 2e. Type of service - simple cremation without ceremony.
- 11. Securing and recording vital statistics for death certificate and permits.
- 21. Crematory.

If you want to arrange a simple cremation without ceremony, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering).

- 1. Simple Cremation Without Ceremony with container provided by purchaser..... \$705.00
- 2. Simple Cremation Without Ceremony with alternative cardboard box provided by Vassar-Rawls....\$730.00

**B. SIMPLE BURIAL WITHOUT CEREMONY.....\$930.00**

The minimum charge for simple burial without ceremony includes only the following items from the itemization of services, facilities and motor equipment listed on page one:

- 1. Removal of deceased from place of death.
- 2d. Type of service - simple burial without ceremony.
- 11. Securing and recording vital statistics for death certificate and permits.
- 22. Local transportation to cemetery.

**C. FORWARDING OF REMAINS WITHOUT CEREMONY.....\$740.00**

The minimum charge for forwarding of remains without ceremony includes only the following items from the itemization of services, facilities and motor equipment listed on page one:

- 1. Removal of deceased from place of death.
- 2f. Type of service - forwarding of remains without ceremony.
- 3. Embalming.
- 11. Securing and recording vital statistics for death certificate and permits.

**D. RECEIVING OF REMAINS WITHOUT CEREMONY.....\$440.00**

The minimum charge for receiving of remains without ceremony includes only the following items from the itemization of services, facilities and motor equipment listed on page one:

- 2g. Type of service - receiving of remains without ceremony.
- 22. Local transportation to cemetery.

### CASKET PRICE LIST

These prices are effective as of January 15, 1999 but are subject to change without notice.

#### CONSIDERATIONS

The listed caskets are generally in stock, however there may be times when they are not available. You do not have to buy a casket if you want cremation.

1. Gray Flannel, flat top, cloth covered, corrugated fiberboard, white crepe interior .....	\$ 300.00
2. Gray Flannel, oval top, cloth covered, corrugated fiberboard, white crepe interior .....	\$ 400.00
3. NewPointe Triton Brown, 20 gauge steel, ivory taffeta interior .....	\$ 595.00
4. Batesville Graytone econogard, 20 gauge steel, silver crepe interior .....	\$ 824.00
5. Batesville Mandarin Bronze monogard, 20 gauge steel, rosetan crepe interior .....	\$ 926.00
6. Batesville Delray, solid Carolina poplar hardwood, rosetan crepe interior .....	\$1,084.00
7. Batesville Colonial Blue monogard, 20 gauge steel, light blue crepe interior .....	\$1,110.00
8. Batesville Desert Champagne monogard, 20 gauge steel, ivory crepe interior .....	\$1,170.00
9. Batesville Coretta Bronze monogard, 20 gauge steel, rosetan crepe interior .....	\$1,281.00
10. Batesville Misty Rose monogard, 18 gauge steel, moss pink crepe interior .....	\$1,329.00
11. Batesville Finley Pine, solid pine, dawnlite crepe interior .....	\$1,381.00
12. Batesville Tuscany monoseal, 18 gauge steel, moss pink crepe interior .....	\$1,484.00
13. Batesville Onyx monoseal, 18 gauge steel, silver crepe interior .....	\$1,519.00
14. Batesville Arlington, solid Carolina poplar hardwood, light blue crepe interior .....	\$1,530.00
15. Batesville Provincial Gold monoseal, 18 gauge steel, rosetan crepe interior .....	\$1,562.00
16. Batesville Primrose monoseal, 18 gauge steel, moss pink crepe interior .....	\$1,562.00
17. Batesville Colonial Pine, solid pine, beige crepe interior .....	\$1,692.00
18. Batesville Silver Rose monoseal, 18 gauge steel, rose pink velvet interior .....	\$1,715.00
19. Batesville Wheatland Oak, solid oak, rosetan crepe interior .....	\$1,828.00
20. Batesville Sapphire monoseal, 16 gauge steel, light blue velvet interior .....	\$2,027.00
21. Batesville Woodland Green, stainless steel monoseal, champagne velvet interior .....	\$2,118.00
22. Batesville Embassy Cherry, solid cherry, beige velvet interior .....	\$2,204.00
23. Batesville Aegean Copper monoseal, 32 ounces per square foot of solid copper, tan velvet interior .....	\$2,539.00
24. Batesville Monarch Mahogany, solid mahogany, silverbeige velvet interior .....	\$3,379.00
25. Batesville Persian Bronze monoseal, 32 ounces per square foot of solid bronze, suntan velvet interior .....	\$3,599.00

**OUTER BURIAL CONTAINER PRICE LIST**

These prices are effective as of January 1, 1999 but are subject to change without notice.

**CONSIDERATIONS**

In most areas of the country, state or local law does not require you to buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave box or a burial vault will satisfy these requirements. Charges on outer burial containers for cemeteries outside of Lewiston and Clarkston will vary due to delivery costs. There is an additional \$75.00 charge for Saturday services.

Outer burial containers are listed from least to most expensive. A display or pictures are available at our office.

1. Concrete Grave Box, non sealing, unpainted .....\$ 445.00
2. Wilbert Monarch, concrete top seal burial container, asphalt coated, choice of color .....\$ 525.00
3. Wilbert Monticello Vault, concrete top seal, asphalt coated, strentex inner liner, choice of color.....\$ 600.00
4. Wilbert Continental Vault, concrete top seal, asphalt coated, strentex inner liner, choice of colors.....\$ 675.00
5. Wilbert Double Depth Lawn Crypt (for two burials in a single grave).....\$ 730.00
6. Wilbert Venetian Vault, concrete top seal, asphalt coated, marbelon inner liner, choice of colors.....\$ 840.00
7. Wilbert Cameo Rose Vault, concrete top seal, asphalt coated,  
stainless steel inner liner, white and pink.....\$1,265.00
8. Wilbert Stainless Steel Triune Vault, concrete top seal, asphalt coated,  
stainless steel inner liner, choice of colors.....\$1,265.00
9. Wilbert Copper Triune Vault, concrete top seal, asphalt coated,  
copper inner liner, choice of colors.....\$1,535.00
10. Wilbert Bronze Triune Vault, concrete top seal, asphalt coated,  
bronze inner liner, choice of colors.....\$1,735.00
11. Wilbert Bronze Vault, concrete top seal, ABS Marbelon inner and outer liners,  
bronze inner liner, 32 ounce bronze overlay of the entire cover .....\$5,235.00

**CREMATION MERCHANDISE PRICE LIST**

These prices are effective as of June 7, 1999 but are subject to change without notice.

**CONSIDERATIONS**

The listed cremation caskets and urns are generally in stock, however there may be times when they are not available. A display or pictures are available at our office.

**CREMATION CASKETS**

A cremation casket is used to facilitate handling and placing the remains into the crematory and is required by the crematory for cremation. You do not have to buy a cremation casket from Vassar-Rawls if you want to furnish your own. You can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The caskets we provide are listed below.

- 1. Alternative cardboard box, no interior .....\$ 25.00
- 2. First Step, wood grain print corrugated fiberboard, quilt blanket interior .....\$ 215.00
- 3. Gray Flannel, raised flat top, cloth covered, corrugated fiberboard, white crepe interior .....\$ 300.00
- 4. Gray Flannel, oval top, cloth covered, corrugated fiberboard, white crepe interior .....\$ 400.00
- 5. Bayview Beech, hardboard, ivory crepe interior.....\$ 550.00
- 6. Pacific Pine, hardboard, rosetan crepe interior .....\$ 610.00
- 7. Clarion Pine, solid pine, rosetan crepe interior .....\$ 920.00
- 8. Endicott Cherry, solid cherry, champagne velvet interior.....\$1,725.00

In addition, any of the wood caskets listed on our Casket Price List (page 3) are available for cremation.

**CREMATION URNS**

The listed urns are generally in stock. We also have pictures of urns that can be special ordered. No law requires that you purchase a cremation urn, however some cemeteries may require an urn. If an urn is not purchased the cremated remains are placed in a brown plastic urn.

- 1. Nicodemus, polystyrene (choice of black, blue, grey, green or rose) .....\$ 65.00
- 2. Tribute Marbelon, white and gold .....\$ 125.00
- 3. Mountain Horizons, stoneware, (Keepsake Version, \$62.00\*) .....\$ 136.00
- 4. Estate II White Marble Cylinder, (Keepsake Versions in black or white, \$78.00\*) .....\$ 158.00
- 5. Legacy White Marble Vase .....\$ 170.00
- 6. Shaded Oak, solid oak .....\$ 184.00
- 7. Greek Marble Cylinder .....\$ 190.00
- 8. Captain, solid oak.....\$ 200.00
- 9. Dogwood Marble Vase .....\$ 210.00
- 10. Wickford, solid walnut.....\$ 230.00
- 11. Bronze Chest, sheet bronze .....\$ 230.00
- 12. Evermore, black marble .....\$ 230.00
- 13. Marbelon Urn/Vault, white and gold.....\$ 240.00
- 14. Dogwood Cube, sheet bronze .....\$ 250.00
- 15. Walnut Memento, solid walnut .....\$ 250.00
- 16. Evening Reflections, solid oak.....\$ 260.00
- 17. Chapel, solid cherry .....\$ 270.00
- 18. Teak Bell Jar, solid marble .....\$ 328.00
- 19. Emerald Cloisonne, enameled copper .....\$ 350.00
- 20. Remembrance, cast bronze.....\$ 410.00
- 21. Flora Maple, solid maple .....\$ 438.00
- 22. Fredericksburg, solid cherry, (Keepsake Version, \$198.00\*) .....\$ 450.00
- 23. Aristocrat, cast bronze.....\$ 750.00
- 24. Dolphins, cast bronze, (Keepsake Version, \$478.00\*) .....\$ 940.00
- 25. Majestic Mountain Scene, cast bronze, (Keepsake Version, \$458.00\*) .....\$1,135.00

\* For keeping a portion of the cremated remains

**CASH ADVANCES ON BEHALF OF BUYER**

These prices are effective as of March 30, 1999 but are subject to change without notice.

**CONSIDERATIONS**

Cash advances on behalf of buyer are the exact fees charged to Vassar-Rawls Funeral Home for the items. No part of the fees are paid to Vassar-Rawls Funeral Home. Persons or companies performing cash advance services are independent of Vassar-Rawls Funeral Home, therefore we cannot guarantee the quality of their services. If you desire, we can compensate these people for you and include the charges on our statement, or you may write out checks and we will deliver them for you. In either instance, we would like to have the total amount of cash advances on behalf of the buyer prior to the service.

1. Cemetery Charges	COST OF ITEMS	ITEMS SELECTED
Normal Hill Cemetery:		
Grave For Casket Burial .....	\$455.00	\$ _____
Open And Close Grave For Casket Burial, Weekdays .....	\$260.00	\$ _____
Open And Close Grave For First Burial Of Double Depth Casket Burial, Weekdays .....	\$320.00	\$ _____
Grave For Cremation Burial .....	\$110.00	\$ _____
Open And Close Grave For Cremation Burial, Weekdays .....	\$100.00	\$ _____
Added Charge To Open And Close Grave On Saturdays .....	\$ 85.00	\$ _____
Lewis-Clark Memorial Gardens:		
Grave For Casket Burial .....	\$753.50	\$ _____
Open And Close Grave For Casket Burial, Weekdays .....	\$450.00	\$ _____
Open And Close Grave For Casket Burial, Saturdays .....	\$560.00	\$ _____
Grave For Cremation Burial .....	\$ 275.00	\$ _____
Open And Close Grave For Cremation Burial, Weekdays .....	\$ 160.00	\$ _____
Open And Close Grave For Cremation Burial, Saturdays .....	\$ 210.00	\$ _____
Vineland Cemetery:		
Grave For Casket Burial .....	\$550.00	\$ _____
Open And Close Grave For Casket Burial, Weekdays .....	\$425.00	\$ _____
Grave For Cremation Burial .....	\$250.00	\$ _____
Open And Close Grave For Cremation Burial, Weekdays .....	\$125.00	\$ _____
Added Charge To Open And Close Grave On Saturdays .....	\$100.00	\$ _____
2. Minister's Honorarium .....	\$110.00	\$ _____
3. Organist .....	\$ 40.00	\$ _____
4. Vocalist .....	\$ 40.00	\$ _____
5. Hairdresser .....	\$ 30.00	\$ _____
6. Certified Copies of the Death Certificate (per copy):		
A. Idaho, if ordered from Boise .....	\$ 10.00	\$ _____
B. Idaho, if ordered from the local health department .....	\$ 13.00	\$ _____
C. Washington, first copy of each order issued by the local health department .....	\$ 13.00	\$ _____
D. Washington, each additional copy .....	\$ 8.00	\$ _____
E. Washington, if ordered from Olympia .....	\$ 13.00	\$ _____
7. Pallbearer or Family Limousine (Elite Limousine Service), \$78 first hour; \$69 each additional hour .....		\$ _____
8. Funeral Procession Escort (Northwest Motor Patrol); \$50.00 for each escort officer .....		\$ _____
9. Airline Combination Shipping Casket (\$95.00) or Protective Casket Cover (\$75.00) .....		\$ _____
10. Other: _____ .....		\$ _____
11. Other: _____ .....		\$ _____

**TOTAL OF CASH ADVANCES ON BEHALF OF BUYER.....\$ \_\_\_\_\_**