

A Message to Consumers from the Undersecretary

Black Friday provides consumers with a fantastic opportunity to get a head start on their holiday shopping while enjoying some of the best prices of the year. To be sure consumers make the most out of this Black Friday and shopping season, we have put together this guide including: a simple breakdown of important shopping terms, our top shopping suggestions, a list of important resources— even a convenient space for you to write your shopping list. We encourage consumers to take it along with them and to be savvy shoppers this Black Friday!



-Barbara Anthony

Terms to know:

Sale: For the term "sale" to be used in an ad when the actual savings are not stated, the law requires the savings to be at least 10% for items regularly priced \$200 or less, and at least 5% for items over \$200.



Refund: In Massachusetts a seller can have any type of return policy it wants, but the law requires merchants to clearly disclose their refund, return, and cancellation policies prior to a transaction taking place.

Restocking Fee: This is a charge deducted from the purchase price when an item is returned, resulting in a partial refund. Sellers must disclose their return policies, including restocking fees, before the initial transaction is completed.

Bait and Switch: When a seller attracts consumers with an appealing advertisement for one product with the intent to sell you a different, often more expensive, product.

Rain Check: A store that has run out of an advertised special must allow you to buy the product for the advertised price when it is in stock again, unless the ad stated "quantity limited."



Important Resources



MA Office of Consumer Affairs

Phone: 888-283-3757

Website: www.mass.gov/ocabr



MA Attorney General's Office

Phone: (617) 727-8400

Website: www.mass.gov/ago



Better Business Bureau

Phone: 508-652-4800

Website: www.bbb.org



Federal Trade Commission

Phone: 1-877-FTC-HELP

Website: www.ftc.com



Consumer Financial Protection Bureau

Phone: (855) 411-CFPB

Website: www.cfpb.com

Online Shopping

Online shopping provides consumers with added convenience, but comes with its own risks. Use these tips to secure your private information and to ensure a safe online shopping experience.

HTTPS: Make sure to shop on sites that use secure HTTP as denoted by “https://” before the site’s URL. An “s” in the http field tells you the connection is secure and your data is safeguarded. Similarly, a lock icon by the URL also means you are protected.



Use a Credit Card: Consumers should make purchases with a credit card when possible in the event that their payment information is intercepted.



There are excellent protections under federal law that limit the liability of unauthorized charges when they are promptly reported. Even better than a traditional credit card— many institutions now provide consumers with a single use credit card number that may be used for one secure online shopping transaction.

Know the seller: Purchasing from a seller you know and trust is the best way to ensure an excellent shopping experience. For unknown websites, use an online store review service such as Epinions, BizRate, the Better Business Bureau, or even a simple Google search to see what other consumers are saying. When using auction sites such as eBay, check the seller’s rating. Additionally, be on the lookout for scam sites that lure consumers with attractive deals in an effort to rip them off— we have made an example website available at www.massachusettsstopdeals.com.



Shipping: Make sure to use a shipping service that offers **signature confirmation** to avoid having your goods stolen off your doorstep. This is offered by USPS, FedEx, UPS, and other major carriers.



Layaway: A plan that allows you to pay for a product in installments and receive the merchandise after you have paid in full. A store must fully disclose its policy on layaway plans, including cancellation and return (or non-return) of payments already made.

Warranty: A legal promise made by a retailer or manufacturer that it will repair, replace, or refund an item that becomes defective. A “full” warranty is the best deal for consumers, because it guarantees full repair, replacement or refund. A “limited” warranty is more common and usually covers only some portion of parts and/or labor.



Warranties can be **expressly** made by the seller verbally or in writing, or **implied** through law. In Massachusetts, all goods are covered by the **implied warranty of merchantability**, stating that “a good must reasonably conform to an ordinary buyer’s expectation for a reasonable period of time.” A toaster that does not toast would not conform to this warranty and would be eligible for a repair, refund, or replacement.

Cooling-Off Period: Many consumers mistakenly believe that after they purchase a product they have a “cooling-off period” during which they can cancel the contract. **THIS IS NOT TRUE.** The law only provides for “cooling-off” periods in extremely limited situations. In general if you buy a good at the retailer’s store or on the internet there is NO cooling off period.

Gift Certificates & Gift Cards: These must remain valid for at least seven years and are not subject to any fees. Once a gift card is worth either less than \$5 or less than 10% of its original value, it may be exchanged for cash. Please be aware that there are some gift cards which are not covered by this law.



Questions? See our

“Important Resources” section in the back of this booklet for more information.

BLACK FRIDAY SMART SHOPPING GUIDE

Comparison shop: There are dozens of Black Friday deals that claim to be the best, but what does that mean? When you're looking at sales don't focus solely on price. Decide which deal will give you the best value, including shipping costs, layaway plans, and free gifts.

Make a list and prioritize: Although it will be tempting to grab extra items while you shop, don't overwhelm yourself. Focus on the deals that are limited to Black Friday only, and come back to the store for other items when it is less crowded. Map out your strategy for the day and the order of what stores you'll visit. Factor in time for checkout, and be prepared to change course if there is traffic or extremely long lines.

Bring ads with you: Once you know what you want and where you'll be getting it, print or cut out any advertisements you've seen for the products. Before purchasing, make sure that the prices on the shelf and at the register match the advertised price. Many retailers will be price-matching their competitors, so you may be able to get an item at a different retailer for the same price.



Know store policies: Refunds, cancellations, returns, layaways – be sure to check the retailer's website for these policies before heading to the store. These also need to be clearly displayed in the store before checkout. Ask for a copy of the policies so you have them on file in case anything goes wrong.

Shop smart with a Smartphone: Smartphones allow consumers to keep track of deals, navigate between stores, and compare prices. Check out apps such as Consumer Reports Mobile Shopper and Google Shopper which can scan an item's barcode and provide instant comparison shopping, reviews, and more.



Shop local: Go to stores, malls, or shopping plazas near your home to save time and gas money. You can also take this opportunity to support small businesses in your area.



Get receipts: Make sure to get a receipt for each transaction. Receipts help consumers confirm the price they paid and facilitate easier returns. Gift receipts without the price can also be issued at many retailers.

Know the deal: Retailers typically advertise Black Friday prices as the lowest of the year, however this is not always true. Some items may be offered at lower prices other times during the year. Be aware of this when looking at sale prices and check around to compare one retailer's deals with another.

Watch for inflated prices and exaggerated markdowns: Some sellers will inflate the "regular" price of an item in order to increase the markdown and give the appearance of a deal when no money is actually saved. Watch out for overlapping price tags and know what the real normal cost is before making a purchase.



Use Layaway: Layaway plans allow consumers to pay for items in installments instead of all at once. For an item that may sell out, putting it on layaway is a great way to pay at your convenience while not missing the deal because of limited supply.

Shop Green: Bring reusable shopping bags from home. This is a great way to simplify your shopping experience and cut down on waste. Some stores will even offer rewards to shoppers who bring their own bag— be sure to ask.

