



**Government of the Virgin Islands
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JOINT PRESS RELEASE**

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DEPARTMENT OF LICENSING AND CONSUMER AFFAIRS
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DLCA SHARES HOLIDAY SEASON TIPS FOR BUSINESSES: BLACK FRIDAY

Throughout this Holiday Season, the Department of Licensing and Consumer Affairs will be sharing holiday tips with consumers and businesses in order to safeguard the general public. See suggestions for traditional holiday sales. Remember; according to Title 12A Virgin Islands Code Section 101, no person shall engage in any deceptive or unconscionable trade practice in the sale, lease, rental or loan or in the offering for sale, lease, rental, or loan of any consumer goods or services, or in the collection of consumer debts.

False Advertising is a deceptive trade practice and it is one of the leading causes of consumer complaints. Another common example of a deceptive trade practice is called a “**bait and switch.**” First, customers are “baited” by merchants’ advertising products or services at a low price, but when customers visit the store, they discover that the advertised goods either are not available or are not as good as was expected, or the customers are pressured by sales people to consider similar, but higher-priced, items (“switching”). Businesses must be sure to **clearly mark and label** original prices and then the adjusted price with the promotion added depending of the advertised sale. In addition to costly fines, DLCA can issue a cease and desist order, forcing a retailers to stop advertising, in addition to requiring the advertiser to make corrections by releasing information the public of the misrepresentations and corrections.

As seen on the small screen. We’ll go out on a limb and predict this will be the biggest shopping season ever for purchases made on mobile devices. What’s that mean for your business? Make sure key information is disclosed clearly and conspicuously regardless of how prospective shoppers access your site. The FTC staff guide, .com Disclosures: How to Make Effective Disclosures in Digital Advertising, supplements core compliance concepts with practical how-to advice about disclosing the details on a smaller screen.

Shape up and ship out. Here’s hoping you’re the #1 source of this year’s “Gotta Have It Gizmo.” Just make sure to honor your shipping and delivery promises. Express claims like “Get it by December 20th!” have to be backed up by more than wishful holiday thinking. Furthermore, it’s a mistake for businesses to assume they can sidestep the issue by staying silent

“Serving Businesses and Assisting, Educating, & Protecting Consumers”

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about when they'll ship. Under the FTC's Mail Order Rule, if you don't state a particular time, you need to have a reasonable basis that you can ship within 30 days.

One good return deserves another. For companies that put a premium on customer service, the holiday season is the time to shine. To transform a year-end buyer into a year-round customer, be clear up front about your refund and exchange policies. Want to turn a gift recipient into a life-long loyalist? Handle adjustments gracefully.

Do not open 'til . . . Unfortunately, ID thieves and data crooks never settle down for a long winter's nap. As your check-out counter starts to look like Grand Central, remind your staff to be extra careful when dealing with customers' credit cards and other confidential data. If you've hired temporary help, convey your data security expectations to them, too. Looking for to-the-point guidance? The FTC has resources for businesses of any size.

For more information on Federal Trade and Industry specific information visit www.ftc.gov or call (340)713-3522 on St. Croix and 340-714-3522 on St. Thomas. Visit the Department of Licensing Consumer Affairs Facebook page for the latest information in consumer news and business updates, @DLCAVI.

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