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In marketing terms, "New York may or may not be the ultimate birthplace of new trends in American pop culture, but it is absolutely the ultimate birthplace of backlashes."

—Rob Walker

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Press

FCC cracks down on cold telemarketing

The Federal Communications Commission last Friday moved to ban cold telemarketing calls with a national "do-not-call" list that—effective Oct. 1—would punish advertisers that persist in unwanted phone pitches with fines of up to \$11,000 per call.

- California began its own statewide do-not-call list three months ago. Since then, more than 1 million state residents, with about 2 million telephone numbers, have signed up to filter out unwelcome telemarketing calls, which the Los Angeles Times observed, seem to occur "most often during the dinner hour."
- The state list already has been melded into the national do-not-call directory.
- The federal DNC list will permit cold phone calls only from charities, companies asking survey questions, and—surprise, surprise—political parties.
- Uninvited telemarketing by banks, telephone services, and airlines, now exempt from regulation by California and other states, will be included in the national cold-call ban.
- U.S. telemarketers now make an estimated 100 million phone calls a day and rack up \$700 million in sales a year. Industry spokesmen predict that the new rules—which F.C.C. Chairman Michael K. Powell terms "the most sweeping consumer protection measure ever adopted" by his agency—will cost 2 million jobs.

- Telephone owners (who pay for the instruments and services that commonly interrupt their dinners and children's bedtime stories) have greeted the DNC list enthusiastically.
- The L.A. Times reports more than 370,000 consumer phone responses in the first hour that the federal government's toll-free number (1-888-382-1222) was opened to residents of the country's western states June 27. Nationwide registration is slated to open on July 7.
- The new rules require telemarketing companies to synchronize their calling lists with the feds at least every 90 days.
- Under the new regs, after October 1 companies may place cold calls to any person who has not put his or her phone number on the do-not-call list.
- Also, a business can call any person—even if on the DNC list—for 18 months after that individual has purchased a product from the company or transacted any other business with it.
- More, a telemarketer can phone anyone who has made an inquiry to the company during the previous three months.

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