

PUERTO RICO



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1. Regulations:	Misleading Advertising Regulation
Who:	Department Of Consumers Affairs ("DACO")
When:	February 2004
What Happened:	Current regulation has been amended to establish privacy aspects to protect consumer information; define additional practices as misleading;
Comments:	<p>The most significant changes in this Regulation are those related to:</p> <p>Privacy: Information obtained from consumers cannot be used for telemarketing purposes, unless express consent is obtained.</p> <p>Limited Quantities: Shall apply only to out of season products or liquidation of inventory.</p> <p>Returns: All establishments shall have a POP notice of their policy for return of merchandise.</p> <p>Fines: remain up to US\$10,000 per violation</p>

2. Regulations:	Sweepstakes Regulation
Who:	Department Of Consumers Affairs ("DACO")
When:	February 22, 2004
What Happened:	Current regulation has been amended to include more protection to consumers. Certain activities have been expressly excluded from the application of this regulation.
Comments:	<p>Significant changes among others are:</p> <ol style="list-style-type: none">1. Regulation will not apply to non-profit organizations or political parties.2. The cancellation of a sweepstakes shall be requested to the Secretary of the Consumers Affairs department, and it must be expressly approved.3. Rule 10 of the regulation enumerates 9 circumstances under which the Secretary may cancel a promotion, including: a) that the sweepstakes does not comply with the regulation; b) Promoter has been convicted of a moral crime; c) Promoter incurs in misleading advertisement; d) Promoter changes the rules without consent of the department.3. Every sweepstakes must provide for alternate winners.4. Disclosure of Sponsor's email or web site.5. Notification to winners by certified mail shall be done before the publication of a winner's list.6. A clear and express notice of any taxes applicable after the delivery of the prize, must be disclosed in rules. <p>Fines: remain up to US\$10,000 per violation</p>

3. Legislation	Law 210 of Telemarketing
Topic:	Prevention of Frauds through telemarketing
Who:	Legislature of Puerto Rico
When:	August 28, 2003
What Happened:	This law regulates all companies who offer their products or services by telephone.
Comments:	<p>This legislation establishes parameters that companies have to follow to offer their products to consumers. These parameters include: specific times to make the calls; specific information that the operators have to disclose to the consumer. Law enunciates consumers' right to refuse such calls and be included in the company's Do Not Call List.</p> <p>Violators risk fines from US\$500 to \$10,000 per violation and /or prison for a maximum of 6 months.</p>