



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Marketing Practices

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March 18, 2009

Mr. Mark W. Duffey, President
Everest Funeral Package, LLC
1300 Post Oak Blvd. - Suite 1210
Houston, TX 77056

Dear Mr. Duffey:

You have requested a staff opinion on whether the Commission's Funeral Rule permits a
funer

¹ 16 C.F.R. § 453.2(b)(1) (emphasis added).

² 16 C.F.R. § 453.1(o).

For these reasons, it is a violation of the Funeral Rule for a funeral provider to refuse to provide price information by telephone upon request to any person for any reason, such as:

- State law does not require a funeral provider to disclose price information by telephone, or permits a funeral provider to refuse to provide price information by telephone;
- Price information can be provided only by a third-party other than the funeral provider (*e.g.*, the funeral provider's attorney);
- The caller will not disclose information about their organization, or what it intends to do with the information;
- The caller is not a c