

George W. Lemke--July 18, 1995 Page 2

who furnish funeral arrangements, and not persons who simply sell a particular good or service as a separate sales transaction. Therefore, it is impractical, in our opinion, for a business operation thus defined to be required to function as something else, such as a casket seller.

We do not believe it to be the Commission's intention to require a funeral provider to sell an isolated good or service that is not to be used in conjunction with a funeral arranged by that funeral provider. The Statement of Basis and Purpose for the original Funeral Rule supports this view. There the Commission stated that it:

T-DG. for a funeral provider to refuse doing business with a consumer who said 'we have our own casket,

viewing facilities for two hours next Monday.' The Commission wishes to stress, however, that this provision does not give funeral providers the option to

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