

# Consumer News Quarterly

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## BE A SAVVY VACATIONER

From planning stages to enjoying your first day relaxing, these vacation tips are a must read for anyone planning a vacation, especially one abroad.

Did you know that vacation scams cost consumers over \$10 billion each year? Make sure that you don't get taken when planning your next vacation by doing just a little homework **BEFORE** you purchase your trip.

Don't be fooled by sharp looking websites and glossy color



*San Diego's Mission Beach*

flyers for discount vacations. Just because a website or advertisement looks professional, it doesn't mean it is.

Individuals who are selling travel in the State of California

must register with the Attorney General's Office, Sellers of Travel Division. While verifying a seller's registration alone isn't a guarantee, it's a first step in conducting your background check.

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## BASKIN ROBBINS: SHORT WEIGHT, NOT SHORT-SIGHT

On May 15, 2007, the District Attorney's Office Consumer Fraud Unit settled a civil unfair business practice/false advertising case against Baskin Robbins.

The company paid \$491,164 in penalties for under-filling its hand-packed pint containers of ice cream.

This case is significant because 10 years

ago Baskin Robbins was charged with a similar violation and has been under court order not to commit these violations again.

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Keeping the consumers of San Diego County educated and informed since 1998

### Special points of interest:

- *Consumer Fraud Unit Mission Statement*
- *The Bureau of Auto Repair*
- *The Tow Hotline*

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## Savvy Vacationer

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To verify if a company or individual is registered you can check the AG's website at [www.ag.ca.gov](http://www.ag.ca.gov) or you can write or fax a request to: Sellers of Travel Unit, 300 South Spring Street, Los Angeles, CA 90013. (213) 897-8846

There is also a travel reimbursement fund that has been put in place by the Attorney General's Office, but is administered by a separate non-profit organization. More on that later.

You should also check with the San Diego Better Business Bureau to review the company's business report. If the company has an unsatisfactory report, you should find out why before you choose to give it your business.

If the company is located in San Diego you can also check to see if there have been any filings against it in Small Claims Court. This information is open to the public and available on line at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov). Just click on the Court Index Inquiry tab and it takes you to a search screen that will list all the cases filed

against a particular company or individual. If you need to do further research, you can go to the physical location of the files and request that they be pulled.

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*The United States Department of State is a valuable tool for travelers, especially those who are traveling abroad.*

Once you've decided upon the company you're going to use, continue being diligent. Request your itinerary in writing. Make certain that you have the names of airlines, hotels, and other travel services that you will be using.

If you must pay for your trip up front use a credit card. Most cards have a 30, 60 or 90 day window to dispute charges. Check with your own credit card company to determine dispute procedures before you book. If you only have 30 days to dispute a charge but your trip is 2 months away, that could be a problem if your travel agency fails to deliver as promised.



If, after all this prep work, you still don't receive the vacation that you paid for, you can register a complaint with the Attorney General's Office. Once you've done that, you can

make a separate request to the Travel Consumer Restitution Fund. You are not guaranteed a refund but this fund has helped many victims of travel fraud recoup some or all of their money.

Now that you've found a travel agency/agent, you can start planning your destination. If you are traveling outside of the United States, a visit to the U.S. State Department website is in order.

The State Department is a valuable tool for vacationers who are traveling abroad. Not only does the Department issue travel alerts for countries that Americans are advised to avoid, (due to

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## Two year anniversary of Tow Hotline

In the summer of 2005, the District Attorney's Tow Task Force was formed in response to a public outcry. One of the fundamental changes that has been implemented by the Task Force is having a central repository for the collection of information about towing abuses. Hundreds of consumers have called the hotline in the two years that it's been up and running.

Callers leave their name and address on the automated line. The D.A.'s office sends a complaint form, with a postage paid return envelope.

When the form is received back the D.A.'s office sends a letter acknowledging receipt of the complaint. A



complaint to the D.A.'s Office doesn't guarantee prosecution of a case. The hotline is in place to capture patterns of abuse. There are some instances when a complaint is better handled in Small

Claims Court or by the Better Business Bureau. The hotline number is 619-515-8608.

## GOVERNMENT “LOOK ALIKES” GET ATTENTION OF DISTRICT ATTORNEYS’ OFFICES STATEWIDE

Have you ever opened mail that appears to be from a government office because of the return address, only to find that it was an advertisement from a private company?

Recently there has been an increase in these type of “look-alike” government mailings. District Attorneys’ Offices up and down the state, including San Diego, have taken notice.

It’s not against the law for companies to charge a fee for a service that the government provides for free, as long as the individual paying the fee realizes that he or she is dealing with

a private company and not the government.

Too often companies cross the line by using names, fonts and language that closely mimic government correspondence. In 2004, company named *Property Tax Assessor Records Corp.* (PTARC) sent a mailing regarding homeowners exemptions. Consumers were confused, believed that they were dealing with an actual government agency, (the Assessors Office) and felt they had no choice about paying the fee.

There are laws in the Business and

Professions Code that regulate how businesses may structure their advertisements. Businesses are aware of these provisions and may abide by them in principle, but still end up with a solicitation that is misleading on the whole.

PTARC was prosecuted by us, and paid \$115,000 in penalties, plus restitution, and was ordered to change its business practices.

**If you receive a private solicitation that resembles a government mailing, save the mailer, and contact us at 619-531-4070 to report it.**

## BASKIN ROBBINS

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Under-filling as a matter of routine can have a considerable favorable financial impact on a businesses, because while the individual consumer may be overcharged a few cents here and there, it adds up over time. Extrapolate the number of transactions done in each store across the state, every day, over the course of a year, and a few cents

can add up to thousands or more dollars, depending on the number of items sold.

*Under-filling as a matter of routine can have a considerable favorable financial impact on a business*

This behavior also has a negative effect on the marketplace because

businesses that routinely engage in under-filling as a business practice are unfairly competing with businesses that don’t.

Contact the County Department of Agriculture, Weights and Measures at 858-694-2778 to report under-filling and scanner overcharge issues.

## SAVVY TRAVELER

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civil unrest, terrorist activity or other dangerous activities), but it also publishes Consular Information Sheets. These fact sheets are available on over 200 countries and contain information such as entry requirements, crime and security conditions, areas of instability, road safety and other travel relevant details.

After you’ve ascertained that your destination is a safe one, you

can get even more information from the US Department of State regarding the background of your destination. Aptly called “Background Notes,” these documents provide reliable information on the land, history, people, government, political conditions, economy and relations with the U.S. This information is only available on countries with which the U.S. has diplomatic relations. Now that you’ve put the dog in

the kennel and left a copy of your passport and itinerary with a reliable family member or friend don’t forget one final step: Register your vacation itinerary with the Dept. of State at <https://travelregistration.state.gov> It’s free, only takes a few minutes, and allows the State Department to better assist you in the event of a real emergency. Happy Traveling!

*For more articles and information on consumer protection visit the District Attorney website at: [www.sdcda.org](http://www.sdcda.org)*

*The Consumer Fraud Unit of the District Attorney's Office was established in 1971 by then District Attorney Ed Miller. Now, with the full support of District Attorney Bonnie Dumanis, the Unit continues to operate as part of the Economic Crimes Division.*



*The Mission of the Consumer Fraud Unit is to protect the consumers and law abiding businesses of San Diego by investigating and prosecuting, if warranted, unfair or deceptive business practices in the San Diego marketplace.*

## Agency Spotlight: The Bureau of Automotive Repair



The Mission of the Bureau of Automotive Repair (BAR) is to protect and serve consumers by ensuring a fair and competitive automotive repair marketplace and implementing a model motor vehicle air quality improvement program.

The Complaint Mediation Program provides consumers with a formal way to seek third-party mediation assistance for problems they are having with repair shops.

The Auto Body Inspection Program allows BAR inspections to check consumers' vehicles to determine whether auto body repairs were performed properly and in accordance with repairs listed on the invoice.

The Smog Check Program works to reduce motor vehicle emissions and is responsible for removing more than 360 tons of smog-forming pollutants from California's air every day.

For qualified consumers whose vehicle fails a biennial Smog Check inspection, The Smog Check Consumer Assistance program provides financial assistance to make Smog Check related repairs or to retire their high polluting vehicles. To schedule a free Auto Body Inspection, please call (866) 799-3811. To file a complaint or to inquire about the BAR's many services, please contact (800) 952-5210 or visit the website at [www.autorepair.ca.gov](http://www.autorepair.ca.gov)