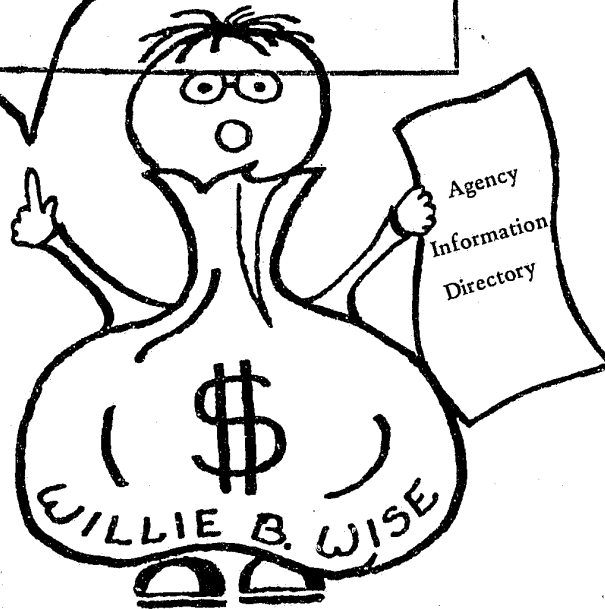


**Consumer Complaints?
Get "Consumer Help"**

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MA OFFICE OF CONSUMER PROTECTION

✓ "CONSUMER HELP"

AGENCY INFORMATION DIRECTORY

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ACQUISITIONS

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FOREWORD

The Alabama Office of Consumer Protection has prepared this directory to aid the consumers of our state in their attempts to resolve consumer-business differences.

The state agencies listed here all offer consumers channels for action in matters involving merchants or businesses. The basic responsibilities of the agencies to consumers are outlined, as well as the method by which to contact them concerning consumer problems.

We at the Office of Consumer Protection hope that this directory will serve as a source of information for consumers by which you may receive the most direct and prompt answers to questions or complaints. A balance of mutual satisfaction on the part of businesses and consumers within Alabama is one goal for which our office constantly strives. We are always seeking new and better means by which to achieve such a balance and in this light we offer this directory.

IF YOU HAVE A COMPLAINT. . .

1. **GET YOUR FACTS TOGETHER.** Be sure of names, dates, prices, and circumstances. Collect receipts, warranties, bills of sale, store code slips, or any previous correspondence to support your case. Never send the originals of these to anyone, always send copies.
2. **FIRST CONTACT THE BUSINESSMAN** from whom you received the product or service. It may be necessary to check the owners manual or warranty slip when dealing with a large company. If you are unable to locate the address elsewhere, check your local library for copies of Standard and Poor's Register of Corporations, Directors and Executives, which lists the business addresses of many firms in its reference section.
3. **IF YOU ARE DISSATISFIED** with a salesman's or clerk's response, ask to see his supervisor. If the supervisor cannot satisfy your complaint, ask to speak directly with the president of the company.
4. **WHEN TELEPHONING A BUSINESS FIRM:** Give your name and say that you wish to speak to someone about a complaint you wish to make. When you are connected with the proper person, ask his name and position, and write it down for future reference.
5. **PRESENT YOUR COMPLAINT** in a clear, concise manner, without hostility or rash threats. Include all pertinent details. After you have done so, listen carefully to the representative's response. Be reasonably tolerant toward the company's reasons for error. If you realize you are wrong, admit it. If you feel as though you are being given weak excuses, tell the company so.
6. **IF AFTER YOU'VE TRIED THESE AND YOUR PROBLEM STILL HASN'T BEEN RESOLVED,** contact the appropriate state agency listed in the directory or the Office of Consumer Protection. Identify the problem according to the subject list which follows. The appropriate agencies are designated by the corresponding numbers in the directory.

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OFFICE OF CONSUMER PROTECTION

Address: 138 Adams Avenue
Montgomery, Alabama 36130
Phone: Toll-free 1-800-392-5658
Locally 832-5936

The Office of Consumer Protection exists to represent the interests of consumers, act as a clearinghouse for complaints and also seeks to inform and educate consumers of possible frauds in order to create an atmosphere in which consumers will be in a more equitable position in consumer transactions.

Services offered by the Office of Consumer Protection include:

- Investigation and mediation of individual complaints.

- Investigation into the business practices of a particular business or industry when patterns of fraud appear.

- Supplying information concerning product safety.

- Educational programs through speaking engagements and publications warning consumers of common unfair and deceptive practices, and suggesting ways the consumer can protect himself.

- Presenting the interest of the consumer before administrative and regulatory agencies and legislative bodies.

- Cooperation with businesses who also wish to promote good consumer-business relations.

The Governor's Office of Consumer Protection is not allowed to:

- Advise whether or not a business is reputable or whether to use a particular business or service.

- Recommend specific products, brands, services, or firms.

Act on the pricing of goods and services, unless there is a question of misrepresentation related to price.

The first step in resolving a complaint is first to try to solve it yourself by making sure the business is aware of the problem, and giving them an opportunity to remedy the situation.

If you don't receive satisfaction from the business after a reasonable amount of time, gather your facts together and call the Governor's Office of Consumer Protection. Ask that a complaint form be sent to you. The office must have your complaint in writing before any action can be taken. It is also helpful if you send copies of all contracts, advertisements, or other written agreements to prove who, what, when, where, and how.

When a complaint is received by the office, the information is carefully reviewed to determine what action should be taken. If appropriate, the complaint is referred to the state or federal agency having primary jurisdiction in the area of the complaint. If the complaint appears to involve a private dispute or a matter which is not reasonable for the office to mediate, the complainant is advised to consult with his personal attorney regarding his private rights and remedies.

If it appears that the office can benefit through mediation we will endeavor to assist you in the settlement of this complaint. A letter accompanying your complaint will be mailed to the business requesting a reply stating their position in regard to your complaint. Therefore, the office will have on file the position of both parties which will be helpful in determining a fair and amicable settlement.

ALABAMA DAIRY COMMISSION

Address: 1445 Federal Drive (P. O. Box 3224)
Montgomery, Alabama 36109
Phone: 832-3775

Executive Secretary: Terrell E. Ellis

Legislation: Dairy Commission Act

(Title 22, 1940 Code of Alabama, as amended)

The Alabama Dairy Commission supervises and regulates the fluid milk industry, including production, distribution, transportation, manufacture, storage, delivery, processing, and sale of fluid milk. It fixes prices and handling charges for milk and issues and revokes licenses to producers, distributors, stores, and dealers. It also holds hearings as necessary and designates natural marketing areas. In carrying out its duties, the Commission cooperates with the State Board of Health, as well as other state and federal agencies, including the U. S. Department of Agriculture.

The Alabama Dairy Commission is not responsible for enforcing shelf-life dates on milk or milk products. Problems of this nature should be referred to one's local or state health department.

DEPARTMENT OF AGRICULTURE

Food and Drug Section

Address: Beard Building (P. O. Box 3336)

Montgomery, Alabama 36130

Phone: 832-6687

Commissioner: McMillan Lane

Assistant Commissioner: W. Comer Sims

The Food and Drug Section of the Department of Agriculture and Industries enforces some 22 regulatory and consumer protection laws. Among these are:

- Food, Drug, and Cosmetic laws;
- Soft drink law;
- Dairy products law;
- Corn meal and flour enrichment law;
- Motor fuel, kerosene, oil and lubricant laws;
- Feed, fertilizer and pesticide laws.

In enforcing the food, drug, and cosmetic and dairy laws, the division maintains an inspection force which is charged with the responsibility of inspecting wholesale grocery warehouses for sanitary conditions, defiled merchandise and adulterated merchandise. They also conduct inspections of retail grocery stores, obtain samples of retail products for analysis and review labels of food products for compliance with existing statutes.

Likewise, cosmetics are sampled and labels checked for ingredients and samples are analyzed for adulterants. Dairy products at the wholesale and retail level are sampled and checked for water percentage, fat content and solids.

Motor fuels are sampled and checked to see that they conform to standards specified by law. In this area the food and drug laboratory is equipped to check gasolines for the lead content. The Food and Drug section is currently engaged in a cooperative program with the Food and Drug Administration to determine non-functional slack fill of packaged

products offered for sale in this state.

Samples of feed, fertilizers and pesticides are obtained by an inspection force and these commodities are checked at the laboratory in Auburn for compliance with guarantee.

Anyone wishing to file a complaint through this office should contact the office either by writing to the address listed in the heading or calling the number listed there. All complaints will be handled promptly by a qualified investigator.

DEPARTMENT OF AGRICULTURE

Division of Plant Industry

Address: Beard Building (P. O. Box 3336)

Montgomery, Alabama 36109

Phone: 832-3753

Commissioner of Agriculture: McMillan Lane

Director, Division of Plant Industry: Dr. J. A. Bloch

Legislation: Plant Act

(Article 28, Title 2, 1940 Code of Alabama, as amended)

Professional Service Act

(Chapter 7, Title 2, 1940 Code of Alabama, as amended)

The Division of Plant Industry of the Alabama Department of Agriculture and Industries is specifically charged with administration of the Plant Act and the Professional Service Act. Under these laws the primary duties of this office are: (1) to prevent introduction into and dissemination of insect pests and diseases injurious to plants and plant products of this State, (2) to provide for the inspection and control of nurseries, (3) to regulate the sale and distribution of plants and plant products in this State, (4) to enforce the Professional Service Act governing the operations of those individuals engaged in landscape design, setting of landscape plants, tree surgery, ornamental and turf pest control, and structural pest control.

All nurseries and other places of business in Alabama that offer nursery stock for sale must be certified and licensed by the Department. Consumer complaints relative to the purchase of nursery stock with insect and disease problems are investigated. In those cases where the consumer has definitely purchased nursery stock with insect and disease problems, corrective action is directed to the nursery or place of business which is handling the nursery stock.

The Professional Service Act provides that an exam be given to those individuals who render services pertaining

to entomological, pathological, and horticultural work for a fee. Permits are issued to those who pass the examination on Landscape Design, Setting of Landscape Plants, Tree Surgery, Ornamental and Turf Pest Control and Structural Pest Control. Consumer complaints relative to work done by persons permitted under the Professional Service Act are investigated and corrective action is directed to the licensed persons.

Persons wishing to file a complaint with this office are asked to make their complaint in a written form including an explanation of the problem involved. The complaint should be sent to the address listed at the top of this page and directed to Dr. J. A. Bloch. Upon receipt of a complaint the situation will be investigated and the consumer informed of the results.

STATE APPROVING AGENCY

Address: 887 State Office Building
Montgomery, Alabama 36130
Phone: 832-3460

State Supervisor: E. C. Stephens

The State Approving Agency is responsible for the regulation and licensing of all private schools located or operating within Alabama. This agency oversees the Veteran's Training Programs in the state as well as enforcement of the Private School Law.

All private schools operating within the state boundaries, including advertising by such schools, are required to be licensed through the State Approving Agency. These private schools include such categories as correspondence schools, modeling schools, secretarial schools, etc.

Anyone wishing to file a complaint against such a private school or anyone wishing to verify the licensing of a private school should write to the address listed in the heading and direct their letter to Mr. E. C. Stephens.

STATE BANKING DEPARTMENT

Address: Room 651, Administrative Building
64 North Union Street
Montgomery, Alabama 36130
Phone: 832-3850

Superintendent of Banks: M. Douglas Mims
Acting Supervisor of Bureau of Loans: C. W. Sauls, Jr.
Legislation: Alabama Small Loan Act of 1959
Alabama Consumer Credit Act,
Act No. 2052, 1971 Regular Session

The State Banking Department oversees the activities of banks, savings and loans, and credit unions in Alabama. Most consumer complaints in this area deal with problems over finance charges and interest rates, therefore, the Bureau of Loans handles most of the consumer complaints for the Department.

The Bureau of Loans is responsible for the enforcement of two laws - the Alabama Small Loan Act of 1959 and the Alabama Consumer Credit Act of 1971 (better known as the "Mini-Code.")

The Alabama Small Loan Act of 1959 regulates loans of \$300 or less made by loan companies in Alabama. It sets maximum rates of interest and other charges, requires prepayment refunds, provides criminal penalties for willful violations and contains other consumer protection provisions.

The Alabama Consumer Credit Act, Act No. 2052, 1971 Regular Session, regulates most credit transactions in Alabama whether loans or credit sales contracts. The Bureau of Loans administers this law only as it applies to finance companies and businesses which make or arrange credit sales involving finance charges. This Act requires licensing of finance companies and registration of credit sellers including those domiciled outside of Alabama, and exempts banks, life insurance companies and savings and loan associations from licensing and certain requirements

of the Act. Its consumer protection provisions are generally similar to those of the Alabama Small Loan Act.

To file a complaint under the jurisdiction of the State Banking Department contact the following persons:

(1) For Banks or Savings and Loan Associations

K. R. McCartha
Deputy Superintendent of Banks
Room 651, Administrative Building
64 North Union Street
Montgomery, Alabama 36130
Phone: 832-6255

(2) For Credit Unions

C. W. Sauls
Supervisor, Bureau of Credit Unions
Room 651, Administrative Building
64 North Union Street
Montgomery, Alabama 36130
Phone: 832-6255

DEPARTMENT OF INSURANCE

Address: Room 453, Administrative Building
Montgomery, Alabama 36130
Phone: 832-6140

Commissioner: Charles H. Payne
Legislation: Title 28 A
Alabama Insurance Code

The Department of Insurance is responsible for the regulation of insurance, including but not limited to examination of insurance companies for solvency, testing and licensing of agents, approval of policy and endorsement forms, approval of certain property and casualty rates and administration of surplus lines laws.

In handling consumer questions or complaints the department requests that the consumer write the department and include in their statement of the problem as much information as possible which is pertinent to their problem. This information includes such items as name of company, name of adjuster, policy number, etc.... If the question is of urgent nature the consumer may call the department at the number listed above for information or assistance.

Major problem areas handled by the Department of Insurance and the name of the persons to contact regarding the complaints are listed below:

Life, Accident & Health Claims Problems

Hugh Easterwood, Insurance Investigator Supervisor
O. B. Carr, Insurance Investigator

Property & Casualty Claims Problems

Michael DeBellis, Property & Casualty Insurance Adjuster

Property & Casualty Pricing & Availability Problems

Tharpe Forrester, Deputy Commissioner
D. David Parsons, Assistant Rate Supervisor

Unethical Acts of Insurance Agents

Hugh Easterwood - - Life & Accident & Health

Michael DeBellis - - Property & Casualty

Arson Investigation

Roy Thornell, State Fire Marshall

445 South McDonough Street

Montgomery, Alabama 36130

Telephone: 832-5844

The Department of Insurance keeps on file financial statements of all insurance companies licensed to operate within the state. Consumer questions concerning insurance companies may be answered from information provided by these statements, however the department is not in a position to offer recommendations concerning the reputability of a company. The department suggests that since insurance is a competitive business that consumers shop for both agents and coverages.

ALABAMA DEPARTMENT OF PUBLIC HEALTH

Bureau of Licensure and Certification

Address: 654 State Office Building

Montgomery, Alabama 36130

Phone: 832-5924

Director: Zorn Tigner

Certification Consultant: Dr. Hal Broadhead

Director of Field Services: Robert A. Echols, Jr.

The Bureau of Licensure and Certification acts for the Department of Health by issuing licenses to and conducting inspections of all inpatient health facilities within the state. Inpatient health facilities include hospitals, nursing homes, independent laboratories, and home health agencies.

In addition to licensure and certification activities this bureau also provides consultation services for directors of inpatient health facilities, conducts appropriate educational programs, and deals with complaint investigation and resolution.

Anyone wishing to file a complaint against any inpatient health facility within Alabama should write to the address listed in the heading and give a complete explanation of their problem. First priority of investigation is given to signed complaints although names of complainants are not divulged to the institution complained against.

For information concerning an inpatient health facility within Alabama, persons should contact their Regional Social Security Office or local Pensions and Security Office. These offices have available for public inspection copies of the most recent survey results of inpatient health facilities within their region or area.

Also under the direction of the Bureau of Licensure and Certification is the Alabama Board of Hearing Aid Dealers. Complaints concerning hearing aid dealers in Alabama should be written and sent to:

A. Fraser Pattillo
Chairman Complaint Committee
Alabama Board of Hearing Aid Dealers
825 22nd Street South
Birmingham, Alabama 35205
Phone: 323-4271

OFFICE OF THE ATTORNEY GENERAL

Address: 64 North Union Street
Montgomery, Alabama 36130
Phone: 832-6050

Attorney General: William J. Baxley

The Office of the Attorney General is the chief law-enforcement agency in the state. This office handles violations of state law and consumer fraud where a constant and recurring pattern is established. The Attorney General's Office handles primarily hard-core court cases involving statutory law rather than matters of a civil nature.

Complaints should be filed in this office in a written form outlining the problem and must be signed by the complainant. To determine if a problem can be handled by the Attorney General's Office one should either write or call the above address and ask to speak with a staff lawyer concerning the problem.

PUBLIC SERVICE COMMISSION

Address: Post Office Box 991

Montgomery, Alabama 36102

Phone: 832-3382

President: Juanita McDaniel

The Alabama Public Service Commission exercises broad jurisdiction in the matter of regulation of the operations of (1) public utilities, (2) motor transportation companies and motor carriers, and (3) railroads, express companies, sleeping car companies, telephone and telegraph companies, carriers by water, toll bridges, toll ferries and toll roads, engaged in business as common carriers for hire. Because of the fact that the Commission is an arm of the State government, its jurisdiction relates to intrastate operations in Alabama of said carriers and utilities. The Commission, under the powers and jurisdiction conferred upon it, regulates and supervises said utilities and carriers in respect of their rates and services regulations, and in certain other respects to the end that the intrastate operation in Alabama of such utilities and carriers will be conducted in a manner just and fair to their customers and patrons in this state.

The Commissioners, in their quasi-judicial capacity, hear, consider and decide all cases on the dockets of the Commission in which hearings are required or advisable, and consider and decide all other cases on the dockets of the Commission and all other matters requiring attention and decision by the Commission. The Commissioners personally handle and adjust, without litigation, a considerable number of informal complaints presented to the Commission by customers and patrons of public service companies under its jurisdiction where need exists for their personal attention.