

Protect Yourself!



STOP

unsolicited
sexually
oriented
advertisements

IN YOUR MAIL



UNITED STATES
POSTAL SERVICE

There are two federal laws you can use to help protect yourself and your eligible children against unsolicited sexually oriented advertisements. This consumer protection packet is designed to help you understand and use statutory remedies.

TITLE 39, UNITED STATES CODE, SECTION 3008

This law authorizes the Postal Service to issue a prohibitory order against a mailer who sends you an advertisement offering to sell any matter that you, in your own discretion, believe to be “erotically arousing or sexually provocative.” You can request the order by completing the relevant portion of the enclosed Form 1500, *Application for Listing and/or Prohibitory Order*, and submitting it to any post office. Thirty days after receiving the order, the mailer is prohibited from sending you any further mail. Violating this prohibition makes the mailer subject to court enforcement action by the United States Government. You may also have any of your minor children who are under 19 years old and residing with you protected by the prohibitory order.

TITLE 39, UNITED STATES CODE, SECTION 3010

This law authorizes the Postal Service to keep a list of persons who inform us they do not wish to receive sexually oriented advertisements through the mail. You can add your name and address to this list by filling out the relevant portion of the enclosed Form 1500 and submitting it to any post office. When your name and address have been on the list more than 30 days, it is unlawful for anyone to mail you a sexually oriented advertisement. Mailers who violate your protected status make themselves subject to court enforcement action by the United States Government. You can also have any of your children under 19 years old who reside with you or are under your care, custody, or supervision included on the list.

SPECIAL FEATURES OF THESE LAWS

Section 3008 lets *you*, the addressee, determine whether the matter that is offered for sale brings the advertisement within the scope of the law. When a prohibitory order is issued on your behalf, it will prohibit the mailer of the advertisement from sending you any further mail of any kind. Section 3010 pertains only to *explicit* sexually oriented advertisements that fulfill the conditions described in the law (see definition on back of Form 1500). Being listed helps protect you against receiving this type of advertising mail from any source.

MOST FREQUENTLY ASKED QUESTIONS

How soon after a prohibitory order is issued will the mailer be prohibited from sending me any further mail?

The order prohibiting the mailer from sending you any further mail goes into effect on the 30th calendar day after the mailer's receipt of the order (**39 USC 3008**).

When will this law prohibit mailers from sending me sexually oriented advertisements?

This law will prohibit anyone from mailing you a sexually oriented advertisement when your name and address have been on the Postal Service list for more than 30 days. Names and addresses from applications received by the Postal Service are added to the list on a monthly basis, generally at the beginning of the month (**39 USC 3010**).

What should I do if the mailer does not obey the prohibitory order?

If you get mail that appears to have been sent in violation of the prohibitory order, open it and write clearly on the envelope and all its contents a statement that you received it and the date of receipt (**39 USC 3008**). For example, an addressee receiving such mail on April 5, 1996, would write,

“I received this mailpiece on April 5, 1996.” Apply your signature below your statement. Include a photocopy of your prohibitory order, if possible, or a notation of the order number and send the mailpiece to:

PROHIBITORY ORDER PROCESSING CENTER
PO BOX 3744
MEMPHIS TN 38173-0744

What should I do if I get a sexually oriented advertisement mailed when my name and address have been listed more than 30 days?

If you receive a sexually oriented advertisement mailed to you in apparent violation of your protected status, open it and write clearly on the envelope and all its contents a statement that you received it and the date of receipt. For example, if you got the mailpiece on June 15, 1996, write “I received this mailpiece on June 15, 1996.” Then affix your signature below your statement, include a notation of your Application for Listing case number, and send the mailpiece to the Prohibitory Order Processing Center at the address listed above. Remember, you must open the mailpiece and make sure it contains an *explicit* sexually oriented advertisement as defined by the law. Only such an advertisement is subject to this statute’s prohibition. If you send the mailpiece to the Postal Service unopened, no action to enforce the law can be based upon it. To permit the Postal Service to prove you received a sexually oriented advertisement mailed after you acquired protected status, *you must place your signed statement, as shown in the example above, on each item contained in the mailpiece, as well as on its envelope (39 USC 3010).*

