

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – Unsolicited merchandise need not be returned

A 93 year old Sedgwick County man recently contacted the District Attorney's Consumer Protection Division about a gift he received in the mail that he did not order.

The man said he received "a marshmallow prong" from Publishers Clearinghouse with a bill for \$11.96 plus \$6 for postage and handling. Publishers Clearinghouse offered the man an opportunity to pay off the bill in 4 payments. The man told Consumer Protection he has ordered from Publishers Clearinghouse in the past but did not order this recent item.

Consumer Protection advised the man to keep the item. In Kansas the receipt of any unordered property or services is deemed an unconditional gift to you and you may use or dispose of the item in any manner you see fit without any obligation on your part to the company or supplier.

Property or services are considered to be unordered unless the recipient specifically requested, in an affirmative manner, the receipt of the property or services according to the terms under which they are offered.

While exploring a website, be careful not to inadvertently order a service or merchandise.

There are a few exceptions to the unsolicited merchandise rule in Kansas. Call the District Attorney's Consumer Protection Division at 316-660-3653 for more information.

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