

001108

Re: CAN-SPAM Act Rulemaking, Project No. R411008



To the Commissioners,

I endorse your efforts to control the problem of unsolicited bulk email (SPAM). However, I am concerned about the proposed requirement for business owners to maintain suppression lists.

We are an online flower company selling and delivering worldwide. The problems and costs associated with this ruling could be huge for us, as could be the damage done to consumers and other businesses alike. Because of this potential damage, I feel I must urge you to consider this matter most carefully.

It appears, when I reflected on this ruling, that requirement of the use of suppression lists could seriously damage many of the legitimate publications available on the net. My specific concern is for harm to publishers who require permission from the consumer prior to adding them to any list.

CAN-SPAM was not designed to put these people out of business, but this requirement will very likely have that effect.

There's also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list. On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less.

The effects of the Privacy Act in New Zealand have been felt in ways that we could not have imagined. This ruling could have similar effects unless very carefully examined to minimise damage to those of us not abusing the existing status quo.

I was quite surprised at the potential problems this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation in light of these above specified problems.

Respectfully,

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