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The FTC Funeral Rule

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The Funeral Rule, enforced by the Federal Trade Commission (FTC), makes it possible for you to choose only those goods and services you want or need and to pay only for those you select, whether you are making arrangements when a death occurs or in advance. The Rule allows you to compare prices among funeral homes, and makes it possible for you to select the funeral arrangements you want at the home you use. (The Rule does not apply to third-party sellers, such as casket and monument dealers, or to cemeteries that lack an on-site funeral home.)

Your Rights Under the Funeral Rule

The Funeral Rule gives you the right to:

- **Buy only the funeral arrangements you want.** You have the right to buy separate goods (such as caskets) and services (such as embalming or a memorial service). You do not have to accept a package that may include items you do not want.
- **Get price information on the telephone.** Funeral directors must give you price information on the telephone if you ask for it. You don't have to give them your name, address, or telephone number first. Although they are not required to do so, many funeral homes mail their price lists, and some post them online.
- **Get a written, itemized price list when you visit a funeral home.** The funeral home must give you a General Price List (GPL) that is yours to keep. It lists all the items and services the home offers, and the cost of each one.
- **See a written casket price list before you see the actual caskets.** Sometimes, detailed casket price information is included on the funeral home's

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GPL. More often, though, it's provided on a separate casket price list. Get the price information before you see the caskets, so that you can ask about lower-priced products that may not be on display.

- **See a written outer burial container price list.** Outer burial containers are not required by state law anywhere in the U.S., but many cemeteries require them to prevent the grave from caving in. If the funeral home sells containers, but doesn't list their prices on the GPL, you have the right to look at a separate container price list before you see the containers. If you don't see the lower-priced containers listed, ask about them.
- **Receive a written statement after you decide what you want, and before you pay.** It should show exactly what you are buying and the cost of each item. The funeral home must give you a statement listing every good and service you have selected, the price of each, and the total cost immediately after you make the arrangements.
- **Get an explanation in the written statement from the funeral home that describes any legal cemetery or crematory requirement** that requires you to buy any funeral goods or services.
- **Use an "alternative container" instead of a casket for cremation.** No state or local law requires the use of a casket for cremation. A funeral home that offers cremations must tell you that alternative containers are available, and must make them available. They might be made of unfinished wood, pressed wood, fiberboard, or cardboard.
- **Provide the funeral home with a casket or urn you buy elsewhere.** The funeral provider cannot refuse to handle a casket or urn you bought online, at a local casket store, or somewhere else — or charge you a fee to do it. The funeral home cannot require you to be there when the casket or urn is delivered to them.
- **Make funeral arrangements without embalming.** No state law requires routine embalming for every death. Some states require embalming or refrigeration if the body is not buried or cremated within a certain time; some states don't require it at all. In most cases, refrigeration is an acceptable alternative. In addition, you may choose services like direct cremation and immediate burial, which don't require any form of preservation. Many funeral homes have a policy requiring embalming if the body is to be publicly viewed, but this is not required by law in most states. Ask if the funeral home offers private family viewing without embalming. If some form of preservation is a practical necessity, ask the funeral home if refrigeration is available.

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Funeral Costs and Pricing Checklist

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Funeral costs include basic services fee for the funeral director and staff, charges for other services and merchandise, and cash advances. Make copies of the checklist at the end of this article. Use it when you shop with several funeral homes to compare costs.

- Funeral Fees
- Calculating the Actual Cost of a Funeral
- Funeral Pricing Checklist

Funeral Fees

The Funeral Rule allows funeral providers to charge a basic services fee that customers have to pay. The **basic services fee** includes services that are common to all funerals, regardless of the specific arrangement. These include funeral planning, securing the necessary permits and copies of death certificates, preparing the notices, sheltering the remains, and coordinating the arrangements with the cemetery, crematory or other third parties. The fee does not include charges for optional services or merchandise.

Charges for other services and merchandise, include costs for optional goods and services such as transporting the remains; embalming and other preparation; use of the funeral home for the viewing, ceremony or memorial service; use of equipment and staff for a graveside service; use of a hearse or limousine; a casket, outer burial container or alternate container; and cremation or interment.

Cash advances are fees charged by the funeral home for goods and services it buys from outside vendors on your behalf, including flowers, obituary notices, pallbearers, officiating clergy, and organists and soloists. Some funeral providers charge you their

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cost for the items they buy on your behalf. Others add a service fee to the cost. The Funeral Rule requires those who charge an extra fee to disclose that fact in writing, although it doesn't require them to specify the amount of their markup. The Rule also requires funeral providers to tell you if there are refunds, discounts, or rebates from the supplier on any cash advance item.

Calculating the Actual Cost of a Funeral

The funeral provider must give you an itemized statement of the total cost of the funeral goods and services you have selected when you are making the arrangements. If the funeral provider doesn't know the cost of the cash advance items at the time, he or she is required to give you a written "good faith estimate." This statement also must disclose any legal cemetery or crematory requirements that you purchase specific funeral goods or services.

The Funeral Rule does not require any specific format for this information. Funeral providers may include it in any document they give you at the end of your discussion about funeral arrangements.

Services and Products

Embalming

Many funeral homes require embalming if you're planning a viewing or visitation. But embalming generally is not necessary or legally required if the body is buried or cremated shortly after death. Eliminating this service can save you hundreds of dollars. Under the Funeral Rule, a funeral provider:

- may not provide embalming services without permission.
- may not falsely state that embalming is required by law.
- must disclose in writing that embalming is not required by law, except in certain special cases.
- may not charge a fee for unauthorized embalming unless embalming is required by state law.
- must disclose in writing that you usually have the right to choose a disposition, like direct cremation or immediate burial, that does not require embalming if you do not want this service.
- must disclose in writing that some funeral arrangements, such as a funeral with viewing, may make embalming a practical necessity and, if so, a required purchase.

Caskets

For a "traditional" full-service funeral:

A casket often is the single most expensive item you'll buy if you plan a "traditional" full-service funeral. Caskets vary widely in style and price and are sold primarily for their visual appeal. Typically, they're constructed of metal, wood, fiberboard, fiberglass or

plastic. Although an average casket costs slightly more than \$2,000, some mahogany, bronze or copper caskets sell for as much as \$10,000.

When you visit a funeral home or showroom to shop for a casket, the Funeral Rule requires the funeral director to show you a list of caskets the company sells, with descriptions and prices, before showing you the caskets. Industry studies show that the average casket shopper buys one of the first three models shown, generally the middle-priced of the three.

So it's in the seller's best interest to start out by showing you higher-end models. If you haven't seen some of the lower-priced models on the price list, ask to see them — but don't be surprised if they're not prominently displayed, or not on display at all.

Traditionally, caskets have been sold only by funeral homes. But more and more, showrooms and websites operated by "third-party" dealers are selling caskets. You can buy a casket from one of these dealers and have it shipped directly to the funeral home. The Funeral Rule requires funeral homes to agree to use a casket you bought elsewhere, and doesn't allow them to charge you a fee for using it.

No matter where or when you're buying a casket, it's important to remember that its purpose is to provide a dignified way to move the body before burial or cremation. No casket, regardless of its qualities or cost, will preserve a body forever. Metal caskets frequently are described as "gasketed," "protective" or "sealer" caskets. These terms mean that the casket has a rubber gasket or some other feature that is designed to delay the penetration of water into the casket and prevent rust. The Funeral Rule forbids claims that these features help preserve the remains indefinitely because they don't. They just add to the cost of the casket.

Most metal caskets are made from rolled steel of varying gauges — the lower the gauge, the thicker the steel. Some metal caskets come with a warranty for longevity. Wooden caskets generally are not gasketed and don't have a warranty for longevity. They can be hardwood like mahogany, walnut, cherry or oak, or softwood like pine. Pine caskets are a less expensive option, but funeral homes rarely display them. Manufacturers of both wooden and metal caskets usually offer warranties for workmanship and materials.

For cremation:

Many families that choose to have their loved ones cremated rent a casket from the funeral home for the visitation and funeral, eliminating the cost of buying a casket. If you opt for visitation and cremation, ask about the rental option. For those who choose a direct cremation without a viewing or other ceremony where the body is present, the funeral provider must offer an inexpensive unfinished wood box or alternative container, a non-metal enclosure — pressboard, cardboard or canvas — that is cremated with the body.

Under the Funeral Rule, funeral directors who offer direct cremations:

- may not tell you that state or local law requires a casket for direct cremations, because none do;
- must disclose in writing your right to buy an unfinished wood box or an alternative container for a direct cremation; and
- must make an unfinished wood box or other alternative container available for direct cremations.

Burial Vaults or Grave Liners

Burial vaults or grave liners, also known as burial containers, are commonly used in "traditional" full-service funerals. The vault or liner is placed in the ground before burial, and the casket is lowered into it at burial. The purpose is to prevent the ground from caving in as the casket deteriorates over time. A grave liner is made of reinforced concrete and will satisfy any cemetery requirement. Grave liners cover only the top and sides of the casket. A burial vault is more substantial and expensive than a grave liner. It surrounds the casket in concrete or another material and may be sold with a warranty of protective strength.

State laws do not require a vault or liner, and funeral providers may not tell you otherwise. However, keep in mind that many cemeteries require some type of outer burial container to prevent the grave from sinking in the future. Neither grave liners nor burial vaults are designed to prevent the eventual decomposition of human remains. It is illegal for funeral providers to claim that a vault will keep water, dirt, or other debris from penetrating into the casket if that's not true.

Before showing you any outer burial containers, a funeral provider is required to give you a list of prices and descriptions. It may be less expensive to buy an outer burial container from a third-party dealer than from a funeral home or cemetery. Compare prices from several sources before you select a model.

Preservation Processes and Products

As far back as the ancient Egyptians, people have used oils, herbs and special body preparations to help preserve the bodies of their dead. Yet, no process or products have been devised to preserve a body in the grave indefinitely. The Funeral Rule prohibits funeral providers from telling you that it can be done. For example, funeral providers may not claim that either embalming or a particular type of casket will preserve the body of the deceased for an unlimited time.

Funeral Pricing Checklist

Make copies of this page and check with several funeral homes to compare costs.

"Simple" disposition of the remains:

Immediate burial _____

Immediate cremation _____

If the cremation process is extra, how much is it? _____

Donation of the body to a medical school or hospital _____

“Traditional,” full-service burial or cremation:

Basic services fee for the funeral director and staff _____

Pickup of body _____

Embalming _____

Other preparation of body _____

Least expensive casket _____

Description, including model # _____

Outer Burial Container (vault) _____

Description _____

Visitation/viewing — staff and facilities _____

Funeral or memorial service — staff and facilities _____

Graveside service, including staff and equipment _____

Hearse _____

Other vehicles _____

Total _____

Other Services:

Forwarding body to another funeral home _____

Receiving body from another funeral home _____

Cemetery/Mausoleum Costs:

Cost of lot or crypt (if you don't already own one) _____

Perpetual care _____

Opening and closing the grave or crypt _____

Grave liner, if required _____

Marker/monument (including setup) _____

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Types of Funerals

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Every family is different, and not everyone wants the same type of funeral. Funeral practices are influenced by religious and cultural traditions, costs, and personal preferences. These factors help determine whether the funeral will be elaborate or simple, public or private, religious or secular, and where it will be held. They also influence whether the body will be present at the funeral, if there will be a viewing or visitation, and if so, whether the casket will be open or closed, and whether the remains will be buried or cremated.

- “Traditional” Full-service Funeral
- Direct Burial
- Direct Cremation

“Traditional” Full-service Funeral

This type of funeral, often referred to by funeral providers as a “traditional” funeral, usually includes a viewing or visitation and formal funeral service, use of a hearse to transport the body to the funeral site and cemetery, and burial, entombment, or cremation of the remains.

It is generally the most expensive type of funeral. In addition to the funeral home's basic services fee, costs often include embalming and dressing the body; rental of the funeral home for the viewing or service; and use of vehicles to transport the family if they don't use their own. The costs of a casket, cemetery plot or crypt and other funeral goods and services also must be factored in.

Direct Burial

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The body is buried shortly after death, usually in a simple container. No viewing or visitation is involved, so no embalming is necessary. A memorial service may be held at the graveside or later. Direct burial usually costs less than the "traditional" full-service funeral. Costs include the funeral home's basic services fee, as well as transportation and care of the body, the purchase of a casket or burial container and a cemetery plot or crypt. If the family chooses to be at the cemetery for the burial, the funeral home often charges an additional fee for a graveside service.

Direct Cremation

The body is cremated shortly after death, without embalming. The cremated remains are placed in an urn or other container. No viewing or visitation is involved. The remains can be kept in the home, buried, or placed in a crypt or niche in a cemetery, or buried or scattered in a favorite spot. Direct cremation usually costs less than the "traditional" full-service funeral. Costs include the funeral home's basic services fee, as well as transportation and care of the body. A crematory fee may be included or, if the funeral home does not own the crematory, the fee may be added on. There also will be a charge for an urn or other container. The cost of a cemetery plot or crypt is included only if the remains are buried or entombed.

Funeral providers who offer direct cremations also must offer to provide an alternative container that can be used in place of a casket.

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Choosing a Funeral Provider

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Many people don't realize that in most states they are not legally required to use a funeral home to plan and conduct a funeral. However, because they have little experience with the many details and legal requirements involved and may be emotionally distraught when it's time to make the plans, they find the services of a professional funeral home to be a comfort.

People often select a funeral home or cemetery because it's close to home, has served the family in the past, or has been recommended by someone they trust. But limiting the search to just one funeral home may risk paying more than necessary for the funeral or narrowing their choice of goods and services.

Comparison Shopping for a Funeral Home/Provider

Comparison shopping doesn't have to be difficult, especially if it's done before the need for a funeral arises. Thinking ahead can help you make informed and thoughtful decisions about funeral arrangements. It allows you to choose the specific items you want and need, and to compare the prices several funeral providers charge.

If you visit a funeral home in person, the funeral provider is required by law to give you a general price list (GPL) itemizing the cost of the items and services the home offers. If the GPL does not include specific prices of caskets or outer burial containers, the law requires the funeral director to show you the price lists for those items before showing you the items.

Sometimes it's more convenient and less stressful to "price shop" funeral homes by

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telephone. The Funeral Rule requires funeral directors to provide price information on the phone to any caller who asks for it. In addition, many funeral homes are happy to mail you their price lists, although that is not required by law.

When comparing prices, be sure to consider the total cost of all the items together, in addition to the costs of single items. Every funeral home should have price lists that include all the items essential for the different types of arrangements it offers. Many funeral homes offer package funerals that may cost less than buying individual items or services. Offering package funerals is permitted by law, as long as an itemized price list also is provided. But you can't accurately compare total costs unless you use the price lists.

In addition, there's a trend toward consolidation in the funeral home industry, and many neighborhood funeral homes may appear to be locally owned when in fact, they're owned by a national corporation. If this issue is important to you, you may want to ask if the funeral home is independent and locally owned.

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Buying a Cemetery Site

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When you buy a cemetery plot, the cost is not the only consideration. The location of the cemetery and whether it meets the requirements of your family's religion are important, as well.

- Specific Considerations
- Veterans Cemeteries

Specific Considerations

Additional considerations include what, if any, restrictions the cemetery places on burial vaults purchased elsewhere, the type of monuments or memorials it allows, and whether flowers or other remembrances may be placed on graves.

And then there's cost. Cemetery plots can be expensive, especially in metropolitan areas. Most, but not all, cemeteries require you to purchase a grave liner, which will cost several hundred dollars. Note that there are charges — usually hundreds of dollars — to open a grave for interment and additional charges to fill it in. Perpetual care on a cemetery plot sometimes is included in the purchase price, but it's important to clarify that point before you buy the site or service. If it's not included, look for a separate endowment care fee for maintenance and groundskeeping.

If you plan to bury your loved one's cremated remains in a mausoleum or columbarium, you can expect to purchase a crypt and pay opening and closing fees, as well as charges for endowment care and other services. The FTC's Funeral Rule does not cover cemeteries and mausoleums unless they sell both funeral goods and funeral services.

Veterans Cemeteries

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All veterans are entitled to a free burial in a national cemetery and a grave marker. This eligibility also extends to some civilians who have provided military-related service and some Public Health Service personnel. Spouses and dependent children also are entitled to a lot and marker when buried in a national cemetery. There are no charges for opening or closing the grave, for a vault or liner, or for setting the marker in a national cemetery. The family generally is responsible for other expenses, including transportation to the cemetery. For more information, visit the [Department of Veterans Affairs](#). To reach the regional Veterans Affairs office in your area, call 1-800-827-1000.

In addition, many states have established veterans cemeteries. Eligibility requirements and other details vary. Contact your state for more information.

You may see ads for so-called "veterans' specials" by commercial cemeteries. These cemeteries sometimes offer a free plot for the veteran, but charge exorbitant rates for an adjoining plot for the spouse, as well as high fees for opening and closing each grave. Evaluate the bottom-line cost to be sure the special is as special as you may be led to believe.

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Planning Your Own Funeral

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To help relieve their families, an increasing number of people are planning their own funerals, designating their funeral preferences, and sometimes paying for them in advance. They see funeral planning as an extension of will and estate planning.

- [Funeral Planning Tips](#)
- [Prepaying](#)

Funeral Planning Tips

Thinking ahead can help you make informed and thoughtful decisions about funeral arrangements. It allows you to choose the specific items you want and need, and compare the prices offered by several funeral providers. It also spares your survivors the stress of making these decisions under the pressure of time and strong emotions. You can make arrangements directly with a funeral establishment.

An important consideration when planning a funeral pre-need is where the remains will be buried, entombed, or scattered. In the short time between the death and burial of a loved one, many family members find themselves rushing to buy a cemetery plot or grave — often without careful thought or a personal visit to the site. That's why it's in the family's best interest to buy cemetery plots before you need them.

You may wish to make decisions about your arrangements in advance, but not pay for them in advance. Keep in mind that over time, prices may go up and businesses may close or change ownership. However, in some areas with increased competition, prices may go down over time. It's a good idea to review and revise your decisions every few years, and to make sure your family is aware of your wishes.

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Put your preferences in writing, give copies to family members and your attorney, and keep a copy in a handy place. Don't designate your preferences in your will, because a will often is not found or read until after the funeral. And avoid putting the only copy of your preferences in a safe deposit box. That's because your family may have to make arrangements on a weekend or holiday, before the box can be opened.

Prepaying

Millions of Americans have entered into contracts to arrange their funerals and prepay some or all of the expenses involved. Laws of individual states govern the prepayment of funeral goods and services; various states have laws to help ensure that these advance payments are available to pay for the funeral products and services when they're needed. But protections vary widely from state to state, and some state laws offer little or no effective protection. Some state laws require the funeral home or cemetery to place a percentage of the prepayment in a state-regulated trust or to purchase a life insurance policy with the death benefits assigned to the funeral home or cemetery.

If you're thinking about prepaying for funeral goods and services, it's important to consider these issues before putting down any money:

- What are you are paying for? Are you buying only merchandise, like a casket and vault, or are you purchasing funeral services as well?
- What happens to the money you've prepaid? States have different requirements for handling funds paid for prearranged funeral services.
- What happens to the interest income on money that is prepaid and put into a trust account?
- Are you protected if the firm you dealt with goes out of business?
- Can you cancel the contract and get a full refund if you change your mind?
- What happens if you move to a different area or die while away from home? Some prepaid funeral plans can be transferred, but often at an added cost.

Be sure to tell your family about the plans you've made; let them know where the documents are filed. If your family isn't aware that you've made plans, your wishes may not be carried out. And if family members don't know that you've prepaid the funeral costs, they could end up paying for the same arrangements. You may wish to consult an attorney on the best way to ensure that your wishes are followed.

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Funeral Terms and Contact Information

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This article provides a glossary of terms you will encounter when planning a funeral, and offers a list of resources for more information.

- [Glossary of Funeral Terms](#)
- [For More Information about Funerals, Funeral Providers, and Where to File a Complaint](#)

Glossary of Funeral Terms

Alternative Container: An unfinished wood box or other non-metal receptacle without ornamentation, often made of fiberboard, pressed wood, or composition materials, and generally lower in cost than caskets.

Casket/Coffin: A box or chest for burying remains.

Cemetery Property: A grave, crypt, or niche.

Cemetery Services: Opening and closing graves, crypts or niches; setting grave liners and vaults; setting markers; and long-term maintenance of cemetery grounds and facilities.

Columbarium: A structure with niches (small spaces) for placing cremated remains in urns or other approved containers. It may be outdoors or part of a mausoleum.

Cremation: Exposing remains and the container encasing them to extreme heat and flame and processing the resulting bone fragments to a uniform size and consistency.

Crypt: A space in a mausoleum or other building to hold cremated or whole remains.

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Disposition: The placement of cremated or whole remains in their final resting place.

Endowment Care Fund: Money collected from cemetery property purchasers and placed in trust for the maintenance and upkeep of the cemetery.

Entombment: Burial in a mausoleum.

Funeral Ceremony: A service commemorating the deceased, with the body present.

Funeral Services: Services provided by a funeral director and staff, which may include consulting with the family on funeral planning; transportation, shelter, refrigeration and embalming of remains; preparing and filing notices; obtaining authorizations and permits; and coordinating with the cemetery, crematory or other third parties.

Grave: A space in the ground in a cemetery for the burial of remains.

Grave Liner or Outer Container: A concrete cover that fits over a casket in a grave. Some liners cover tops and sides of the casket. Others, referred to as vaults, completely enclose the casket. Grave liners minimize ground settling.

Graveside Service: A service to commemorate the deceased held at the cemetery before burial.

Interment: Burial in the ground, inurnment or entombment.

Inurnment: The placing of cremated remains in an urn.

Mausoleum: A building in which remains are buried or entombed.

Memorial Service: A ceremony commemorating the deceased, without the body present.

Niche: A space in a columbarium, mausoleum or niche wall to hold an urn.

Urn: A container to hold cremated remains. It can be placed in a columbarium or mausoleum, or buried in the ground.

Vault: A grave liner that completely encloses a casket.

For More Information about Funerals, Funeral Providers, and Where to File a Complaint

Most states have a licensing board that regulates the funeral industry. You may contact the board in your state for information or help. If you want additional information about making funeral arrangements and the options available, you may want to contact interested business, professional and consumer groups. Some of the biggest are:

- **AARP**

AARP is a membership organization for people 50 years of age and older.

Funeral-related information also is available in the [Grief & Loss](#) section.

- **[Cremation Association of North America](#)**
CANA is an association of crematories, cemeteries, and funeral homes that offer cremation.
- **[Funeral Consumers Alliance](#)**
FCA is a nonprofit educational organization that supports increased funeral consumer protection. Their website has free pamphlets on funeral planning, plus a directory of local volunteer funeral planning groups.
- **[Funeral Ethics Organization](#)**
FEO, an independent nonprofit educational organization, promotes ethical dealings in death-related transactions and provides mediation assistance to resolve consumer complaints.
- **[Green Burial Council](#)**
GBC, an independent, nonprofit that encourages environmentally sustainable death care practices as a means of acquiring, restoring, and stewarding natural areas, assists consumers in identifying “green” cemetery, funeral, and cremation services.
- **[International Cemetery, Cremation and Funeral Association](#)**
ICCFA is a nonprofit association of cemeteries, funeral homes, crematories, and monument retailers that offers informal mediation of consumer complaints through its Cemetery Consumer Service Council. Its website provides information and advice in its [Consumer Resource Guide](#).
- **[International Order of the Golden Rule](#)**
OGR is an international association of about 1,300 independent funeral homes.
- **[Jewish Funeral Directors of America](#)**
JFDA is an international association of funeral homes serving the Jewish community.
- **[National Funeral Directors Association](#)**
NFDA is an educational and professional association of funeral directors, which provides consumer information and sponsors the [NFDA Help Line](#), which is designed to help consumers resolve complaints about NFDA members.
- **[National Funeral Directors and Morticians Association](#)**
NFDMA is a national association primarily of African-American funeral providers.
- **[Selected Independent Funeral Homes](#)**
SIFH is an international association of funeral firms that have agreed to comply with its Code of Good Funeral Practices.

Resolving Problems

If you have a problem concerning funeral matters, it's best to try to resolve it first with the funeral director. If you are dissatisfied with the funeral services you receive, the [Funeral Consumers Alliance](#) offers advice on how best to resolve a problem. In addition, the [FEO](#), the [NFDA Help Line](#), and the [ICCFA Cemetery Consumer Service Council](#)

may be able to provide informal mediation of a complaint. You also can contact your state Attorney General's office or local consumer protection agencies.

In addition, you can file a complaint with the FTC online or call 1-877-FTC-HELP (382-4357); TDD: 1-866-653-4261. Although the Commission cannot resolve individual problems for consumers, it can act against a company if it sees a pattern of possible law violations.

This article is part of a series: [Shopping for Funeral Services](#)

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July 2012