



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

June 19, 2008

William R. Stalter, Esq.
Stalter Law Firm, P.C.
4435 Main Street, Suite 450
Kansas City, Missouri 64111

Dear Mr. Stalter:

Thank you for your comments concerning the consent agreement that the Federal Trade Commission accepted for public comment in *In the Matter of Missouri Board of Embalmers and Funeral Directors*, File No. 061 0026. You had inquired whether the Commission considered the provisions of Mo. Rev. Stat. § 436.005 et seq. ("Chapter 436") regarding pre-need funeral services in connection with this matter.

The Commission's Decision and Order requires the Missouri Board of Embalmers and Funeral Directors (the "Board") to cease and desist from any conduct limiting the ability of non-licensees to sell funeral caskets directly to members of the public in Missouri, and to notify licensees and the public that "[p]ersons may offer for retail sale caskets and other funeral merchandise to customers in Missouri without obtaining a license from the Board." The terms of the Decision and Order apply to all sales of "funeral merchandise or burial receptacles for the dead" to the public in Missouri, regardless of the purpose for which any individual customer purchases a casket (*i.e.*, at-need vs. pre-need). While, as you are aware, Missouri has separate statutes concerning the licensing and regulation of at-need and pre-need funeral services, this does not affect the Board's responsibilities with respect to the Decision and Order.

The Commission has reviewed your comment and has placed it on the public record of the proceeding.¹ The Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without modification.

¹Public comments filed in Commission proceedings can be found at <http://www.ftc.gov/os/publiccomments.shtml>.

Thank you again for your comment. The Commission is aided in its analysis by hearing from a variety of sources, and we appreciate your interest in this matter. A copy of the final Decision and Order is enclosed for your information. Relevant materials also are available from the Commission's website at <http://www.ftc.gov>.

By direction of the Commission.

C. Landis Plummer
Acting Secretary