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## Consumer alert

### NYS DCP provides tips to help consumers navigate return & refund policies

Discover what to look for when reviewing return and refund policies

↓ Laws protect consumers so they can make informed decisions during holiday shopping

Submitted by the New York Department of State's Division of Consumer Protection

For this week's "Tuesday's Tips", the New York Department of State's Division of Consumer Protection (DCP) reminds shoppers of New York state laws that protect consumers so they can make informed decisions about holiday returns. To avoid surprises, DCP recommends that consumers carefully review and understand what to look for when reviewing return and refund policies.

"Consumer spending during this holiday season hit an all-time high, which could mean the number of returns made will be as well," New York Secretary of State Robert J. Rodriguez said. "The last thing you want is to purchase an item

and realize you can't return it due to a missing receipt or it is outside of the return window, so I urge New Yorkers to follow these tips to ensure you can get your money back if you change your mind about a purchase."

Around the holidays, gift givers and receivers often change their minds. This year's holiday weekend (from Thanksgiving Day through Cyber Monday) set record levels for consumer spending, which indicates shopping is showing no signs of slowing down according to the National Retail Federation. The increase can lead to more refunds and returns this holiday season.

To help navigate the busy shopping season, DCP offers the following tips:

•Pay attention to return policies: New York state law requires that retailers post their return and

refund policies clearly to inform consumers before the transaction is completed. Retailers must provide a written copy of the store's return policy when requested.

New York state law does not require retailers to accept returns, however, they must post a conspicuous notice visible to consumers before the point of sale advising that no returns will be accepted.

If the retailer does not post a return policy, the law requires the retailer to accept returns of unused, undamaged merchandise within 30 days of the purchase date. The returned item must include a proof of purchase, and the refund must be in the form of cash or credit based on the customer's preference.

•Understand the refund terms: For retailers that allow returns, New York state law does not require refunds to be given

in any specific manner. However, it does require the form of the refund – cash, credit or exchange – be clearly disclosed in advance of purchase. Retailers must also disclose any fees associated with the return. If no fee is listed, customers should inquire whether the store imposes a restocking fee for returned merchandise, and determine prior to purchase if the item can be returned for a refund or only store credit.

•Retain any proofs of purchase: Consumers should hold on to receipts in the event a product needs to be returned. If purchasing gifts, ask if a gift receipt is available.

Consumers having difficulty obtaining a refund are encouraged to file a complaint with the New York State Division of Consumer Protection.

### New year's resolution: Tips on how to finally quit smoking, vaping and menthol-flavored tobacco

Guest Editorial by the American Lung Association

This time of year, millions of people across New York state make resolutions to take on personal challenges, accomplish a significant goal or improve their life for the new year. This year, the American Lung Association in New York is encouraging everyone who smokes, vapes or uses other tobacco products to resolve to begin their quit journey in 2024 – and provides tips and resources at Lung.org/Quit-Smoking.

Tobacco use remains the leading cause of preventable death and disease here in New York, affecting 28,170 people each year. Nationally, 16 million Americans live with a tobacco-related disease. While it's best to quit as early as possible, quitting smoking at any age will enhance the length and quality of your life.

"Twelve percent (of) adults living in New York state smoke and 25.6% of high school students use a tobacco product," said Trevor Summerfield, director of advocacy with the American Lung Association in New York. "We know that breaking the addiction to nicotine is extreme-

ly difficult. For most people, it takes multiple attempts to quit tobacco for good. Each quit attempt brings a person closer to reaching their goal. Some tobacco products, like menthol cigarettes and e-cigarettes, make quitting even more difficult, so it is critical that people who are ready speak with their health care provider about Food and Drug Administration (FDA)-approved tobacco treatment medications, coupling them with proven effective cessation programs to quit."

Currently, the Food and Drug Administration is in the process of finalizing rules to end the sale of menthol cigarettes and flavored cigars in the U.S. Menthol is a chemical compound extracted from peppermint or corn mint plants that makes cigarettes easier to start smoking and harder to quit. Flavored cigars often look similar to cigarettes, attract kids and addict them to tobacco products for a lifetime.

According to the 2023 National Youth Tobacco Survey, 2.1 million high school and middle school students use e-cigarettes. E-cigarettes deliver a high level of nicotine very

quickly, and many e-cigarettes contain as much nicotine as a pack of cigarettes. This makes them very difficult to quit. While much remains to be determined about the lasting health consequences of these products, the Lung Association is very troubled by what we see so far. The inhalation of harmful chemicals can cause lung damage and lung diseases.

Here are some of the tips and resources the American Lung Association recommends to successfully quit tobacco:

•Lung Helpline: Not sure where to start? Call the Lung Association's free Lung Helpline and Tobacco Quitline at 1-800-LUNGUSA, which is staffed with licensed registered nurses, respiratory therapists and certified tobacco treatment specialists.

•Talk to your health care provider: Talking to a health care provider about your plan to quit smoking is an important step. With your doctor's help, you can include cessation medication into your tobacco treatment plan, which can double your chances of quitting successfully. There are seven

FDA-approved medications that are proven to help you quit. Most insurance covers these medications without cost-sharing.

•Get help from a proven resource: The American Lung Association offers resources to help adults and teens to quit all tobacco products, including Freedom From Smoking to help adults quit, and Not-On-Tobacco (N-O-T), which is specially designed for teens who are ready to quit.

•Quit. Don't switch: E-cigarettes are tobacco products, and the FDA has not found any e-cigarette to be safe and effective in helping smokers quit. Switching to e-cigarettes does not mean quitting. Quitting means ending your addiction to nicotine.

For more information about quitting tobacco, visit the American Lung Association website at Lung.org or call the Lung Helpline at 1-800-LUNGUSA (1-800-586-4872). Most health insurance covers medications and counseling to help you quit. If you don't have insurance, you can enroll until Jan. 15 in most states. For more information, visit www.lung.org/openenrollment.

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