



Junk Faxes

Unsolicited advertisements sent to your fax machine are sometimes called "junk faxes." In most cases, FCC rules under the Telephone Consumer Protection Act and Junk Fax Prevention Act prohibit sending junk faxes.

When are companies allowed to send advertisements to my fax machine?

Businesses are not allowed to send junk faxes to you unless you gave them permission or you have an established business relationship with them and voluntarily provided them with your fax number. A fax advertisement may be sent to a customer with an established business relationship if the sender also:

- Obtains the fax number directly from the recipient as part of an application, contact information form or membership renewal form, for example.
- Obtains the fax number from the recipient's directory, advertisement or Web site, unless the recipient has noted on such materials that it does not accept unsolicited fax advertisements.
- Has taken reasonable steps to verify that the recipient consented to have the number listed in a directory.

Opting out: How do I stop companies from sending me unwanted faxes?

All fax advertisements must include a notice and contact information on the first page of the fax that allows recipients to "opt out" of future faxes. The opt-out information must be easy to find, and include a cost-free way to submit your opt out request to the sender, such as a toll-free phone number, local phone number, Web site address or email address. These opt out contact options must be available 24 hours a day, seven days a week.

When you send an opt out request, be sure to identify the sending and receiving fax number or numbers. Senders must honor opt-out requests within thirty days.

What are fax broadcasters?

Often fax advertisements are sent in bulk on behalf of a business or entity by separate professional fax broadcasters. Generally, the person or business on whose behalf a fax is sent or whose property, goods or services are advertised is liable for a violation of the junk fax rules, even if the person or business did not physically send the fax. A fax broadcaster also may be liable if it has a "high degree of involvement" in the sender's fax message, such as supplying the fax numbers to which the message is sent, providing a source of fax numbers, making representations about the legality of faxing to those numbers or advising about how to comply with the junk fax rules.

How the FCC can help

The FCC can issue warning citations and impose fines against companies violating or suspected of violating the junk fax rules, but does not award individual damages. If you receive a fax advertisement from someone who does not have an established business relationship with you, or to whom you have not given express permission to send you faxed ads, you can file a complaint with the FCC. Violators of the junk fax rules may be fined, but the FCC does not award damages to recipients of junk faxes.



Filing a complaint

You have multiple options for filing a complaint with the FCC:

- File a complaint online at <https://consumercomplaints.fcc.gov>
- By phone: 1-888-CALL-FCC (1-888-225-5322); TTY: 1-888-TELL-FCC (1-888-835-5322); ASL: 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission
Consumer and Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, S.W.
Washington, DC 20554

Additional resources

You can file complaints with your state authorities, including your local or state consumer protection office or your state Attorney General's office. Contact information for these organizations should be in the blue pages or government section of your local telephone directory.

You can also bring a private suit against the violator in an appropriate court in your state. Through a private suit, you can either recover the actual monetary loss that resulted from the Telephone Consumer Protection Act violation, or receive up to \$500 in damages for each violation, whichever is greater. The court may triple the damages for each violation if it finds that the defendant willingly or knowingly committed the violation. Filing a complaint with the FCC does not prevent you from also bringing a suit in state court.

Accessible formats

To request this article in an accessible format - braille, large print, Word or text document or audio - write or call us at the address or phone number at the bottom of the page, or send an email to fcc504@fcc.gov.

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