EDUCATIONAL MATERIAL | CONSUMER COMPLIANCE

# Risks in consumer-facing operations

An educational guide and discussion checklist for small and mid-sized businesses offering products or services in the United States.

AUTHOR | Kaique Ruan Dourado Cabral · VERSION 2.0 · 20 OCT 2026

### What this publication is for

A written policy or standardized contract does not, by itself, explain how a business actually serves consumers. The customer experience spans advertisements, price presentations, contracting, billing, delivery, support, and problem resolution. Gaps can arise between these stages, even when every team believes it is following its own procedure.

### A preventive perspective, not a diagnosis

This guide introduces areas worth discussing and hypothetical examples of mismatches between communication and practice. It does not determine whether a particular law applies, measure compliance, assess records, or assign responsibility. In the United States, federal, state, and sector-specific requirements may overlap; legal interpretation depends on facts, market, product, channel, and jurisdiction.

### How to use it

Read these topics with people responsible for marketing, sales, billing, customer support, and operations. Identify questions for further discussion rather than treating this document as a pass/fail test. If an issue may affect consumers or implicate a specific regulatory requirement, refer the facts and supporting records for appropriate professional assessment.

Guiding idea: turn operational uncertainties into matters for professional review without anticipating legal conclusions.

01 | COMMERCIAL COMMUNICATION

# From advertising claims to purchasing decisions

## Advertising and support for claims

The FTC advises that advertising claims must be truthful, not misleading, and appropriately substantiated. This is about more than avoiding literally false statements: context, images, conditions, and the overall consumer impression matter. Small businesses often rely on several channels and vendors to promote the same offer; a change to pricing, availability, or product features may not reach every channel at the same time. A preventive question is who checks the consistency between the advertised promise and the customer's actual experience. [C1]

## Prices, fees, and material information

An offer may be harder to understand when fees appear only late in checkout, important restrictions are difficult to see, or commercial descriptions do not match what customers are asked to pay. Legal treatment varies by conduct and sector. For example, the FTC rule addressing certain unfair or deceptive fees applies to live-event ticketing and short-term lodging; it must not be represented as an identical rule for every e-commerce business. [C2]

## Customer reviews and social proof

Reviews and testimonials shape purchasing decisions, yet their use raises questions about authenticity and transparency. The FTC has both guidance and a specific rule addressing certain deceptive or unfair practices concerning consumer reviews and testimonials. These questions extend beyond the marketing team: third-party review platforms, influencers, and repurposed customer statements can change the context in which consumers interpret a message. [C3]

For a technical discussion: campaign records, page versions, purchase flows, and vendor roles may help a qualified professional reconstruct how a message reached consumers. Having such records does not prove compliance; relevance and sufficiency depend on the specific issue under review.

> Hypothetical situation. A campaign advertises a promotion that has changed in the sales system, while customer service continues to use the old message. This does not, by itself, establish a violation; it calls for examining consistency across channels, records, internal decisions, and the actual transaction.

02 | CONSUMER TRANSACTION

# Contracting, recurring charges, and delivery

### Subscriptions, renewals, and cancellation

Free trials, automatic renewal, and recurring billing warrant attention because a customer's original understanding may diverge from the system's later behavior. The Restore Online Shoppers' Confidence Act (ROSCA) is an important federal reference for certain online negative-option sales, but it does not displace state-law analysis or other applicable rules. The presentation of terms, authorization, billing history, and cancellation experience all require fact-specific review rather than treating every subscription as legally identical. [C4]

### Delivery and performance of services

An accurate web description cannot by itself prevent differences between promised timelines, fulfillment capacity, and responses when something goes wrong. In services, the same issue may concern the scope of what was performed, support terms, or communication of relevant limitations. Prevention depends on coordination between the people designing the offer and those carrying it out; performance cannot be understood solely from the written contract.

### Vendors and intermediaries

Businesses outsource logistics, payments, advertising, customer support, and technology. Outsourcing does not eliminate the need to understand the consumer's end-to-end experience, although each party's legal responsibility depends on the circumstances. The FTC advises businesses to consider information-security risks involving vendors with access to sensitive data, including the oversight of external providers. [C5]

For a technical discussion: different departments may hold different versions of the same transaction. Contract records, enrollment screens, support logs, and system information may clarify the factual sequence; deciding which evidence matters and what steps follow requires professional judgment.

> Hypothetical situation. A customer requests cancellation through an official channel and receives confirmation, yet the payment provider continues recurring charges because two systems did not synchronize. Professional assessment must consider the facts, records, and applicable requirements before determining remedies or responsibility.

03 | OPERATIONAL CONTROLS

# Complaints, data, and organizational learning

## Complaints as early signals

A complaint does not automatically establish unlawful conduct. Still, when categorized by topic and recurrence, complaints may point to problems in communication, billing, delivery, or third-party operations. A customer service channel is useful for more than receiving messages: an important question is whether significant concerns reach the individuals responsible for investigating causes and considering operational changes.

## Personal information and trust

Consumer information can move between sales systems, payment providers, marketing tools, and support teams. The FTC recommends understanding what information is held, collecting only what is needed, safeguarding it, disposing of it appropriately, and planning for incidents. These principles inform governance discussions but are not a substitute for analysis of specific privacy and cybersecurity requirements. [C6]

## From isolated fixes to prevention

Resolving a single customer problem differs from checking whether similar conditions exist across other channels or branches. A business may respond quickly to one customer without understanding why the same problem keeps recurring. Preventive work brings together reported signals, documented decisions, internal accountability, professional review, and later monitoring, using an approach proportionate to the organization's risks and resources.

For a technical discussion: approximate dates, recurring topics, incoming channels, and management responses may help frame questions. Identifying individual consumers need not be part of an initial trend discussion, while data processing always calls for appropriate purpose, access safeguards, and review of applicable legal requirements.

> Hypothetical situation. Scattered complaints about unapplied discounts arise through different support channels. Viewed individually, they look like isolated errors; considered together, they may justify examining the connection between systems and teams, without establishing their legal seriousness.

04 | STRUCTURED REFLECTION

# Questions worth discussing with a professional

## Discussion prompts, not scoring criteria

1. Can the business explain why its main commercial claims match the customer experience?
2. Are changes to offers or prices communicated consistently across sales and support channels?
3. Do consumers repeatedly express confusion about fees, renewals, or ending a subscription?
4. Are there meaningful differences between promised service and the work performed by teams or vendors?
5. Can feedback distinguish one-off problems from recurring operational patterns?
6. Do decision-makers know when specialized regulatory advice is appropriate?
7. Do external vendors and systems raise questions about consumer data or communications?
8. Is there a way to observe whether an operational change helped in practice?

## When professional review becomes especially important

Review is particularly important when federal or state law may apply differently, policies and actual conduct diverge, technical claims appear in marketing, billing is disputed, data may have been exposed, or complaints recur. Qualified professionals must consider jurisdiction, industry, materiality, evidence, history, and regulatory duties before recommending action.

## What this checklist cannot establish

Answering “yes” or “no” does not yield a compliance diagnosis, maturity level, legal opinion, certification, sanction likelihood, or assurance that a business meets legal requirements. This publication does not reproduce the Enterprise Compliance Navigator’s proprietary questions, internal rules, or classification criteria.

The checklist improves business questions; it does not provide standardized legal answers.

REFERENCES | SCOPE | VERSION

## Official sources and limits of use

[C1] Federal Trade Commission, Advertising and Marketing Basics

https://www.ftc.gov/business-guidance/advertising-marketing/advertising-marketing-basics

Truthfulness, non-deception, and substantiation of advertising claims.

[C2] FTC, The Rule on Unfair or Deceptive Fees: Frequently Asked Questions

https://www.ftc.gov/business-guidance/resources/rule-unfair-or-deceptive-fees-frequently-asked-questions

Sector-specific illustration: live-event tickets and short-term lodging.

[C3] FTC, The Consumer Reviews and Testimonials Rule: Questions and Answers

https://www.ftc.gov/business-guidance/resources/consumer-reviews-testimonials-rule-questions-answers

Reviews and testimonials, including contextual limits.

[C4] FTC, Does your business offer subscription services? (2025)

https://search.ftc.gov/business-guidance/blog/2025/09/does-your-business-offer-subscription-services-learn-about-ftcs-settlement-chegg

An illustrative ROSCA matter involving subscriptions and cancellation.

[C5] FTC, Cybersecurity for Small Business

https://www.ftc.gov/business-guidance/small-businesses/cybersecurity

Vendor risks and access to sensitive information.

[C6] FTC, Protecting Personal Information: A Guide for Business

https://www.ftc.gov/business-guidance/resources/protecting-personal-information-guide-business

Introductory data-minimization and security principles.

Methodological note. These are publicly available government educational resources. Citation does not mean the FTC reviewed, endorsed, or certified this publication. Law and agency guidance may change. This material is educational only, not legal advice, a compliance assessment, audit, opinion, or certification. Specific U.S. matters require review by appropriately licensed or qualified professionals in the relevant jurisdiction.