

Customer Support Ruling
Mailing Standards
Headquarters, US Postal Service
Washington DC 20260-6808

Negative Option Subscription Forms

PS-244 (E212, C200.1)

REVISED October 1996

This ruling pertains to the permissibility of inserting loose so-called negative option subscription forms in copies of a general publication or requester publication mailed at the Periodicals rates of postage.

Domestic Mail Manual (DMM) E212.1.2, provides that general publications must have a legitimate list of subscribers who have paid or promised to pay, at a rate above a nominal rate, for copies to be received during a stated time. Publishers must be able to show that subscriptions to their publications have been voluntarily made, that the subscription price has been paid or definitely promised, and that the relationship of the subscriber is clearly understood and fully agreed to.

Copies mailed in fulfillment of so-called negative option subscription offers are considered to be nonsubscriber copies and nonrequester copies. Thus, a printed form which does not contain a space for ordering or requesting a subscription and in which it is indicated that the addressee will receive a free 12-month subscription to a particular named general publication or requester publication unless the printed form is returned to the publisher is not considered to be a subscription order form or a form for requesting a requester publication. Since the form does not constitute a subscription order form or a form for requesting a requester publication, similarly prepared forms may not be enclosed loose (under DMM C200.1.4) in copies of a general publication or requester publication mailed at the Periodicals rates of postage.

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