



CAN--SPAM: Basic Email Compliance Tips

In 2003, the Controlling the Assault of Non-Solicited Pornography And Marketing Act (CAN-SPAM Act) became law. It was a big step toward cleaning up the "Wild West" of email marketing. Continuing that clean-up, in 2008 the Federal Trade Commission (FTC) modified the act, allowing email marketers to use their "accurately registered post office box or private mailbox" instead of a "valid physical postal address" in their emails. The CAN-SPAM act, however, has not changed much over the years and should be followed not only because it is the law but also because it will make your email communication more effective.

What You Must Include in Every Email Marketing Message You Send

- The CAN-SPAM act requires you to include a valid postal address in all of your emails. Although it's easy enough to do, many people seem to forget this rule. But it's just good marketing, as greater transparency leads to greater trust by your subscribers.
- The law requires that your subscribers have a way to unsubscribe from your emails. An unsubscribe link should be at the bottom of each email.
- The law also requires that you use a valid "From" email address. In addition, as noted earlier, the law requires that you include a postal box or physical mailing address in each commercial email you send.
- The law requires that your emails include a relevant subject line. This is not only good law but also smart marketing. If your email does not contain a good, relevant subject line, you will be out of compliance—and, more importantly, you won't entice your subscribers to consider your offer. Nobody wants to be bamboozled by a deceptive or ambiguous subject line. In addition, studies have found that most email marketing messages are not opened; so, if you have an ambiguous or deceptive subject line, you have missed a chance to put your brand or message in front of subscribers. Even if the subscriber does not open a particular email, he or she may be reminded of your brand or message by a relevant subject line and From address. It's probable that not all your subscribers always have time to read your emails... and so they browse, as they might newspaper headlines.

Do Not Cross the Permission Line

CAN-SPAM expressly forbids harvesting emails from the Web and similar practices, which are not only against the law but also harmful to your email marketing. You must have either the permission of the recipient to communicate with them via email or you must have an established business relationship with the individual. The bSmart Rewards platform does not allow you to import email addresses. Instead, email addresses can only be added at the terminal/POS to the members account or by the member themselves at www.bsmartbalance.com. These secure environments ensure that you are gaining permission from the member to communicate with them via email. Some spam complaints are inevitable, even with the best permission-based list; however, too many spam complaints damage the reputation of the IP address from which you are sending email, reducing the delivery rate to the core of your list—those who really want to hear from you.

Take It a Step Further

You can greatly enhance your legitimacy as an email marketer by not using a free email address but a real domain name (e.g., yourcompany.com)—although doing so is not required by CAN-SPAM. Use your free email address for personal emails but not for your email marketing campaigns. If you have not done so yet, register a domain name; it costs less than \$10 per year. Though a subject such as "newsletter" might be relevant, it does not optimally inspire your subscribers to open the email; and if they do not open the email, the subject line does not reinforce your brand or message. Make your subject lines both relevant and compelling.

The bottom line is this: Meeting CAN-SPAM requirements is the responsibility of the sender, not the organization or company that provides the ability to send an email.

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