

## A Helpful New Consumer Protection Handbook

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Consumer Protection Handbook  
Section of Antitrust Law, American Bar Association (2004)

Consumer protection law is too often the handmaiden of antitrust law. In fact the two areas of law are simply two different sides to the question of consumer sovereignty and choice.<sup>1</sup> However, in reality most practitioners and policy makers specialize in either one or the other. For competition practitioners, the new Consumer Protection Handbook from the American Bar Association provides an excellent overview of the basic consumer protection principles in the United States. The emphasis is on the law of false advertising, unfair and deceptive trade practices, and privacy. By design, the Handbook does not cover the equally important fields of the regulation of consumer credit transactions.

Chapter 1 presents an overview of consumer protections issue such as deception, consumer fraud, false advertising, unfair practices, and privacy. Chapter 2 discusses the enforcement of the federal consumer protection laws, both publicly by the United States Federal Trade Commission and privately under the federal Lanham Act.<sup>2</sup> Chapter 3 covers in even more summary fashion the general provisions and enforcement of state consumer protection laws by state attorney general and private rights of actions.

The brevity and breadth of the Handbook is both its strength and its weakness. Any of the individual topics it covers is worthy of treatises of its own.<sup>3</sup> Nonetheless, the Handbook accomplishes its chosen task of being an introduction and overview for the non-specialist and, along with its helpful appendices of federal and state laws on the subject, represents a useful starting place for research by both practitioners and students.

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<sup>1</sup> Neil W. Averitt and Robert H. Lande, "Consumer Sovereignty: A Unified Theory of Antitrust and Consumer Protection Law," 65 Antitrust Law Journal 713 (1997).

<sup>2</sup> 15 U.S.C. § 1125(a).

<sup>3</sup> For example, the substantive laws enforced by the Federal Trade Commission and its procedures are well covered in a two volume treatise STEPHANIE W. KANWIT, FEDERAL TRADE COMMISSION (Thompson 2005).