



What kind of email does this apply to?

-  CAN-SPAM applies to any electronic commercial communication that promotes a service or product.
-  There is an exception to “transactional emails” if the communication speaks to information around a pre-existing business relationship

1

Avoid using misleading information

Your subject line, “From”, “Reply To” and routing information should all be accurately aligned to your identity and the purpose of the message.



2

Identify your message as an ad

While there is leeway in how this can be done, it must be clearly stated that your message is an advertisement somewhere in your email.



3

Include your physical location

You must include a physical postal address registered to your organization. This is usually included in your email footer



4

Make it easy to opt-out

There must be a clear and conspicuous way for recipients to opt out of receiving an email from you. This opt out link is usually included in your email footer.



5

Honor opt-out requests promptly

You must process opt-outs within 10 business days of the request. You must keep these opt-outs on a suppression list permanently unless they request in writing to be re-added to your list.



6

Monitor all activity on your behalf

Even if working with a 3rd party, you are legally responsible to comply with these regulations. Ensure any other company working on your behalf is following compliance requirements.



Penalties for failure to comply:

Each email out of compliance with the CAN-SPAM Act can result in a \$16,000 fine. Any misleading claims about service or products can result in imprisonment.