

— FIELD GUIDE · YOUR RIGHTS

The FTC Funeral Rule in Plain English

You have more rights than the funeral home wants you to know. Here they are.

The Federal Trade Commission's Funeral Rule is one of the most important and least-known consumer protections in the United States. It has been in effect since 1984, it applies to every funeral home in all fifty states, and it gives you specific, enforceable rights when buying funeral goods and services. Most Americans have never heard of it.

The funeral trade is a strange consumer market. Purchases are made during acute grief, comparison shopping feels disrespectful, the buyer has little experience, and the seller has near-total information advantage. The FTC recognised this and built a rule to level the field — not perfectly, but meaningfully. Here is what it says, in language a normal person can use.

Your Right to an Itemised Price List

Every funeral home must give you a General Price List at the start of any in-person discussion of arrangements. This is not optional. The list must show the price of every item and service individually: the basic services fee, body preparation, use of facilities, vehicles, every casket by model including the least expensive, and every outer burial container. The rule also includes a phone provision: if you call and ask for prices, they must give them — you do not need to visit, and you do not need to give your name.

Your Right to Buy a Casket Anywhere

This is the most consequential provision for green burial. You have the right to buy a casket from any source — online, a third-party retailer, or a carpenter — and the funeral home must accept it. They cannot refuse to use it, and they cannot charge a handling fee. This matters

because caskets are the trade's highest-margin product, often sold at several times what the home paid. The rule does not prohibit the markup; it gives you the right to bypass it. For green burial specifically, this means you can bring a mushroom coffin, a woven willow casket, or a plain pine box from any maker, and the home must accept it. Some homes comply reluctantly, discouraging outside purchases with comments about fit or quality; these are almost always without merit. A casket is a box. If it fits the body and meets the cemetery's requirements, it works.

Your Right to Decline Embalming

The rule requires funeral homes to tell you that embalming is not required by law in most circumstances, and to get your explicit permission before embalming. A few states require it in narrow situations — when a body will not be buried or cremated within a certain window, when it is transported across state lines by common carrier, or after death from certain communicable diseases — but even then, refrigeration is almost always an acceptable alternative, and the rule requires homes to disclose that.

Your Right to Choose Only What You Need

The rule prohibits a home from requiring you to buy goods or services you do not want as a condition of getting ones you do. You cannot be required to buy a casket as a condition of cremation — a cardboard container is always available; you cannot be required to buy embalming to use the facilities; and you cannot be required to buy a vault for burial unless the specific cemetery requires one, which is the cemetery's rule, not the home's. The one exception is the basic services fee, the non-declinable overhead charge added to every arrangement.

The Vault Disclosure

The rule requires a specific disclosure about vaults and grave liners:

In most areas of the country, state or local law does not require that you buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in.

This matters because many families are led to believe vaults are legally required. They are not. They are a cemetery requirement, and many cemeteries — all green ones and a growing number of conventional ones — do not require them.

The Restrictive States

The rule is federal and applies everywhere, but roughly ten states have additional regulations that are more restrictive for third-party sellers, or industry practices that create friction. Some have tried to limit who can sell caskets to licensed funeral directors; several such laws have been challenged and struck down, but the landscape is not uniform. In practice the Funeral Rule overrides these for funeral homes — a home cannot refuse your outside casket — but some states still make it harder for third-party retailers to operate. Alabama, Georgia, Louisiana, Oklahoma, South Carolina, and Virginia have historically had the most restrictive regulations. If you are planning a green burial in one of these, be prepared for possible friction — not illegality, but cultural resistance.

How to Use the Rule

Ask for the General Price List before discussing anything else; if a home will not provide one, that is a federal violation. Call several homes for phone quotes and compare. Buy your casket separately if you are planning a green burial, and present it, citing the rule if they object. Decline what you do not need. And if a home refuses an outside casket, charges a handling fee for one, fails to provide a price list, or ties services together, document it — you can file with the Federal Trade Commission at reportfraud.ftc.gov or 1-877-FTC-HELP, with your state's Attorney General, and with your state's funeral regulatory board. The FTC rarely intervenes in individual cases, but complaints build the enforcement patterns that make a home a target for investigation.

Why This Matters

The Funeral Rule is why an ecological deathcare choice is possible at all. Without it, funeral homes could refuse the mushroom coffins, biodegradable urns, and eco-caskets that make green burial practical. The rule ensures your right to buy burial products from any source, and to decline what you do not want, is federally protected. You buy from the source you choose; your funeral home accepts it. That is the law.

A NOTE ON THIS GUIDE

This guide is for general information and reflects conditions as of 2026. Laws and consumer rights vary by state and change over time. Nothing here is legal advice; for guidance on your own situation, consult a qualified attorney in your state.