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Rising Junk Fee Enforcement Means Businesses Should Be Proactive

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Troutman Pepper Locke attorneys examine the recent wave of laws and regulations targeting junk fees at both the state and federal level.

Given rising federal and state enforcement on “junk fees,” businesses should confirm their advertising reflects total prices and review consumer feedback to ensure compliance.

Junk fees refer to the additional charges on goods and services—such as convenience fees, processing fees, and service fees—that aren’t properly disclosed by businesses upfront but revealed at the final stages of a purchasing process. This tactic is also known as drip pricing.

The Federal Trade Commission late last year issued its final rule on unfair or deceptive fees, an unprecedented move to combat junk fees in the hospitality and entertainment sectors. Despite the change of executive administration, which led some to expect a potential decrease in enforcement vigor, junk fees and drip pricing practices remain a bipartisan concern.

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