



## Questions people ask

By Don Hopkins  
Executive Vice President, BBB

**Q: I get the idea that the Better Business Bureau is against consumer protection laws. Is that true?**  
D. B., Bakersfield.

**A:** The best protected consumer is the best educated consumer. The passing of more and more restrictive legislation does little to protect the consumer. If all that was necessary to correct a problem was to pass a law, then it would seem that we should have no more burglaries, no more murders, rape or drug abuse since we have laws forbidding such crimes.

It is the contention of the Better Business Bureau that laws alone will be of little benefit in protecting the consumer. What we need is an on-going, greatly increased effort to teach consumers what to look for and how to buy. And even more important, make the consumer realize that he has responsibilities too.

**Q: I've called your office a number of times when I've had complaints against various companies and sometimes you've been able to help and sometimes you say the BBB cannot become involved in certain problems. My question is, just what matters is the Better Business Bureau concerned with?**  
S. R., Bakersfield.

**A:** The basic concern of the Better Business Bureau in marketplace complaints is misrepresentation by the seller of goods or services. Specifically, actionable complaints usually involve one or more of the following:

- (1) A guarantee or warranty has not been fulfilled.
- (2) Promises made concerning adjustments have not been kept.
- (3) The product or service purchased is not what it was represented to be.
- (4) Delivery of merchandise has not been made.
- (5) Unsatisfactory installation/or service work.
- (6) Advertised items are not available for purchase.

However, you should be aware that the Better Business Bureau is not just a complaint department. Of the 50,000 individual instances of service we provide free of charge each year (and going up) only 10 per cent are complaints. The rest involve assisting consumers which includes giving reliability reports on firms to inquirers before they do business with them.

**Q: I sent the trousers of a three-piece suit (almost brand new) to be cleaned and the drycleaner lost them. Now the cleaner says he will only reimburse me for the cost of the trousers but the rest of the suit is worthless without the pants. I think he should pay me for the whole suit.**  
J. L., Taft.

**A:** The National Fair Claims Guide (used by BBBs and Small Claims courts) states: "Liability for adjustment shall be limited to those items actually received for servicing. For example, unless all three pieces of a three-piece suit are received, liability shall extend only to the part of the garment actually handled. Likewise, if only one drapery of a set is serviced and is damaged in the process, responsibility shall be limited to the one drapery received."

**Q: We had a burglary of our home recently and the insurance adjuster has questioned the value of some of the items that were stolen. Do you have any suggestions?**  
P. C., Bakersfield.

**A:** Any suggestions I might have would be a little late for you since the burglary has already occurred and the burden of proof is always on the loser. For those who have not yet suffered the unfortunate experience of loss by fire or theft, I can advise the following two procedures:

- (1) Inventory your possessions, room by room. List everything of real value. Put the list in an envelope along with receipts and other proof of worth and ownership in a safe place outside your home -- like your safe deposit box. It is also a good idea to photograph each room and date each picture.
- (2) Have your valuables appraised. Anything costing enough to schedule under an insurance "floater" policy should be professionally appraised. (The appraisals should go in that envelope mentioned above).

**Q: Can a store legally limit the number of items a person can buy?**  
R. M., Elano.

**A:** Since I am not an attorney, I won't give you a legal opinion but I will give you a Better Business Bureau opinion. If the item is advertised and there is a limitation clearly noted in the ad, it is quite proper for a store to limit the number of items that can be purchased. An advertisement is an offer to sell and if restrictions or qualifications are clearly spelled out in the advertisement, the consumer can then decide for himself if he wishes to respond.

Also, we see nothing wrong with items that are not advertised but have limitations placed on them at the point of purchase. This occurred in a number of stores a few months ago with coffee when no one knew from one day to the next where the price was going.

**Q: I am not sending in my membership dues as I do not feel the Better Business Bureau represents business but rather the consumer.**  
L. S., Bakersfield.

**A:** You, sir, amaze me. You have been a member of this BBB for eight years and yet you apparently have never understood what our organization is all about. Of course we represent consumers! And legitimate business firms have been footing the bill for this service for 25 years because they realize that it is vital to them to see that the consumer gets a fair shake.

If you have been laboring under the misapprehension that the BBB is a private hunting club, dedicated to the protection of any and all kinds of business, I do believe we are better off without you. Fortunately, 1,250 local business and professional firms realize that their present and future livelihood depends, to a great extent, on how effective this Better Business Bureau is in coping with false advertisers, the shady operators, the phoney promoters who prey on their clients and customers. And they realize too that the BBB offers the opportunity of self-regulation as opposed to more and more government regulation.

## Prize pig \$10 a pound; oink, oink?

Burt Costa, fair exhibitor, tells his prize pig to hog all the food if he wants. Fair queen Jackie Nord and Costa were just told the pig was purchased for \$10 a pound. And at 236 pounds, that's more than just a little pork on the hoof.

Don Barkley of Kern County Equipment Company bought the top-selling pig at the fair this year. Below, the porker has had enough food and settles down for a quick nap. — Staff photos by Alan Ferguson



## Acre rule questioned by agency

Should federal reclamation law and the 160-acre limitation apply to the California State Water Project?

The Kern County Water Agency says not. And at a recent hearing in Fresno before the California Senate Committee on Agriculture and Water, Edward J. Tiedemann, an attorney appearing in behalf of the agency, called for revisions in the rules recently proposed by the Department of the Interior.

While the Kern County Water Agency is not a contractor of Bureau of Reclamation water, it has a number of federal contractors within its geographic boundaries, and expects to address itself at a later date to the problems the proposed rules would pose to those districts.

The agency's concern, voiced by Tiedemann at the Fresno hearing, was about the effects the new regulations might have on delivery of State Project Water through the facilities of the San Luis Unit of the Federal Central Valley Project.

While the latest announcement out of Washington indicates the proposed regulations are not intended to subject the State Water Project to federal reclamation law, the agency spokesman thinks some revisions in wording leaves something to be desired at the point of clarity and precision if some of the present confusion is to be cleared up.

The proposed rules indicate the 160-acre limitation would apply to lands served by all waters which are "commingled."

The rules presently say that commingled waters are project or non-project waters delivered by or through a non-federally constructed facility.

Tiedemann pointed out to the committee that the San Luis Unit of the Federal Central Valley Project was constructed by the federal government, but financed jointly by the United States and the state of California.

Consequently, the agency spokesman feels that without some amendment there may be an attempt to apply reclamation law to the non-subsidized State Project because the proposed rules appear to apply even to those facilities constructed though not necessarily financed by the Federal Government.

## 2 guilty in robbery

Two Bakersfield men are scheduled to be sentenced Oct. 18 for the June 17 robbery of a vacationing family at the Ramada Inn.

Donald Wayne Musgrove, 22, 1825 Virginia Street and Donnie Lyle Lewis, 24, who lists himself as a transient, were found guilty by a jury in Superior Court Judge William A. Stone's court.

The David L. McClanahan family of Olympia, Wash. testified two men forced their way into their motel room about 10 p.m. One was armed with a sawed-off shotgun.

McClanahan, his wife and his two teenaged children were forced to lie on the floor while the pair robbed McClanahan of \$864 in cash and travelers' checks.

The intruders fled, but were later identified by the family members from a photo lineup and arrested.

Deputy District Attorney Lee Felice prosecuted the case.

Deputy Public Defender Holly Brown, representing Musgrove, and attorney Dennis Beaver, representing Lewis, argued the identification was invalid. The family's description was vague, the attorneys said, even directly after the crime when the events were fresh in their minds.

## Deukmejian uncertain on Peripheral

State Sen. George Deukmejian, R-Long Beach, says its "anyone's guess" what the outcome will be on a proposal for Peripheral Canal construction.

"It is in a joint (Senate-Assembly) conference committee," Deukmejian, the House Minority Leader said Thursday. "But I won't even speculate on the outcome."

A candidate for attorney general, Deukmejian was in Bakersfield to rally support for Assemblyman William Thomas, R-Bakersfield, who is seeking a third term.

The issue is expected to be considered again by the legislature in January. The session ended earlier this month without a solution.

As proposed the 43-mile canal would carry Sacramento River water through the Sacramento-San Joaquin Delta for export through the California Aqueduct to Southern California.

Deukmejian said he first supported the bill before it went to the Assembly. He voted against it when it returned to the Senate with the Assembly amendments.

## World

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among Kern County agencies which have passed resolution endorsing Expo 81.

The fair, which will mark the 200th anniversary of Los Angeles, will be held on the grounds of the Ontario Motor Speedway. The 697-acre site will feature exhibits from industry, nations and states of the United States.

Logan sees his job right now as a promoter. "I have to let people know about it and let them know how it will benefit them," he said.

To do this he is arranging talks by fair officials for various civic groups. Ted Dutton, vice chairman of the fair commissioners, a major Los Angeles land developer, recently spoke before the Bakersfield Rotary Club, at Logan's invitation.

Jack Kelly, chairman of the commissioners, has been scheduled by Logan to address several Kern County Kiwanis clubs in a joint meeting on Oct. 24.

"He'll deliver a progress report," said Logan. "And believe me, people will be surprised how far along things have gotten."

Logan said as it gets closer to 1981 tv, radio and newspaper advertising will promote the fair in Kern County and suggest ways for Kern to benefit from its proximity to the fair site.

Mrs. Nelson sees the fair as a major opportunity to promote the recreational and scenic attractions of eastern California.

She said she has been working on forming an association among all chambers from Ridgecrest to Bishop to promote tourism and Expo 81 should aid it.

"It will be a relatively easy drive from the fair up Highway 395 to our area," said Mrs. Nelson.

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to monitor the program to see if it is working effectively.

The law requires convicted felons to spend a specific amount of time in prison before a parole is considered.

"If it doesn't work, then I will have to take steps to get legislation enacted to change the law. My real concern is safety for those in the community," he said.

Now in his 15th year in the legisla-

## Staff unsuccessful in search for Collingwood

Has anyone visited Camp Collingwood on Breckenridge Mountain lately? The camp was the site 50 years ago of a planting of Giant Sequoia trees by citizens then prominent in Kern County.

The question today is, what has happened to the trees? And further, just where is Camp Collingwood?

Have the trees, like the citizens, passed on, or have they survived Time's inexorable demand?

The Californian staff has researched the whereabouts of Camp Collingwood, but so far without avail. Blind alleys followed so far include maps going back to 1890 of Mt. Breckenridge, interviews with personnel of the U.S. Forest Service, Kern County's Board of Trade and Museum, and the Bureau of Land Management?

Paul Savercool, manager of the Kern County office of BLM, points out that half a century ago, Mt. Breckenridge was within its bailiwick, and later was placed under the aegis of the U.S. Forest Service. Even now, Savercool is probing microfilm records in the BLM archives at Sacramento for a trace of Camp Collingwood. Once that is found, The Californian believes, the mystery of the Giant Sequoias' fate may be learned.

How did it all start? Well, there was this article in the 50-year-ago today column: "Giant Sequoias planted at Mt. Breckenridge in what is believed to be the southernmost planting of the stately trees." The date was Sept. 26, 1927.

## Police stage big drug bust

EARLIMART (AP) — An estimated \$2.5 million worth of heroin was confiscated in a drug raid here, authorities reported yesterday.

Tulare County and federal officers confiscated more than three pounds of heroin plus some firearms and \$2,500 in cash.

They arrested Pedro Fernandez, 56, and Audon Fernandez, 30, for investigation of violating federal narcotics laws.

Montenegro Perez, 23, was booked

for investigation of possessing heroin for sale, and Canrado Acosta, 34, was booked for investigation of assaulting a peace officer.

## Shell Oil reports theft of analyzer

An oxygen analyzer worth more than \$2,600 was stolen from a rig near Interstate 5 and Twisselman Road, a supervisor for Shell Oil Company reported to the sheriff's department.

Younger has announced plans to seek the Republican nomination for governor.

## Candidate wants wire taps

Deukmejian said he has received support from 27 sheriffs, although Kern County Sheriff Al Loustalot isn't one of them, he said.

He expects the campaign through the June primary to cost about \$300,000.

He also has the advantage of staying in the legislature if he doesn't win the attorney general post because his senate term ends in 1980.

Deukmejian said his campaign will include offering voters a program to reduce juvenile crime. The idea is to reach the youth before they get into serious trouble.

He has run for the post twice, once in 1970 and again in 1974, both times losing to Evelle Younger.