



The Web Page

► by **Angie Denton**, director of Web marketing

What is spam?

“Spam” is not just a processed meat product (SPAM®) that comes in a can. Today, “spam” is the term used to describe junk e-mail that is not requested by the receiver. E-mail has become a powerful communications tool and is used by millions of people. As the use of e-mail has increased, so has its abuse.

Abusing the system

Someone sending e-mail incurs no incremental cost; sending one message costs about the same as sending 100 messages. Some people use this feature of e-mail to send messages to thousands, even millions, of people at once. This is called mass or bulk e-mailing.

Unsolicited bulk e-mailing (UBE), or sending spam, is the act of flooding the Internet with many copies of the same message. In most cases these e-mails are usually advertisements that are sent to people who did not ask to receive them.

UBE is undoubtedly the largest form of e-mail abuse today. There are automated e-mail-sending programs that can send millions of messages a day. The bandwidth, storage space and time consumed by such massive mailing are incredible. According to

an online source, one month’s worth of mailings from one bulk e-mail outfit was estimated at more than 134 gigabytes (GB). Each message was sent over the e-mail wires, consuming bandwidth. Then, each message was either stored locally or “bounced” back to the sender, taking up storage space and even more bandwidth. Finally, each e-mail box holder was forced to spend time dealing with the message.

By request

Notable exceptions to bulk e-mail abuse are legitimate mailing lists, where people subscribe to receive messages pertaining to a particular subject. These lists can be large, and they can account for large numbers of messages being sent, but they are in no way an abuse of the e-mail system. They are a great example of the power of e-mail.

An example of a bulk e-mail list is the Angus e-List, an e-news service developed by Angus Productions Inc. (API) that is used to distribute current Angus, beef industry and general agricultural information to producers’ e-mail boxes.

Interested e-mail users can subscribe to the Angus e-List at www.angusjournal.com or by e-mailing listmaster@angusjournal.com. To see an archive of past e-Lists you can logon to www.angusjournal.com/anguselist.

Solicited vs. unsolicited e-mail

Not all unsolicited e-mail is abuse of the system. For example, receiving “unsolicited” e-mail from a friend or relative is certainly not abuse.

As a marketer there are several ways you can legally solicit e-mail, including having potential customers fill out a form on your Web site, which allows browsers to sign up to receive e-mail or to join your mailing list.

There are several ways commercial marketers can obtain e-mail addresses without the receiver’s permission. They can . . .

1. Run programs that collect e-mail addresses out of Usenet posting headers.
2. Cull them from subscriber lists.

Spam FAQs

The following is excerpted from www.cauce.org. The Coalition Against Unsolicited Commercial E-mail (CAUCE) is an *ad hoc*, all volunteer organization created by Netizens to advocate for a legislative solution to the problem of unsolicited commercial e-mail (UCE, aka “spam”).

Q Isn’t spam protected by national free speech laws?

A No. Free speech guarantees you the right to say what you want, within reason. It does not guarantee you a platform to make yourself heard in. For example, a newspaper advertisement must fit within the paper’s advertising guidelines, and the advertiser must pay for the costs of distribution. Spam does neither of these.

Q Isn’t spam just the same as traditional paper advertising (third-class or “junk” mail)?

A No. Third-class mailers pay a fee to distribute their materials. Spam is the equivalent of third-class mail that arrives postage-due. Real people pay real money, in the form of disk space charges, connect time or even long-distance Internet connections, to transmit and receive junk e-mail and

newsgroup postings. Unless we utterly overhaul the Internet’s mail and news software to charge a mailing fee, spam is taking advantage of the cooperative nature of the Internet.

Indeed, spam is most like junk faxes, which are sent at the convenience of the sender and the expense of the recipient. With third-class mail, if you don’t want it, you throw it out, and it takes very little time. If you are interested, you open it. It costs you and your provider money to receive spam whether you ever read it or not.

Q Isn’t spam the equivalent of traditional telemarketing?

A No. Laws in many countries closely regulate traditional telemarketers. For example, in the United States they are prohibited from calling businesses, and they are required to stop calling anyone who asks to be put on their “do-not-call” list. Spammers do not follow these, or any of the other, restrictions on telemarketers. If you complain about spammers, they often harass you, and if you call their provider, you get indifference much of the time.

3. Use Web-crawling programs that look for mailto: codes in HTML documents.
4. Obtain them from online "white pages" directories.
5. Buy a list from someone.
6. Take them from you without your knowledge when you visit their Web site.

How do I keep my address off the lists?

The only way to guarantee you don't get "junk e-mail" is not to browse the Web. Don't give out your e-mail address, don't put your e-mail address on a Web page, don't subscribe to a large Internet service provider (ISP), and don't post to Usenet. In other words, don't use the Internet.

Some people have taken to forging their own "From" and "Reply-to" lines to outsmart e-mail marketers. They might add an easily recognized "spam-block" to their address, or they might use those header lines to tell folks where to look for their real address (usually in the signature).

If you do a lot of Web browsing, be careful about filling out forms; there are some who sell addresses collected in this manner. Don't assume that because you are

GLOSSARY:

Bulk e-mail: Bulk e-mail is any group of messages with substantially identical content sent via e-mail to a large number of addresses at once. Sending bulk e-mail is not necessarily an abuse of the e-mail system if the sender has a legitimate mailing list with willing recipients.

Commercial e-mail: Commercial e-mail is any e-mail message sent for the purposes of distributing information about a for-profit institution, soliciting purchase of products or services, or soliciting any transfer of funds. It also includes commercial activities by not-for-profit institutions.

Unsolicited bulk e-mail (UBE): UBE is e-mail with substantially identical content sent to many recipients who did not ask to receive it.

Unsolicited commercial e-mail (UCE): UCE is e-mail containing commercial information that has been sent to a recipient who did not ask to receive it. UCE must be commercial in nature, but does not imply massive numbers.

visiting the site of a "reputable" company that this will not happen to you. Read the fine print when submitting any form, many will have check boxes that allow you to deny the distribution of your e-mail address or for you to sign up for various e-mail services.

Some people set up a separate e-mail account to use when filling out Web forms and other solicitation materials. This allows them to sort the "spam" into another account.

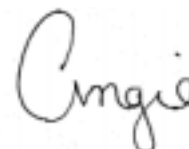
Another way to reduce the burden of spam is through the use of junk mail filters in your e-mail program. If you do use this option, be sure to set exceptions to e-mail lists you have subscribed to, or in most cases those will be filtered with the *real* junk e-mail.

Getting off the lists

Once you are on an e-mail list it is sometimes hard to get removed. You may continue to receive e-mails from several

different companies who have purchased the list. In most cases there should be a disclaimer line in commercial e-mail you receive, which explains how you can be removed from the list. Usually, you hit reply and in the subject line type "remove."

If the amount of spam you receive becomes overwhelming, the only sure way to stop it is to cancel your current e-mail account (address) and get a new one. And the next time, be more careful in distributing your address.



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Editor's Note: *The American Angus Association and Angus Productions Inc. do not sell or distribute e-mail lists of its members.*

Q There is a central clearinghouse you can write to get your name taken off of most direct-mail advertisers' mailing lists. Is there an equivalent for electronic advertising?

A No. A few people have advertised such a service (generally through spam), but people who tested them with new e-mail addresses made up for that purpose found them flooded with spam within a few weeks.

There is just no enforcement mechanism for such a list. If we compiled a list and gave it to the spammers to delete, chances are they would just add all of the addresses to their target lists.

Q Is spam legal?

A Maybe.

Part of the problem is that the explosive growth of the Internet, and the very recent rise of professional spammers, has moved much faster than the laws or the knowledge of the people who are supposed to enforce them.

Many people think that spam can be shoehorned into the

provisions of the U.S. anti-junk-fax and telemarketer regulation laws (U.S. Code 47.5.11), but to our knowledge this has not yet been tested in court. [The U.S. Federal Communications Commission (FCC) has jurisdiction over interstate junk faxes.]

There's a good chance that spam is illegal under various state laws. For example, a case has been brought against a spammer based on the Washington state junk-fax law. The Washington law defines a telefacsimile message as "the transmittal of electronic signals over telephone lines for conversion into written text."

In the United States everything not explicitly illegal is permitted. Until a court makes a decision or Congress passes a law, spam may be legal here. However, there are plenty of precedents in common law and tort law that find similar activities illegal. In a nutshell, spamming is theft of service.

Another part of the problem is that many people want as little government interference in the Internet as possible.

Yet another facet is the international nature of the Internet. If one country passes laws against spam, professional spammers will just move abroad.