§ 2325. Definition
In this chapter, “telemarketing”—

(1) means a plan, program, promotion, or campaign that is conducted to induce—

(A) purchases of goods or services;
(B) participation in a contest or sweepstakes; or
(C) a charitable contribution, donation, or gift of money or any other thing of value,

by use of 1 or more interstate telephone calls initiated either by a person who is conducting the plan, program, promotion, or campaign or by a prospective purchaser or contest or sweepstakes participant or charitable contributor, or donor; but

(2) does not include the solicitation of sales through the mailing of a catalog that—

(A) contains a written description or illustration of the goods or services offered for sale;
(B) includes the business address of the seller;
(C) includes multiple pages of written material or illustration; and
(D) has been issued not less frequently than once a year,

if the person making the solicitation does not solicit customers by telephone but only receives calls initiated by customers in response to the catalog and during those calls takes orders without further solicitation.