

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright

In the Matter of)
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)
) Docket No. C-4416
Ecobaby Organics, Inc.,)
 a corporation.)
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COMPLAINT

The Federal Trade Commission, having read and believe that Ecobaby Organics, Inc. ("Respondent") has violated provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent is a California corporation with its principal office or place of business at 9541 Ridgehaven Ct., San Diego, CA 92123. Respondent does business under the names Ecobaby and Purerest.
2. Respondent manufactures, advertises, offers for sale, sells, and distributes "natural latex" mattresses, which are marketed as mattresses that conform to the sleeper's body shape and weight, as well as baby mattresses. Respondent distributes these mattresses through its website, www.purerest.com.
3. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 5 of the Federal Trade Commission Act.
4. Respondent has disseminated or has caused dissemination of promotional materials for its latex mattresses, including, but not limited to, print advertisements and website advertisements in the attached exhibits.
5. In many instances, including but not limited to the promotional materials shown in Exhibits 1 through 8, Respondent has prominently represented that:

- a. Respondent does not allow any Formaldehyde, Toluene, or Phenols in its latex mattresses. *See, e.g.,* Exhibit 1.
- b. Respondent's products do not contain Formaldehyde. *See, e.g.,* Exhibit 2.
- c. Respondent's latex mattresses contain no Toluene or Benzene. *See, e.g.,* Exhibit 3.
- d. The rubber used in Respondent's latex mattresses is "chemical free." *See, e.g.,* Exhibits 4-5.
- e. Respondent's mattresses are chemical free. *See, e.g.,* Exhibit 6.
- f. Respondent's crib mattresses contain no toxic substances. *See, e.g.,* Exhibit 7.
- g. Respondent's mattresses contain fewer contaminants and chemicals than other companies' memory foam or latex mattresses. *See, e.g.,* Exhibit 8.
- h. Tests show that Respondent's mattresses do not contain volatile organic compounds ("VOCs"). *See, e.g.,*

- a. NAOMI is an independent third-party certifier or organization with appropriate expertise in evaluating whether Respondent's mattresses meet objective standards; and
- b. NAOMI has awarded its seal to Respondent based on the application of NAOMI's objective standards.

11. In truth and in fact:

- a. NAOMI is not an independent third-party ce

THEREFORE, the Federal Trade Commission, this eighth day of November, 2013, has issued this complaint against Respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL: