

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

COMMISSIONERS: Jon Leibowitz, Chairman  
Pamela Jones Harbour  
William E. Kovacic

a corporation. ) DOCKET NO. C-  
\_\_\_\_\_ )

COMPLAINT

The Federal Trade Commission, having reason to believe that Tender Corporation (“respondent”), has violated provisions of the Federal Trade Commission Act, 15 U.S.C. § 41 *et seq.*, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Tender Corporation is a Delaware corporation with its principal office or place of business at 106 Burndy Road, Littleton, New Hampshire 03561.

2. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

3. Respondent advertises, labels, offers for sale, sells, and/or distributes goods under the brand name Fresh Bath to the public throughout the United States, including Fresh Bath Wipes and Fresh Bath Travel Wipes. Respondent advertises and offers these goods for sale through its Internet site [www.adventuremedicalkits.com](http://www.adventuremedicalkits.com) and through its catalog. Respondent also advertises, offers for sale, sells, or distributes these goods to retailers throughout the United States.

4. To induce consumers and retailers to purchase Fresh Bath (Travel) Wipes.



## UNSUBSTANTIATED REPRESENTATIONS

9. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that it possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 6, at the time the representations were made.

10. In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 6 at the time the representations were made.

11. Therefore, the representation set forth in Paragraph 9 was, and is, false or misleading.

12. The acts and practices of respondent as alleged in this complaint constitute deceptive acts or practices, in or affecting commerce, in violation of Section 5(a) of the Federal Trade Commission Act.

**THEREFORE**, the Federal Trade Commission, on this \_\_\_\_ day of \_\_\_\_\_, 2009, has issued this complaint against respondent.

By the Commission.

Donald S. Clark  
Secretary