

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580



Office of the Secretary

November 10, 2014

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State of Washington

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Thank you for commenting on the Federal Trade Commission’s proposed consent agreement in the above-referenced proceeding. The Commission has considered your comment and placed it on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission’s Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii).

In your comment, you request that the Commission “stop these people from lying to us,” and require marketers to substantiate their U.S.-origin and other claims. You do not propose any revisions to the draft complaint or the consent agreement.

Section 5 of the FTC Act requires companies to possess substantiation for their marketing claims, and the Commission’s Enforcement Policy Statement on U.S.-Origin Claims provides specific guidance to marketers on how to substantiate those claims.¹ In particular, the Policy Statement provides that when a marketer makes an unqualified “Made in USA” claim, the marketer should – at the time the representation is made – possess and rely upon a reasonable basis, the Commission has determined that the information set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. At this time, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without modification. The final Decision and Order and other relevant materials are available on the Commission’s website at <http://www.ftc.gov>. It helps the Commission’s analysis to hear from a variety of sources in its work, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary

¹ 15 U.S.C. § 45(a) (1997)



, 62 Fed. Reg. 63756, 63766 (December 2, 1997),

<http://www.ftc.gov/os/fedreg/1997/december/971202madeinusa.pdf>.