

s Rules of Practice, 16

deration.

caused to waste water equipment by
e,” when such is not the case. In light of your
n’s action in this matter,

Dear Mr. Cooper:
Thank you for commenting on the Federal Trade Commission’s proposed consent
agreement in the above-referenced proceeding. The Commission has placed your comment on
notify and take action against other
similar products. We believe that the final order
substantiation a manufacturer should possess
washable,” and we will continue to evaluate

rong further action should Nice-Pak fail to
mmission’s final order, it could be liable for
ion, pursuant to Section 5(1) of the FTC Act,
ion orders, Commission staff will closely
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d S. Clark
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UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jared Cummons
City of Bridgeport
State of West Virginia

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 4556

Dear Mr. Cummons:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should NicePak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(h) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor NicePak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Pruss
Burns & McDonnell
State of Missouri

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 13-0556

Dear Mr. Pruss

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, y

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Beth Eckert
Cape Fear Public Utility Authority
State of North Carolina

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Ms. Eckert

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's expense, you express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Adam D. Link
California Association of Sanitation Agencies
City of Sacramento
State of California

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Link:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

Your comment was submitted on behalf of the California Association of Sanitation Agencies ("CASA"), an association representing more than 115 entities that provide wastewater collection, treatment, clean energy and water recycling services to millions of Californians. Because of CASA's experiences, you fully support the Commission's action in this matter.

Specifically, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. This damage can lead to

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Moreover, you highlight the problem with wipes containing plastic, as that can reduce the water treatment agencies' ability to recover wastewater resources and may cause additional environmental problems. The Commission believes that it would be unlikely that a manufacturer

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantial manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(h) of the FTC Act, 15 U.S.C. § 45(1).

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Kevin Irby
CDM Smith, Inc.
State of North Carolina

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 4556

Dear Mr. Irby:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

October 30, 2015

Roger S. Bailey
Central Costa Contra Sanitary District
State of California

Re: In the Matter of ~~Ice~~-Pak Products, Inc.
FTC File No. 132 3272, Docket No. ~~0~~556

Dear Mr. Bailey,

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to both wastewater equipment and the environment by manufacturers claiming their products "flushable" when such is not the case and express



UNITED STATES OF AMERICA
City of Charleston
State of West Virginia



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Robert Elwell
City of Auburn
State of Washington

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Elwell:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to the



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Bradley Moore
City of Bangor Wastewater Treatment Plant
City of Bangor
State of Maine

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 4556

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the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Dear Mr. Colburn

Thank you for commenting on the Federal Trade Commission's proposed

Federal Trade Commission Act, 15 U.S.C. § 45. Absent findings that it is unfair or deceptive to fail to label such wipes “do not flush,” the Commission believes that it is appropriate to continue its general practice. Moreover, staff of the Commission routinely interacts with a wide variety of industry participants including professionals in the relevant field – when examining potentially false, misleading, and unsubstantiated claims.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission’s website at www.ftc.gov. It helps the Commission’s analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Debra Tunstall
City of Lincoln
State of North Carolina

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Ms. Tunstall

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should NicePak fail to comply with the order. If NicePak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor NicePak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Andy Miller
City of Greenfield
State of Missouri

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Miller:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above referenced practice, 16 and has given it serious consideration.

In your comment, you describe problems caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection system's experience, your support



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Theodore Lynch
City of Raleigh
State of North Carolina

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Lynch

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

Your comment was submitted on behalf of your organization, which serves a number of municipalities in the Raleigh, N.C. area. In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," such as is not the case. In light of your experience, you express strong support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. You also provided the results of tests that the City conducted on numerous products, many of which are labeled as "flushable." Based upon those tests, you have concluded that most of these products in fact were not "flushable." We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable" and we will continue to evaluate such representations on a case-by-case basis.

You urge the Commission to take strong further action should NicePak fail to comply with the order. If NicePak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor NicePak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Paul Lehosit
Clarksburg Sanitary Board
City of Clarksburg
State of West Virginia

Re: In the Matter of Nice-Pak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Lehosit

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Cnt, you express support for the Commission's action in describe the damage caused to local and municipal sewer systems by their products are "flushable," when such is not the case.

After consideration of your comment, the Commission has determined that the consent agreement is appropriate and sufficient to remedy the complaint. The final Decision and Order and other relevant materials are posted on the Commission's website at www.ftc.gov. It helps the Commission's analyze a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Nicole Kaiser
Metropolitan



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Charles Gross
Duckett Creek Sewer District
State of Missouri

Re: In the Matter of Nice Pak Products, Inc.
FTC File No. 132 3272, Docket No. 4556

Dear Mr. Gross

Thank you for commenting on the



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

of NicePak Products, Inc.
272, Docket No. - 0556

Dear Mr. Zuvela

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the expensive biological process your city uses to treat wastewater, and how flushing anything other than that which is absolutely necessary increases the costs of that process. We understand this statement to mean that consumers should not flush wipes in your system whether advertised as flushable or not.

We appreciate your comment and believe that the proposed order should help address
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Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Susanna Littell, President
Florida Industrial Pretreatment Association
City of Windermere
State of Florida

Re: In the Matter of Nice-Pak Products, Inc.
FTC File No. 132 3272, Docket No. 13-0556

Dear Ms. Littell:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

Your comment was submitted on behalf of the Florida Industrial Pretreatment Association ("FIPA"), which consists of professionals representing 65 municipal industrial pretreatment programs throughout the Florida. Your members resist the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Darrel Frame, P.E.
State of Washington

Re:



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

JoEllen Gay
Greenville Utilities Commission
City of Greenville
State of North Carolina

Re: In the Matter of Nice-Pak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Ms. Gay

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced matter.

variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary

October 30, 2015

Karla Pierce
City of Independence
State of Missouri

Re: In the Matter of Nice-Pak Products, Inc.
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Pierce:

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

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should identify and take action against other manufacturers that make deceptive claims about their products. We believe that the final order will put manufacturers on notice of the quality substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take any further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary

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Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Pam Elardo. P.E.



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the claims alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary
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Re: In the Matter of Ne-Pak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Firman

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to Maine wastewater equipment by manufacturers claiming their product

case with all Commission orders, Commission staff will closely monitor NicePaks future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the

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Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Karl Kopec
Mishawaka Utilities
City of Mishawaka
State of Indiana

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 0556

Dear Mr. Kopec

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the substantial operational and maintenance problems caused by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's expertise, non-woven fabric wipes labeled as flushable do not disperse and are not safe for sewer systems. We express strong support for the Commission's action in this matter because.

by >>BE- >>BE.001c6-5(a)5 oe-6-5 oi/M0.9bs.

urge the Commission to take strong further action should NicePak fail to comply. If NicePak violates the Commission's final order, it could be liable for penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act. As is the case with all Commission orders, Commission staff will closely monitor future activities to determine whether any violations occur.

In light of your comment, the Commission has determined that the relief set forth in the proposed consent agreement is appropriate and sufficient to remedy the violations alleged in the final Decision and Order and other relevant materials are available from the

Commission's website at



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Russell Colbath
City of Monroe
State of North Carolina

Re: In the Matter of NicePak Products, Inc.
FTC File No. 132 3272, Docket No. 4556

Dear Mr. Colbath:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Cynthia Finley, Ph.D.
National Association of Clean Water Agencies
Washington, District of Columbia

referred proceeding. The Commission has placed your comment on
to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R.
given it serious consideration.

You submitted a comment on behalf of the National Association of Clean Water Agencies ("NACWA"), which represents the interests of nearly 300 publicly owned wastewater treatment agencies nationwide, serving the majority of the sewered population in the United States. In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of NACWA members' experience, NACWA fully supports the Commission's action in this matter.

Your comment expresses NACWA's view that the order's substantiation requirement is appropriate. The order requires tests that substantiate that a wipe will disperse in a "sufficiently



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

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54New York City Law D

Dear Ms. Schmid:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

Your comment describes New York City's infrastructure and the damage caused to its wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. Because of New York City's experience, you "welcome the Commission's . attention to the pressing problems that sanitary wipes that are alt-Pak fail to

's final order, it could be liable for
orders, Section 5(b) of the FTC
whether any violations occur.

The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a “sufficiently short amount of time” after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The evidence substantiating this claim must also replicate the physical conditions of the environment where the wipes will be disposed. As such, the wipe manufacturers’ trade association’s flushability standards do not replicate the physical conditions of the environment where the wipes will be disposed.

In addition, you suggest that the Commission consult wastewater treatment agencies about what constitutes “competent and reliable evidence” of flushability, and that the Commission seek input from professionals from a variety of geographic areas because of differing conditions of infrastructure. Commission staff do routinely interact with a wide variety of industry participants – including professionals in the relevant field – when examining substantiation for

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Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Gary Alford
North Charleston Sewer District
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*

FTC File No. 132 3272, Do 0 T .(Tc 0 T (F)6c 0 Tw r6.4)6c 0 Tw r6.4roposed consent

Commission has placed your comment on
Commission's Rules of Practice, 16
on.

to wastewater equipment by
when such is not the case. In light of your
position in this matter.

and take action against other
products. We believe that the final order
that a manufacturer should possess
"e," and we will continue to evaluate

further action should Nice-Pak fail to
Commission's final order, it could be liable for
pursuant to Section 5(1) of the FTC Act,
orders, Commission staff will closely
for any violations occur.

Commission has determined that the relief set
out to remedy the violations alleged in
relevant materials are available from the
Commission's analysis to hear from a
representative.

Mark



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Al Nelson
Northshore Utility District
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Nelson:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-~~refe~~

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary

October 30, 2015

Jerry Jesky
Olsson Associates
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Jesky:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe your engineering work with municipalities which have had substantial operation and maintenance problems caused by manufacturers claiming their products are "flushable," when such is not the case. You categorize these products as solid waste and state that they are more suited for disposal in a landfill, as opposed to a sewer system. As such, your comment supports the Commission's action against Nice-Pak for unsubstantiated claims that its product was flushable. The Commission values the input of knowledgeable industry participants, such as yourself, on this issue.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC

the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

James D. Herberg
Orange County Sanitation District
City of Fountain Valley



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Donald Plath
State of New York

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Plath:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe how your septic system overflowed after using "flushable" wipes that were marketed as safe for septic systems. In addition, you quote your plumber as saying that he had other clients who suffered similar experiences as a result of using "flushable" wipes. Your comment expresses support for the Commission's action against Nice-Pak in this matter. The Commission appreciates hearing from the public about their experiences.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Evan Romo
Public Water Supply District #1 of Lincoln County
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Romo:

Thank you for commenced proceedings ~~as filed with the Commission~~ pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 (ii), and ha



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Charles Ham
Public Works Commission
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Ham:



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary

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Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Bill Yetman
City of Rock Hill
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Yetman:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C. You also ~~stated~~ that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

George Dicks
Ronald Wastewater District
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Dicks:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20548
State of California

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Pastore:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the C



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary, Division of Enforcement, Sub20AD1T3 TcF Re: In the Matter of Nice-Pak Wipes, Inc. / Sub20AD1T3 TcF
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Hoffman:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. You add that such wipes lead to increased risk of sewer overflows, and that the Seattle area has experienced sewer blockages that have caused overflows into public swimming areas. You also document your organization's efforts to educate consumers not to flush wipes, even when the wipes are labeled as flushable. Because of your experience, you express full support for the Commission's action against Nice-Pak in this matter.

You also state that there are other wipes manufacturers that make deceptive claims about similar products. Your comment requests that all manufacturers should be required to prove that products are safe before labeling their products as flushable. The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipes will be disposed. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis."

Lastly, your comment requests that the Commission require that wet wipes be labeled "not flushable – dispose in the garbage." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated,

on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Wescott
Spartanburg Water
City of Spartanburg
State of South Carolina



UNITED STATES OF AMERICA
Federal Trade Commission



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jay Hoskins
Metropolitan St. Louis Sewer District
City of St. Louis
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Hoskins:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to sanitary sewer systems by manufacturers claiming their product is "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express strong support for the Commission's action in this matter.

You also encourage the Commission to notify and take action against other manufacturers of "flushable" wipes that make deceptive claims about similar products. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from

the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Alicia Wilson
Summerville CPW
City of Summerville
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Wilson:

Thank you



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jerry Johnson
Washington Suburban Sanitary Commission
City of Laurel
State of Maryland

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Johnson: Your proposed consent
in this proceeding. The Commission has placed your comment on
rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16
given it serious consideration.

Your comment was submitted on behalf of Washington Suburban Sanitary Commission,

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Claudio H. Ternieden
Water Environment Federation
City of Alexandria
Commonwealth of Virginia

Re: *In the Matter of Nice-Pak Products, Inc.*
File No. 132 3272, Docket No. C-4556

Dear Mr. Ternieden:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

Your comment was filed on behalf of the Water Environment Federation (WEF), a not-for-profit technical and educational organization, which you identified as having 35,000 individual members and 75 affiliated member associations representing water quality professionals worldwide. Your comment describes the work that your organization has done

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Gripentrog
City of Wentzville
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Gripentrog:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

James Pridgen
Water Reclamation Facility
City of Wilson
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Pridgen:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment 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), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Laura Pruitt
City of Wilson
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Pruitt:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's R