

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney

In the Matter of

IMPERIAL PAINTS, LLC , d/b/a LULLABY PAINTS
and ECOS PAINTS, a limited liability company.

DOCKET NO. C-

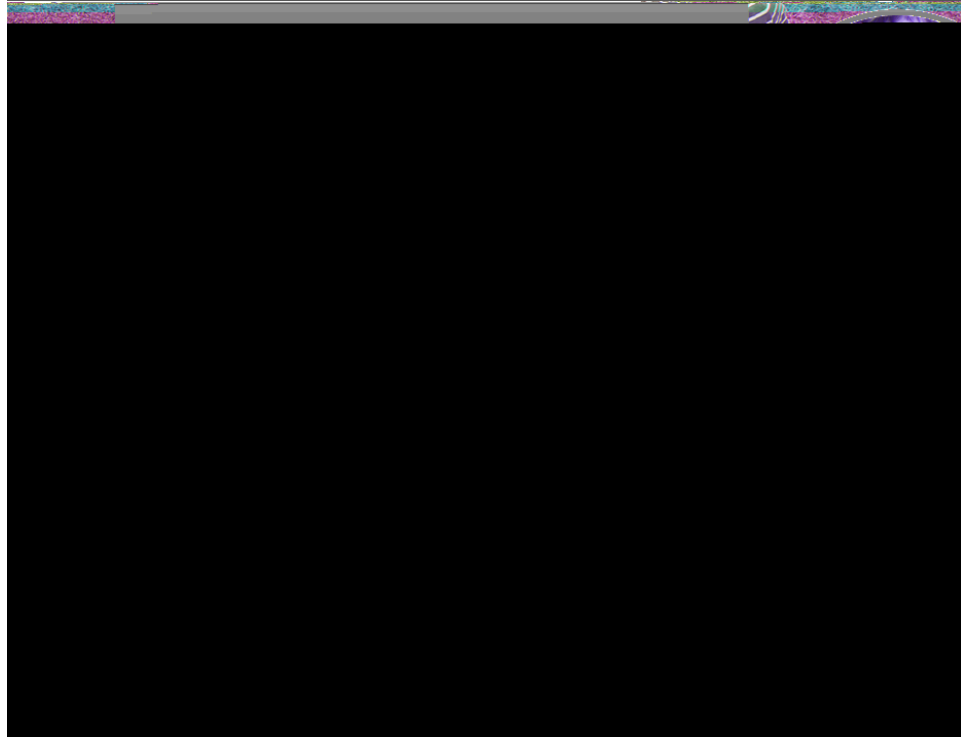
COMPLAINT

The Federal Trade Commission, having reason to believe that Imperial Paints, LLC, a limited liability company has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Imperial Paints LLC ("Imperial"), also doing business as, inter alia, Lullaby Paints and ECOS Paints, a South Carolina limited liability company with its principal office or place of business at 350 East St. John Street, Spartanburg, South Carolina 29302.
2. Respondent has manufactured, advertised, labeled, offered for sale, sold, and distributed paint products to consumers, including Lullaby Paints and ECOS Paints.
3. 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.

Imperial's Lullaby Paints

4. Respondent distributes Lullaby Paints directly to consumers through its websites, including <http://imperialpaintsllc.com/> and <http://lullabypaints.com/>, and through independent retailers.
5. Respondent and its independent retailers have disseminated or have caused to be disseminated advertisements, packaging, and other promotional materials for Lullaby Paints to consumers, including the attached exhibits A-M. These materials contain the following



(Exhibit G, Brochure.)

b.

Why Lullaby Paints.
for your baby's health, safety & wellbeing

Safe for baby and mom
SAFE TO APPLY AND BE AROUND. Our specially formulated paints provide the highest safety by not compromising quality.

Paint Coverage Per Gallon
1 Gallon Lullaby Paints 560 sq. ft.

Non-toxic
ZERO VOCs. There's nothing like a fresh, clean, odorless paint. We are so proud to be the only paint company providing the highest standards for your baby.

Help reduce asthma, allergy, MCS
PREVENTIVE MEASURES. Developed with chemicals which have been shown to cause asthma, allergies and eczema in children.

8 Collections Each with 4 Colors
Designer colors coordinated into color palettes.

Match Colors
We match other paint samples and colors.

Furniture, Bedding and Fabric
Have a furniture, bedding and fabric that's safe, healthy and beautiful.

peace of mind.

(Exhibit F, Brochure.)

c. The World's Finest Baby Safe Paint (Exhibit J, www.lullabypaints.com/).

- d. There's no good reason why a premium quality, hard wearing, beautiful paint needs to contain toxic chemicals. Know how we know that? At Lullaby Paints, after years of development, we have proven it. We are pioneers in making and extremely proud of our final product: the safest paint available. Newborn babysafe. Pregnant moms safe. Safe enough for kids to paint with. (Exhibit I www.lullabypaints.com/safe)
- e. Safe for baby. And the environment. Our award-winning paint is praised as much for its color, coverage and durability, as it is for its safety. Attaining the highest certifications for product purity, Lullaby Paints is known in the industry as the safest paint available. Recognized by consumer advocacy groups and leading environmental organizations, used by hospitals and maternity facilities, lauded by magazines, designers and bloggers and, most of all, enjoyed by moms as pregnancy safe paints. We've revolutionized how safe and friendly paints can be, for mom, baby, everybody (Exhibit L, www.lullabypaints.com/how-it-works).
- f. Why Lullaby paints? . . . Tested and proven for over 20 years. These products are safe. (Exhibit G, brochure).

Imperial's ECOS Paints

- 6. Respondent distributes ECOS Paints directly to consumers through its websites, including <http://imperialpaintsllc.com/> and <http://ecospaints.net/>, and through independent retailers.
- 7. Respondent and its independent retailers have disseminated or have caused to be disseminated advertisements, packaging, and other promotional materials for ECOS Paints to consumers, including the attached exhibits N-Q. These materials contain the following

- Award Winning
- Tested and Certified.

For twenty five years, ECOS and Air Pure Paints have been sought out by people with multiple chemical sensitivities, concerned pregnant mothers, the