

12. Part V.A. of the 2016 Order requires Chemence to submit a compliance report one year after entry of the Order.

13. On October 17, 2017, Chemence submitted the required one-year compliance report, attached as (the "2017 Report").

14. The 2017 Report describes Chemence's efforts to comply with each provision of the 2016 Order. In addition to these efforts, the 2017 Report states, "To assure future compliance with the Order, Chemence has instructed members of its respective staffs having responsibility for the requirements of the Order and of their responsibility to ensure compliance with the Order ... Chemence is confident that those instructions are sufficient to ensure compliance with the Order." *See* Exhibit C, p.2.

15. The 2017 Report further includes a declaration under penalty of perjury that, as of October 13, 2017, "Chemence has changed the labeling on all of Chemence's cyanoacrylate glue/superglue adhesive products sold, distributed or offered for sale or distribution, by or on behalf of Chemence to consumers to read 'Made in USA with US and globally sourced materials.'" *Id. at* 3-4.

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22. Therefore, Respondents' claims that their private-labeled cyanoacrylates are all or virtually all made in the United States deceive consumers.

23. Respondents' claims also violate Part I of the 2016 Order because Respondents represented their cyanoacrylates were of U.S.-origin, with no qualification, despite the fact that they contain significant ingredients sourced outside the United States.

24. Respondents further violated Part II of the 2016 Order because they provided labeling and promotional materials containing representations prohibited by Part I to third-party trade customers for use in the marketing of private-labeled cyanoacrylates.

25. Despite knowing or consciously avoiding knowing that Chemence's private-labeled cyanoacrylates are labeled "Made in USA" without qualification, in the 2017 Compliance Report, Cooke nonetheless declared under penalty of perjury that Chemence had "changed the labeling on all of Chemence's cyanoacrylate glue/superglue adhesive products sold, distributed or offered for sale or distribution by or on behalf of Chemence customers to read 'Made in USA with US and globally sourced materials."

26. Entry of an administrative order against Respondents will make civil penalties for future violations available to the Commission pursuant to Section 5(l) of the FTC Act, 15 U.S.C. § 45(l), as modified by Section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, and Section 1.98(c) of the FTC's Rules of Practice, 16 C.F.R. § 1.98(c), which directs that a Respondent who violates an order of the Commission after it has become final, and while such order is in effect, "shall forfeit and pay to the United States a civil penalty of not more than [\$43,280] for each violation."

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27. Therefore, an administrative action is in the public interest.

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28. In connection with the advertising, promotion, offering for sale, or sale of cyanoacrylates, Respondes to the structure of the structure o private labeled products. In so doing, Respondents have provided the means and instrumentalities to these thipdarty retailers for the commission of deceptive acts or practices.

31. The acts and practices Reference alleged in this complaint crac 23d-B9u [(in (nt) 0.003 Tf -