

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS:

In the Matter of

CHEMENCE, INC., a corporation, and

**JAMES COOKE, individually and as an
officer of CHEMENCE, INC.**

DOCKET NO. E/4738

COMPLAINT

The Federal Trade Commission, having reason to believe that Chemence, Inc., a corporation, and James Cooke, individually and as an officer of Chemence, Inc., (collectively, “Respondents”) have 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 Chemence, Inc. (“Chemence”) is an Ohio corporation with its principal office or principal place of business at 185 Bluegrass Valley Parkway, Alpharetta, GA 30005.

2. Chemence advertises, labels, offers for sale, and distributes products to consumers, including, but not limited to, cyanoacrylate glue products (“cyanoacrylates”). Cyanoacrylates are strong, fast-acting adhesives, also known as “power glues” or “superglues,” with industrial, medical, and household uses. Che1 (a)-1 C(s)]TJ0.001 Tc -0.001 T16ahe0.000.0e0 (c)-1se r3yr,y (s)-1 (,”2 0 T

2014, he has communicated with the Federal Trade Commission on Chemence's behalf regarding the acts and practices alleged in this complaint. In 2017, he personally signed the Report described *infra* ¶¶13-17, in which he designated himself the Federal Trade Commission's primary point of contact regarding the acts and practices alleged in this complaint, and expressly assumed liability for Chemence's compliance with the 2016 Order described *infra* ¶ 8. His principal office or place o

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

2017 Compliance Report

13. On October 17, 2017, Chemence submitted the required one-year compliance report, attached as **Exhibit C** (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.

16. As Chemence’s President, Cooke personally signed the 2017 Report, declaring it true and correct under penalty of perjury. *Id.* at 6.

17. The 2017 Report also includes Cooke’s executed Acknowledgement by Declaration of Receipt of the 2016 Order. *Id.* at 31.

Private-Labeled Products

18. Since entry of the 2016 Order, Respondents continued to manufacture private-labeled products sold under retailer brand names, and provide those trade customers with labeling and promotional materials for use in the marketing and sale of private-labeled products.

19. In numerous instances since entry of the 2016 Order and through at least March 2020, despite the statement described in Paragraph 15, Respondents supplied such trade customers with pre-labeled and pre-packaged cyanoacrylates containing unqualified “Made in USA” claims on promotional materials or labels

22. Therefore,

private-labeled products. In so doing, Respondents have provided the means and instrumentalities to these third-party retailers for the commission of deceptive acts or practices.

VIOLATION OF SECTION 5

31. The acts and practices of Respondents as alleged in this complaint constitute unfair or 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 this th day of February, 2021, has issued this Complaint against Respondents.

By the Commission.



April J. Tabor
Secretary

SEAL: