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**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.**

- a. Respondent Chemence, Inc., an Ohio corporation with its principal office or principal place of business at 185 Bluegrass Valley Parkway, Alpharetta, GA 30005.
- b. Respondent James Cooke, an officer of the Corporate Respondent, Chemence,

7. The disclosure must comply with these requirements in each medium through which it is received, including all electronic devices and face-to-face communications
 8. The disclosure must not be contradicted or mitigated by, or inconsistent with, anything else in the communication.
 9. When the representation or sales practice targets a specific audience, such as children, the elderly, or the terminally ill, "ordinary consumers" include reasonable members of that group.
- B. "Made in the United States" means any representation, express or implied, that a product or service, or a specified component thereof, is of U.S. origin, including, but not limited to, a representation that such product or service is "made," "manufactured," "built," "produced," or "crafted" in the United States or in America, or any other U.S.-origin claim.
- C. "Respondents" means the Corporate Respondent and the Individual Respondent, individually, collectively, or in any combination.
1. "Corporate Respondent" means Chemence, Inc., and its successors and assigns.
 2. "Individual Respondent" means James Cooke.

Provisions

I.

Prohibited Misrepresentations Regarding U.S. Origin Claims

IT IS ORDERED that Respondent and Respondent's officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any cyanoacrylate glue product, or any other product or service, must not make any representation, expressly or by implication, that a product is Made in the United States unless

- A. The final assembly or processing of the product occurs in the United States, all significant processing that goes into the product occurs in the United States, and all or virtually all ingredients or components of the product are made and sourced in the United States; or
- B. A Clear and Conspicuous qualification appears immediately adjacent to the representation that accurately conveys the extent to which the product contains foreign parts, ingredients or components, and/or processing

- C. For a claim that a product is assembled in the United States, the product is last substantially transformed in the United States, the product's principal assembly takes place in the United States, and United States assembly operations are substantialia

II.

Prohibited Misleading and Unsubstantiated Country-of-Origin Representations

IT IS FURTHER ORDERED that Respondent and Respondent's officers, agents, employees and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether directly or indirectly, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any cyanoacrylate glue product or any other product or service, must not make any representation, expressly or by implication, regarding the country of origin of any product or service unless the representation is not misleading including that at the time such representation is made, Respondent possess and rely upon a reasonable basis for the representation.

III.

Means and Instrumentalities

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IT IS FURTHER ORDERED that:

- A. Respondent shall relinquish dominion and all legal and equitable right, title, and interest in all assets transferred pursuant to this Order and may not seek the return of any assets.
- B. The facts alleged in the Complaint will be taken as true, without further proof, in any subsequent civil litigation by or on behalf of the Commission to enforce its rights to any payment pursuant to this Order, such as a nondischargeability complaint in any bankruptcy case.
- C. The facts alleged in the Complaint establish all elements necessary to sustain an action by

VIII.
Acknowledgments of the Order

IT IS FURTHER ORDERED that Respondent obtain acknowledgments of receipt of this Order:

2. Additionally, Individual Respondent must(a) identify all his telephone numbers

X.
Recordkeeping

IT IS FURTHER ORDERED that Respondents must create certain records and retain each such record for 5 years. Specifically, Corporate Respondent and Individual Respondent, for any business that such Respondent, individually or collectively with Corporate Respondent, is a majority owner or controls directly or indirectly must create

ATTACHMENT A: NOTICE TO CUSTOMERS

The notification email or letter must be in the following form, from an authorized Chemence, Inc. address or email address, appearing on Chemence, Inc. letterhead in letter form, and containing a Chemence, Inc. signature line with the sender's full contact information

Subject: Settlement of FTC deceptive advertising case

Dear <Name of customer>

Our records show that you bought cyanoacrylate glue products from Chemence, Inc. that we provided to you in packages or with labels making "Made in USA" claims. We're writing to tell you that the Federal Trade Commission, the nation's consumer protection agency, has sued us for deceptive or false advertising. According to the FTC, we made misleading claims that our glues were all or virtually all made in the United States.

To settle the FTC's lawsuit, we're contacting our customers to tell them that our
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