

Bureau of Consumer Protection
Division of Enforcement

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FEDERAL EXPRESS

Mr. Andrew C. Aitken, Esq.
IP Law Leaders PLLC
1701 Pennsylvania Ave., NW, Suite 300
Washington, DC 20006

Dear Mr. Aitken:

We received your submissions on behalf of your clients, Jennifer and David Aprea, d/b/a Spray Pal. During our review, we discussed concerns that certain marketing materials may have overstated the extent to which the Spray Pal cloth diaper cleaning device is made in the United States. Specifically, though some parts of the product are made in the United States, the clip used to fasten diapers to the device is imported.

As we discussed, unqualified “Made in USA” claims likely suggest to consumers that products are “all or virtually all” made in the United States. The Commission may analyze a number of different factors to determine whether a product is “all or virtually all” made in the United States, including the proportion of the product’s total manufacturing costs attributable to U.S. parts and processing, how far removed any foreign content is from the finished product, and the importance of the foreign content or processing to the overall function of the product.

Section 5 of the 14th
right to take...
vca...

Sincerely,



Julia Selamon Encor
Staff Attorney