



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Bureau of Consumer Protection  
Division of Enforcement

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March 7, 2015

**VIA EMAIL**

Mr. Reggie Judah

CEO

Solve America's Problems with TV Liquidator

5801 West Jefferson Blvd.

Los Angeles, CA 90016

Dear Mr. Judah:

We received your submissions on behalf of Solve America's Problems with TV Liquidator ("TV Liquidator" or the "Company"). Your marketing materials may have overstated the extent to which TV Liquidator sells LED signs that are made in the United States. Specifically, although TV Liquidator distributes USA assembled signs, these signs contain significant imported parts.

As discussed, unqualified U.S. origin claims in marketing materials that products are made in the U.S. may suggest to consumers that all products advertised or sold are made in the U.S. The Commission may analyze a number of different factors to determine whether a product is virtually all made in the U.S., including the proportion of a product's total manufacturing costs attributable to U.S. parts and processes, the amount of foreign content in the finished product, and the proportion of foreign content relative to the overall function of the product.

The Commission has noted that if a product is not all or virtually all made in the United States, any claim of U.S. origin would be an unfair, deceptive, or misleading representation about the presence or amount of foreign content in the product.

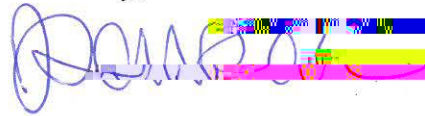
<sup>1</sup> Federal Trade Commission, Bureau of Enforcement, *Part One: Statement on "Made in USA" and Other U.S. Origin Claims*, 62 Fed. Reg. 62756, 62764 (1997). The Commission's guidance to express "Made in USA" claims, for example, requires a reference to geographic reference such as U.S. flag, address, ZIPs, maps, or references to U.S. locations of headquarters or factories, may, by themselves, result in an unfair basis of origin claims.

qualifications of disclosures should be sufficiently clear, prominent, and understandable to prevent deception. The Commission has previously stated that the size and style, proximity to the claim, and an absence of other distracting elements are factors to be considered in determining whether a disclosure is appropriately clear and prominent.

In this case, TV Liquidator appropriately qualified its claims in some parts of its website. However, as discussed, the disclosures more fully can be effective if the disclosure and the claim that it qualified are placed together on the same screen. Therefore, to avoid deceiving consumers, TV Liquidator updated its website, social media platforms, and other communications to include appropriate qualifications.

Based on TV Liquidator's actions and other factors, the staff has decided not to pursue this investigation. There was no violation of Section 1716. The Commission reserves the right to take further action if you have any questions, you can reach me at 602-327-3260-2511.

Sincerely,



Julia Solomon Ensor  
Staff Attorney

<sup>2</sup> *Id.* at 63769.

<sup>3</sup> See Federal Trade Commission, *From Disclosures: How to Make Effective Disclosures in Digital Advertising*, at 6 (Mar. 2018), <https://www.ftc.gov/press-release/20180301-ftc-releases-report-digital-advertising-disclosures>.