



UNITED STATES OF AMERICA
WASHINGTON, D.C. 20580

Bureau of Consumer Protection
Division of Enforcement

April 17, 2018

VIA FEDEX

Paul D. Rubin, Esq.
Debevoise & Plimpton LLP
801 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Mr. Rubin:

We received your submissions on behalf of your client, ESG Sign Group, LLC ("ESG" or the "Company"). During our review, we observed concerns that marketing materials may have overstated the extent to which ESG's LED signs are made in the United States.

As discussed, unqualified "Made in USA" / "made in America" or "Built in USA" / "Built in America" claims on marketing materials likely suggest to consumers that the advertised product is made in the United States. In response, ESG implemented a remedial action plan to avoid deceiving consumers. This plan included: (1) discontinuing use of unqualified U.S. origin claims; (2) updating all marketing materials accordingly; (3) communicating changes and distributing updated materials to third-party dealers; and (4) training staff on how to make non-deceptive claims for ESG products.

If ESG employs workers in the United States, it is appropriate for the Company to promote that fact, provided that marketing materials do not overstate the extent to which ESG products are made in the United States. Additionally, if, in the future, ESG can substantiate claims that particular products are an original or primary "made in the United States," it would be appropriate for the Company to update its marketing materials accordingly.

Based on your actions and other factors, the staff has decided not to pursue this investigation any further. This action should not be construed as a determination that there was no violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The Commission's actions are based on the public interest that may require.

Sincerely,

Julia Solomon
Staff Attorney
Division of Enforcement
(202) 326-2377
jensor@ftc.gov

Christopher D. Costrum
Investigator
Division of Enforcement
(202) 326-3405
costrum@ftc.gov