



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

Bureau of Consumer Protection
Division of Enforcement

Julia Solomon Ensor
Attorney

Email: jensor@ftc.gov
Direct Dial: (202) 326-2377

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FEDERAL EXPRESS

Sean T. Murray, Esq.
Miller & Company P.C.
4929 Main Street
Kansas City, MO 64112
smurray@millerco.com

Dear Mr. Murray:

We received your submissions dated November 20, 2013 and January 22, 2014 on behalf of your client, AS America, Inc. ("AS America"). In correspondence and discussions, you explained that AS America inadvertently made misleading "Made in USA" claims for certain American Standard-branded toilets. Specifically, AS America's distribution center applied incorrect bar codes to product packaging, causing toilets containing substantial imported content to be marked "Made in USA."

In your submissions, you stated that AS America implemented a remedial action plan to correct its representations and avoid future mislabeling. This plan included: (1) correcting labels on affected products still in inventory; (2) retraining employees responsible for generating bar code labels; (3) adding country-of-origin verification procedures to packaging processes and internal audit processes; and (4) comprehensively reviewing country-of-origin claims on AS America marketing materials.

Based on your statements, 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 reserves the right to take such further action as the public interest may require. If you have any questions, you can reach me at (202) 326-2377.

Sincerely,

Julia Solomon Ensor
Staff Attorney