



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

Division of Enforcement

May 28, 2009

Jeffrey Conciatori, Esq.
Quinn, Emanuel, Urquhart, Oliver & Hedges, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010

Re: Bluefly.com
Matter No. 072-3149

Dear Mr. Conciatori:

As you know, the staff of the Federal Trade Commission conducted an investigation of Bluefly.com, relating to possible violations of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, the Fur Products Labeling Act, 15 U.S.C. § 69 *et seq.*, and the Rules and Regulations Under the Fur Products Labeling Act, 16 C.F.R. Part 301. The investigation focused on whether the company sold jackets containing domestic dog fur trim, and advertised the jackets as containing faux fur trim.

The staff of the Enforcement Division has completed its investigation and has determined that no further action is warranted at this time. In connection with the domestic dog fur issue, FTC-commissioned testing to identify the animal that produced the fur was inconclusive. In connection with the advertising and sale of the jackets in question, Bluefly.com provided information indicating that it sold a relatively small number of jackets. In addition, Bluefly.com implemented improved procedures for reviewing labeling on fur products and for describing such products in advertising.

In light of the above, the staff has decided to close the investigation. This action is not to be construed as a determination that a violation has not occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take further action as the public interest may require.

Sincerely,

A handwritten signature in black ink, appearing to read "A Kohm".

James A. Kohm
Associate Director