



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
600 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20580

Division of Enforcement  
Bureau of Consumer Protection

October 3, 2011

George W. Thompson  
Neville Peterson LLP  
1400 16th Street, NW  
Suite 350  
Washington, DC 20036

Dear Mr. Thompson:

The staff of the Federal Trade Commission ("FTC") has received your submission of June 23, 2011 on behalf of EBI, LLC, ("EBI"). In your letter, you asserted that EBI had inadvertently labeled certain mattresses and sofas as "Made in United States," even though the products actually were imported. You state that EBI used the same labels for the imported products that it used for those it produced in the United States. According to your letter, upon discovering that it was affixing incorrect origin indicators to its imported products, EBI immediately ceased the practice and advised its customer of the mislabeling to prevent further sales of the mislabeled mattresses and sofas. In addition, your letter indicates that EBI is establishing a program to have its customer return all mislabeled sofas and mattresses remaining in the customer's inventory for removal of the "Made in United States" labels and replacement with labels identifying the actual country of origin. You also state that EBI is taking steps to avoid any possible recurrence by commencing an internal investigation to determine how the event occurred and by issuing guidelines to its employees on appropriate country-of-origin marking.

Based on EBI's immediate and continuing corrective action and self-reporting, the staff has decided not to recommend enforcement action at this time. This should not be construed as a determination that there was no violation of Section 5 of the Federal Trade Commission Act ("FTC 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, I can be reached at (202) 326-2890.

Sincerely,

A handwritten signature in cursive script that reads "Laura".

Laura Koss  
Staff Attorney