



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

Division of Advertising Practices

Mary K. Engle
Associate Director

February 19, 2013

Petty Tsay Rader, Esq.
Munchkin, Inc.
16689 Schoenborn Street
North Hills, CA 91343

Re: *Munchkin, Inc.*, FTC File No. 122-3165

Dear Ms. Rader:

As you are aware, the staff of the Division of Advertising Practices of the Federal Trade Commission investigated Munchkin, Inc. for possible violations of Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45, 52. Our investigation concerned Munchkin's advertising (including labeling) for the Sesame Street® Chilly Ring Teether, which is filled with a blend of water and propylene glycol. Our inquiry focused on Munchkin's statement that the product is "water-filled," among others. Upon careful review of the matter, including non-public information submitted to the FTC, we have determined not to recommend enforcement action at this time. The factors we considered in making this determination included the limited nature of the advertising containing the claims at issue and Munchkin's voluntary action to modify all advertising (including labeling) to ensure compliance with the FTC Act. In particular, the company has stopped characterizing its product as "water-filled."

We appreciate Munchkin's cooperation in resolving this matter. The staff encourages Munchkin to exercise caution in future advertising when describing the contents or otherwise characterizing the safety of a product.

This action is not to be construed as a determination that a violation of law did not occur, 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 such further action as the public interest may require.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director
Division of Advertising Practices