



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
NORTHEAST REGION

One Bowling Green  
Suite 318  
New York, NY 10004  
(212) 607-2829

William H. Efron  
Acting Regional Director

May 18, 2012

Dana Rosenfeld, Esq.  
Kelley Drye & Warren, LLP  
Washington Harbour, Suite 400  
3050 K Street, NW  
Washington, D.C. 20007-5108

Re: Walgreen Company, FTC File No. 102-3194

Dear Ms. Rosenfeld:

The staff of the Federal Trade Commission's Northeast Regional Office has conducted an investigation into whether your client, Walgreen Company ("Walgreen"), through its wholly owned subsidiary, Duane Reade Holdings, Inc. ("Duane Reade"), violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, in connection with the promotion and advertising for its Apartment 5 Goes Green line of plastic trash bags. Our inquiry focused on whether your client possessed adequate substantiation for its express and implied claims that the Apartment 5 Goes Green plastic trash bags were, *inter alia*, degradable, recyclable, and made with recycled content.

Upon careful review of this matter, including non-public information submitted to the staff, we have determined not to recommend an enforcement action at this time. Among the factors we considered was your client's decision to promptly stop selling the Apartment 5 Goes Green plastic trash bags in Duane Reade stores. In addition, Walgreen assured staff that it will carefully review Duane Reade's claims and substantiation to ensure that its future advertising complies with the FTC Act.

Our decision not to pursue an enforcement action is not to be construed as a determination that a violation may not have 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 such further action as the public interest may warrant.

Very truly yours,

A handwritten signature in blue ink that reads "William H. Efron / D.W.D.".

William H. Efron