



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Office of the Secretary

March 27, 2014

Re: *In the Matter of L'Occitane, Inc.*, File No. 112 3115

Dear Mr. Rossbacher:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment raised concerns that the agreement's proposed monetary relief is insufficient. After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint.

Please note that the Commission's proposed complaint in this matter alleges that L'Occitane's advertising claims constituted unfair or deceptive acts or practices in or affecting commerce, in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52. The Commission is not authorized to collect fines or civil penalties based on such violations. Rather, under the consent agreement, L'Occitane is required to pay \$450,000 in consumer redress. Based on evidence gathered during the investigation, the Commission believes that this amount will provide substantial redress to all identifiable purchasers of the products at issue.

In addition, the order includes strong injunctive relief against L'Occitane by, among other things, prohibiting conduct of the sort at issue in this case. If L'Occitane violates the Commission's final order, it would be liable for civil penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor L'Occitane's future activities to determine whether any violations occur.

Accordingly, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without modification. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary