



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

Bureau of Consumer Protection
Division of Enforcement

Julia Solomon Ensor
Attorney

Email: jensor@ftc.gov
Direct Dial: (202) 326-2377

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FEDERAL EXPRESS

Joel M. Alam
Jaffe Raitt Heuer & Weiss, P.C.
27777 Franklin Road – Suite 2500
Southfield, MI 48034
jalam@jaffelaw.com

Dear Mr. Alam:

We received your submissions of May 15, June 18, and July 14, 2014, on behalf of your client, Fresh Produce Holdings LLC (the “Company”). During our review, we discussed that statements in Fresh Produce’s marketing materials may have overstated the extent to which certain clothing and accessory products containing imported content were made in the United States.

In your submissions, you explained that the Company implemented a remedial action plan to correct its representations. This plan included: (1) updating the website to clarify that 20% of the Company’s products contain imported content; (2) undertaking a comprehensive review of country-of-origin claims; (3) revising website product descriptions to make disclosures consistent with product labels; (4) educating staff; and (5) enhancing compliance and quality controls.

Based on your statements, the staff has decided not to pursue this investigation any further. This action should not be construed as a determination that there was no violation of Section 5 of the Federal Trade Commission 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, you can reach me at (202) 326-2377.

Sincerely,

Julia Solomon Ensor
Staff Attorney