



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

Bureau of Consumer Protection
Division of Enforcement

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FEDERAL EXPRESS

Nathan Benjamin, Esq.
The Law Office of Benjamin Leibrock
340 Soquel Avenue, Suite 205
Santa Cruz, CA 95062

Dear Mr. Benjamin:

We received your submissions on behalf of your client, NHS, Inc. (“NHS” or the “Company”). In correspondence and discussions, you explained that NHS inadvertently made misleading “Made in USA” claims for certain skateboard trucks. Specifically, though the Company assembles, finishes, and packages skateboard trucks in the United States, some trucks contain significant imported content. During our review, you also identified certain apparel items in need of updated country-of-origin labels.

In your submissions, you stated that NHS has implemented a remedial action plan to correct its representations and avoid future mislabeling. This plan includes: (1) performing a company-wide analysis of labeling claims for both hard and soft goods; (2) re-labeling affected skateboard trucks with the claim “MFG IN USA FROM US AND IMPORTED PARTS”; (3) removing a “USA” stamp from foundry molds for affected trucks; (4) re-labeling affected apparel items with the claim “Made in USA of Imported Fabric”; and (5) reviewing catalogue, video, and web marketing materials to confirm the accuracy of all country-of-origin claims.

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,

A handwritten signature in blue ink, appearing to read "J. Ensor".

Julia Solomon Ensor
Staff Attorney