



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

Bureau of Consumer Protection
Division of Enforcement

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FEDERAL EXPRESS

Mr. Dominick Scarfogliero
President & COO
Winholt Equipment Group
20 Crossways Park North, Suite 205
Woodbury, New York 11797

Dear Mr. Scarfogliero:

We received your submissions on behalf of Winholt Equipment Group ("Winholt"). In correspondence and discussions, you explained that Winholt inadvertently made misleading or confusing "Made in the USA" claims for certain food service sinks. Specifically, affected sinks contained conflicting "Made in the USA" and "Made in China" labels. You stated that this problem arose because Winholt employees applied outdated, pre-printed barcode labels to affected products upon final inspection and cleaning.

In your submissions, you outlined several steps that Winholt took to correct its representations and avoid future mislabeling. Specifically, Winholt: (1) discarded all outdated barcode labels; (2) ensured that current barcode labels were correctly marked "Designed in USA, Made in China"; (3) retrained floor associates on proper labeling procedures; and (4) sent an email to customers explaining the problem and the steps Winholt took to correct it.

Based on your actions and other factors, 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