



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

Bureau of Consumer Protection
Division of Enforcement

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May 9, 2016

FEDERAL EXPRESS

Enrique Colbert, Esq.
General Counsel
Wayfair LLC
4 Copley Place
Floor 7
Boston, MA 02116

Dear Mr. Colbert:

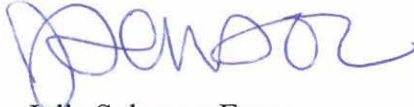
We received your submissions on behalf of Wayfair LLC (“Wayfair” or the “Company”). During our review, we discussed concerns relating to potentially deceptive “Made in USA” claims for a particular chair we identified as containing significant imported content, as well as more general concerns relating to Wayfair’s process for ensuring the accuracy of country-of-origin claims across the Company’s website.

In response to our inquiry, Wayfair took several steps to prevent consumer deception, both with regard to the particular product and the wayfair.com website. First, Wayfair confirmed and corrected the country-of-origin information for the identified product. Second, the Company implemented several longer-term process enhancements designed to significantly decrease the number of inaccurate country-of-origin claims appearing on its site. Specifically, Wayfair: (1) introduced an enhanced procedure to conduct supplier verification of each product’s country of origin at the time the product is listed on the wayfair.com website; (2) implemented an annual verification process in which suppliers re-certify the country of origin of all of their products; and (3) instituted annual audits regarding country of origin wherein Wayfair will use automation to identify listings with the highest risk of error, target suppliers of those listings to audit, and request documentation to support a supplier’s claim that a product is made in the United States.

Based on Wayfair’s 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', with a stylized flourish at the end.

Julia Solomon Ensor
Staff Attorney