



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

Bureau of Consumer Protection
Division of Enforcement

May 9, 2018

VIA FEDEX

Scott Salmon
Vice President of Consumer Business
Superwinch, LLC
359 Lake Road
Dayville, CT 06241

Dear Mr. Salmon:

We received your submissions on behalf of Superwinch, LLC (“Superwinch” or the “Company”). During our review, we discussed concerns that marketing materials may have overstated the extent to which certain of Superwinch’s products are made in the United States.

As discussed, unqualified U.S.-origin claims in marketing materials – including claims that products are “Made,” “Built,” or “Manufactured” in the USA – likely suggest to consumers that all products advertised in those materials are “all or virtually all” made in the United States.

Accordingly, Superwinch implemented a remedial action plan to avoid deceiving consumers. This plan included: (1) updating Superwinch’s website and social media accounts to remove or appropriately qualify U.S.-origin claims; (2) correcting or discarding all print materials that include potentially deceptive U.S.-origin claims; (3) updating all trade show materials; (4) working with an extensive third-party distributor network to update all marketing materials; and (5) altering or replacing product packaging to remove or appropriately qualify U.S.-origin claims.

If, in the future, Superwinch can substantiate claims that particular products are “all or virtually all” made in the United States, it would be appropriate for the Company to update its marketing materials accordingly.

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.

Sincerely,



Crystal D. Ostrum
Investigator
Division of Enforcement
(202) 326-3405
costrum@ftc.gov