



UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

Division of Advertising Practices

[DATE]

Via Federal Express

[NAME]

Re: INFORM Consumers Act, Effective June 27, 2023

Dear [NAME]:

I am enclosing a copy of the INFORM Consumers Act, which Congress passed in December 2022 as part of the Consolidated Appropriations Act of 2023, Pub. L. No. 117-328, Div. BB, Title III, § 301, 136 Stat. 4459, 5555-62 (2022) (to be codified at 15 U.S.C. § 45f), as well as a copy of FTC staff's recently published business guidance concerning the Act. Because [NAME OF MARKETPLACE] appears to meet the definition of "online marketplace" under the Act, this letter is to notify you of your responsibility to comply with this law.

The INFORM Consumers Act, **effective June 27, 2023**, imposes obligations on online marketplaces regarding the collection, verification, safeguarding, and disclosure of certain identifying information of "high-volume third party sellers" that sell, offer to sell, or contract to sell new or unused consumer products in the United States through marketplaces' platforms. The Act also requires online marketplaces to provide for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace in certain circumstances. We recommend that you carefully review the statute and the enclosed guidance, and take all steps necessary to ensure that your company is in full compliance with the law by June 27.

We also urge you to communicate with your third party sellers about the information that the Act requires be collected, verified, and disclosed. Finally, we recommend that you advise them about how to avoid potential imposters attempting to trick them into sharing sensitive personal or account information.

Be advised that a violation of the INFORM Consumers Act is treated as a violation of an FTC rule. **Online marketplaces that violate the Act may face FTC law enforcement that could result in civil penalties of \$50,120 per violation. See 15 U.S.C. § 45(m)(1)(A).** The Act also gives enforcement authority to State Attorneys General and other officials authorized by the State. They may file an action in federal court to enjoin further law violation, seek civil penalties and other remedies permitted under state law, and obtain damages, restitution, or other compensation for residents of that state.

This letter does not reflect any assessment as to whether you have engaged in conduct violative of the INFORM Consumers Act. We are distributing similar letters to numerous other

[NAME]

[DATE]

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companies that may meet the Act's definition of "online marketplace."

If you have any questions about this letter or the enclosed materials, please contact Tiffany Woo at [twoo@ftc.gov](mailto:twoo@ftc.gov) or (202) 326-3583, or Carl Settlemeyer at [csettlemyer@ftc.gov](mailto:csettlemyer@ftc.gov) or (202) 326-2019.

Very truly yours,

Serena Viswanathan  
Associate Director