



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

Division of Advertising Practices

April 24, 2013

Michael E. Antalics, Esquire
O'Melveny & Myers LLP
1625 Eye Street, N.W.
Washington, DC 20006

Re: Schutt Sports, Inc., FTC File No. 112-3066

Dear Mr. Antalics:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices has conducted an investigation into whether your client, Schutt Sports, Inc. ("Schutt"), violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, in connection with the marketing of its football helmets. Our inquiry focused on whether Schutt disseminated, in football catalogs, other printed material, and online videos, unsubstantiated claims that Schutt football helmets reduce the risk of concussion.

Upon careful review of this matter, including non-public information submitted to the staff, we have determined not to recommend enforcement action at this time. Among the factors we considered in reaching this decision are Schutt's representations that it will: (1) remove from its website a statement that all Schutt helmets "are designed with the intent to reduce the risk of concussions"; (2) change how it presents the results of impact absorption tests conducted on its own helmets and competing helmets in its advertising and promotional materials; and (3) accompany any representations that Schutt helmets absorb impact better than competing helmets with a clear and conspicuous disclosure that better impact absorption has not been shown to be correlated with reduced risk of concussion.

Our decision not to pursue enforcement action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may warrant.

Very truly yours,

A handwritten signature in cursive script that reads "Mary K. Engle".

Mary K. Engle
Associate Director