



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

Bureau of Consumer Protection  
Division of Enforcement

Julia Solomon Ensor  
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August 16, 2017

**VIA FEDEX**

Chris Pey, Esq.  
FisherBroyles, LLP  
445 Park Avenue  
Ninth Floor  
New York, NY 10022

Dear Mr. Pey:

We received your submission on behalf of your client, Harimatec, Inc. (“Harimatec”), which sells products used in the manufacture of electronics. In your submission, you explained that Harimatec inadvertently made “Made in USA” claims on certain wholly imported product samples supplied to a potential customer.

As you acknowledged, the Federal Trade Commission’s Enforcement Policy Statement on U.S. Origin Claims provides that unqualified “Made in USA” claims likely suggest to customers that products are “all or virtually all” made in the United States.<sup>1</sup> Accordingly, upon discovering the error, Harimatec notified its customer, and confirmed that subsequently shipped samples and products were marked properly.

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

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<sup>1</sup> Federal Trade Commission, *Enforcement Policy Statement on U.S. Origin Claims*, 62 Fed. Reg. 63756, 63768 (Dec. 2, 1997).