



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

Bureau of Consumer Protection
Division of Enforcement

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April 13, 2015

FEDERAL EXPRESS

Joseph G. White, Esq.
Senior Director, Associate General Counsel – Transactions
Office Depot, Inc.
6600 North Military Trail, Mail Code C479
Boca Raton, FL 33496

Dear Mr. White:

We received your submission dated April 1, 2015 on behalf of Office Depot, Inc. (“Office Depot” or the “Company”). In correspondence and discussions, you explained that Office Depot inadvertently made misleading “Made in USA” claims for certain private brand desks. Specifically, though the Company moved production of these desks overseas, the Company did not remove U.S.-origin claims for these products from its website.

In your submissions, you stated that Office Depot has implemented a remedial action plan to correct its representations and avoid future mislabeling. This plan includes: (1) removing inaccurate claims from the website; (2) reviewing catalogues, signage, packaging, and social media content to ensure the accuracy of claims for the affected products; (3) reviewing online descriptions for all products; (4) implementing a procedure wherein legal personnel review weekly reports regarding any items where production has shifted from U.S. to non-U.S. manufacturers; and (5) increasing legal review of the Company’s U.S.-origin claims.

Based on your statements, 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