



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

Bureau of Consumer Protection
Division of Enforcement

Julia Solomon Ensor
Attorney

Email: jensor@ftc.gov
Direct Dial: (202) 326-2377

January 6, 2017

VIA FEDEX

Martin M. Zoltick, Esq.
Rothwell, Figg, Ernst & Manbeck, P.C.
607 14th St, N.W.
Suite 800
Washington, D.C. 20005

Dear Mr. Zoltick:

We received your submissions on behalf of your client, RGF Environmental Group, Inc. (“RGF” or the “Company”). During our review, we discussed concerns that marketing materials may have overstated the extent to which RGF products are made in the United States, including, but not limited to, certain air purifiers that incorporate imported parts.

As discussed, unqualified “Made in USA” claims on company marketing materials likely suggest to customers that all products advertised in those materials are “all or virtually all” made in the United States. Accordingly, to avoid deceiving consumers, you explained that RGF implemented a corrective action plan. This plan included: (1) removing unqualified “Made in USA” claims from online and printed marketing materials; (2) introducing qualified claims for eight specific products that, although assembled in the United States, contain imported parts or components; (3) covering unqualified claims on products in inventory with stickers incorporating appropriately qualified claims; (4) introducing new product packaging with qualified claims; (5) removing unqualified claims from trade show materials; and (6) sending a communication to distributors and direct customers to provide updated claims.

If in the future RGF can substantiate that one (or more) of its products is “all or virtually all” made in the United States, it would be appropriate to update the Company’s marketing materials accordingly. However, please note that RGF’s marketing materials should clearly differentiate U.S.-origin products from imported products, and the Company should take care not to make overly broad claims on marketing materials that refer to multiple products.

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", with a stylized flourish at the end.

Julia Solomon Ensor
Staff Attorney