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Ford Motor Company, One American Road
Dearborn, Michigan 48126

November 10, 2022

VIA E-MAIL (lsmith@truthinadvertising.org)

Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.

Re: Made in America

Dear Ms. Smith:

I am writing in response to your letter to Ford Motor Company dated November 1, 2022. Ford appreciates and shares TINA's commitment to truthful advertising. As you suggest in your letter, Ford is understandably proud of our significant U.S.-based manufacturing teams and facilities.

We believe that in the instances you cite, consumers would not reasonably understand Ford's passing use of the term 'built' in reference to a specific assembly plant as a U.S. origin claim meaning that all (or substantially all) components of the vehicle are manufactured at that same location.

We acknowledge that the FTC's Made in the USA rule and guidance provide that when making a U.S. origin claim, 'built' is a potential synonym for 'made' and an advertiser cannot evade the rule simply by saying (or implying) 'built in the U.S.A.' or 'built in America.' We are not, however, aware of anything in the Made in the USA rule, guidance, or caselaw that suggests that every use of the word 'built' necessarily and automatically implies a U.S. origin claim.

We believe this may be especially true in the automotive industry: (1) consumers understand the manufacturing and assembly process is complex with many different components and inputs – and this awareness has only increased given the widespread public acknowledgement of ongoing global supply chain issues; (2) consumers have access to information about the percentage of U.S. and Canadian content; and (3) most importantly, the word 'built' is commonly used among consumers and industry sources to refer to vehicles being 'built' at their assembly plants.


Indeed, considering the Facebook post and press release you mention: we do not believe that the consumer understanding would be materially different for "built by the team at our Rouge facility" or "built at the ultra-modern Rouge facility" than it would be for the "assembled by the team at our Rouge facility." In short, we believe 'built' still retains its common meaning as a term that can be appropriately used in the automotive industry when not otherwise implying a U.S. origin claim.

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We acknowledge that you have identified other automotive manufacturers that may be making more overt U.S. origin claims that include use of the term 'built,' but we respectfully disagree with your categorization of Ford's use of the term 'built' in the instances you cite.

That said, we will take your letter under advisement and evaluate whether any changes or clarifications would be useful to clarify any potential consumer confusion. Given the age of some of the materials, it is possible that some will be replaced with more updated content in the ordinary course.

Again, we appreciate your letter and the opportunity to respond, and would be happy to discuss the matter further.

Sincerely,
DocuSigned by:

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Lynne M. Matuszak