



November 1, 2022

**VIA EMAIL**

Steven Croley, General Counsel  
Ford Motor Company  
1 American Rd.  
Dearborn, MI  
scroley@ford.com

Re: Ford's Deceptive Built in USA Marketing

Dear Mr. Croley:

I am writing to you on behalf of Truth in Advertising, Inc. ("TINA.org"), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising. An investigation of Ford Motor Corporation has revealed that it is deceptively marketing certain vehicles as "built" in the United States when, in reality, the vehicles are assembled in the U.S. using imported parts. As you may be aware, according to the Federal Trade Commission, "built" is synonymous with "made" in the U.S.<sup>1</sup> and therefore requires that any vehicle being marketed as such must be "all or virtually all" made domestically and contain "no – or negligible – foreign content."<sup>2</sup>

Specifically, Ford is claiming that the F-150 Lightning is "built...in Dearborn, MI."<sup>3</sup>



In reality, however, all Ford F-150 Lighting trucks assembled in the U.S. are made using a substantial amount of imported parts.<sup>4</sup> As such, Ford's Built in the USA claim is deceptive and in violation of Section 5 of the FTC Act, 15 U.S.C. § 45. To the extent similar deceptive claims are repeated in physical or digital labels, they would also be in violation of the FTC's Made in USA Labeling Rule, 16 CFR Part 323.

Ford has every right to boast of its assembly plants in the United States that create American jobs and strengthen the U.S. economy, but it cannot illegally embellish the amount of manufacturing that takes place domestically. Ford must ensure that its marketing messages are truthful, nondeceptive, and in compliance with the law.

We trust Ford will take immediate action to rectify this deceptive marketing.

If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "L. Smith". The signature is written in a cursive, flowing style.

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

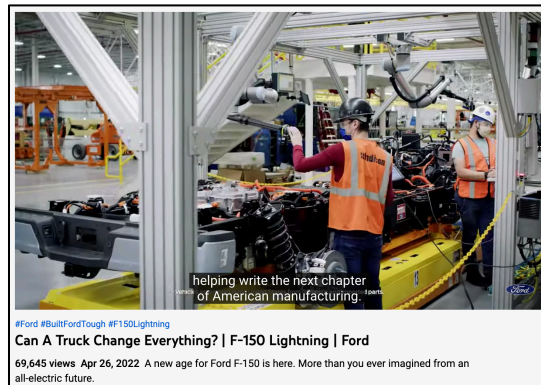
<sup>1</sup> See *United States v. iSpring Water Systems, LLC, et al.*, Stipulated Order for Civil Penalties, Permanent Injunction, and Other Relief, Apr. 19, 2019, [https://www.ftc.gov/system/files/documents/cases/172\\_3033\\_ispring\\_water\\_systems\\_-\\_stipulated\\_order.pdf](https://www.ftc.gov/system/files/documents/cases/172_3033_ispring_water_systems_-_stipulated_order.pdf) (“Made in the United States’ means any representation, express or implied, that a product or service, or a specified component thereof, is of U.S.-origin, including, but not limited to, a representation that such product or service is ‘made,’ ‘manufactured,’ ‘built,’ ‘produced,’ or ‘crafted’ in the United States or in America, or any other U.S.-origin claim.”). See also Made in USA Labeling Rule, 16 CFR Part 323 (“The term *Made in the United States* means any unqualified representation, express or implied, that a product or service, or a specified component thereof, is of U.S. origin, including, but not limited to, a representation that such product or service is ‘made,’ ‘manufactured,’ ‘built,’ ‘produced,’ ‘created,’ or ‘crafted’ in the United States or in America, or any other unqualified U.S.-origin claim.”)

<sup>2</sup> FTC, Complying with the Made in USA Standard, <https://www.ftc.gov/business-guidance/resources/complying-made-usa-standard>.

<sup>3</sup> Ford Motor Company April 29, 2022 Facebook post, <https://www.facebook.com/ford/posts/pfbid02KKS9AgkDKK9n3DaTMuXpSYWYXPiWDuYvtmu84C5wyhFdmEt9iwuYNJgTucPs9MPI>.

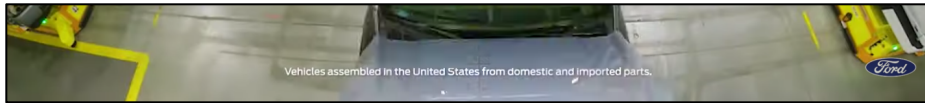
This made in USA message is bolstered by other claims made by Ford. For example, in an April 2022 press release on its website, Ford states, “Full production of F-150 Lightning trucks begins at the high-tech Rouge Electric Vehicle Center within Ford’s historic Rouge Complex,” and “Built at the ultra-modern Rouge Electric Vehicle Center within Ford’s historic Rouge Complex, F-150 Lightning is the only electric vehicle that is Built Ford Tough.” America’s Best-Selling Vehicle Now Electric: Production Begins for F-150 Lightning Trucks, Apr. 26, 2022, <https://media.ford.com/content/fordmedia/fna/us/en/news/2022/04/26/production-begins-f-150-lightning.html>.

And in a 2022 YouTube Commercial, Ford implies that the Ford F-150 Lightning is manufactured in the U.S., stating, “Can a truck change everything? Well, it could change our company. ... It can change the Rouge [a historic U.S. Ford plant], yet again, helping write the next chapter of American manufacturing....” while images of work performed in a U.S. Ford plant are shown on the screen. Can A Truck Change Everything? | F-150 Lightning | Ford, YouTube, Apr. 26, 2022, <https://www.youtube.com/watch?v=KDptc0ycLhc>.



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The sole indication in this commercial that the F-150 is made with U.S. *and* imported parts is in inconspicuous fine print that appears on the screen for a matter of seconds.



*“Vehicles assembled in the United States from domestic and imported parts.”*

<sup>4</sup> See U.S. Department of Transportation, NHTSA, Part 583 American Automobile Labeling Act Reports, <https://www.nhtsa.gov/part-583-american-automobile-labeling-act-reports>; U.S. Department of Transportation, NHTSA, Part 583 American Automobile Labeling Act Report for 2023 makes and models, <https://www.nhtsa.gov/sites/nhtsa.gov/files/2022-10/MY2023-AALA-Alphabetical-10-6-22.pdf> (showing that, at most, 38 percent of 2023 Ford F150 EV vehicles are of U.S. content).