



August 16, 2023

VIA EMAIL

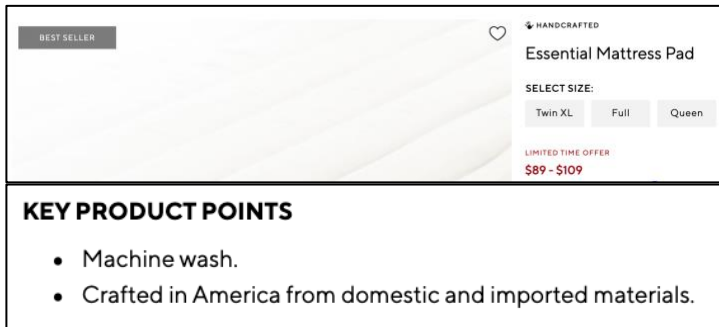
Samuel A.A. Levine, Director, Bureau of Consumer Protection
James A. Kohm, Associate Director, Division of Enforcement
Julia Ensor, Attorney, Division of Enforcement
Federal Trade Commission
600 Pennsylvania Ave. N.W.
Washington, D.C. 20580
slevine1@ftc.gov
jkohm@ftc.gov
jensor@ftc.gov

Re: Williams-Sonoma, Inc. Violating 2020 Consent Order, File No. 202 3025,
Docket No. C-4724

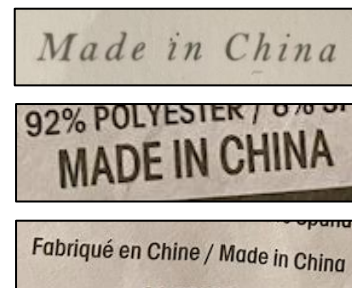
Dear Mr. Levine, Mr. Kohm, and Ms. Ensor:

Williams-Sonoma, Inc. is violating the March 2020 FTC Consent Order (File No. 202 3025; Docket No. C-4724)¹ by continuing to falsely market products as Crafted in America when they are not. Specifically, as a consumer recently reported to TINA.org (and which TINA.org investigated and confirmed), the company markets its PBteen Essential Mattress Pad (a “Best Seller,” as noted on the product page) as “Crafted in America from domestic and imported materials”² when the mattress pad is actually made in China, according to inconspicuously placed language on the physical labels attached to and accompanying the product.³

PBteen Website⁴



Physical Labels⁵



Williams-Sonoma has been deceiving consumers in this way for at least the last five years. As stated in the FTC’s 2020 Complaint against the company:

In 2018, the Commission received reports that Respondent disseminated Internet advertisements and promotional materials for Pottery Barn Teen organic mattress pads stating those products were “Crafted in America from local and imported materials.” When consumers purchased the mattress pads, they discovered that the pads were, in fact, made in China.⁶

At that time, Williams-Sonoma informed the Commission that certain Chinese-made mattress pads were “inadvertently labeled” as “Crafted in America” on the PBteen website and that it was “an isolated error,” prompting the FTC to close its inquiry.⁷

Unfortunately, as TINA.org alerted the FTC in 2019, this was not an isolated error.⁸ Between April and May 2019, TINA.org collected more than 800 examples of products marketed by Williams-Sonoma as Made in the USA but which were either imported or made with imported materials.⁹ As you know, the FTC then brought an enforcement action, which resulted in the above-referenced 2020 Consent Order that prohibits Williams-Sonoma from misrepresenting products as made in the United States when they are not.¹⁰

Now, Williams-Sonoma is once again engaged in the exact same deceptive marketing tactics. And because it has failed to comply with the FTC Consent Order, the burden of ensuring the veracity of its claims falls to consumers. As the consumer who recently alerted TINA.org to the company’s present violation stated:

I purchased the mattress pad specifically because . . . I did NOT want one made in China. The pad was purchased on sale for \$89.00. The pad label clearly states “Made in China” . . . Pottery Barn Teen clearly hopes its customers will not compare advertisements with labels.¹¹

Such deceptive marketing practices simply cannot be allowed to continue recurring year after year. Clearly the FTC Consent Order and corresponding \$1 million in monetary relief were not stringent enough to restrain or deter Williams-Sonoma from continuing to engage in false and misleading origin-claims marketing.¹² As such, TINA.org strongly urges the FTC to reopen its investigation into Williams-Sonoma and take appropriate enforcement action.

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

Sincerely,



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



Bonnie Patten, Esq.
Executive Director
Truth in Advertising, Inc.

Cc via email: David King, General Counsel, Williams-Sonoma, Inc.
Danielle Hohos, Deputy General Counsel, Williams-Sonoma, Inc.

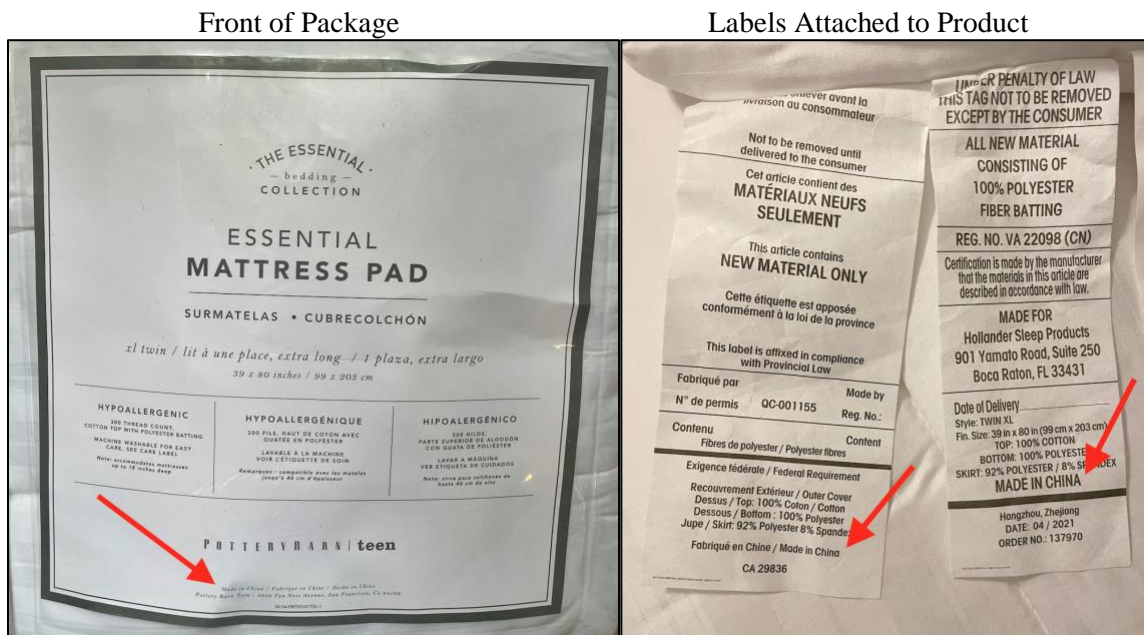
¹ In the Matter of Williams-Sonoma, Inc., <https://www.ftc.gov/legal-library/browse/cases-proceedings/202-3025-williams-sonoma-inc-matter>.

² PBteen Essential Mattress Pad, <https://www.pbteen.com/products/classic-mattress-pad/>.

³ TINA.org ordered the PBteen mattress pad at issue directly from the PBteen website on August 8, 2023 and received it on August 15, 2023. Throughout this entire time, the PBteen product page for the mattress pad indicated the product was “Crafted in America from domestic and imported materials.”

⁴ *Id.*

⁵ Larger pictures of the physical labels:



⁶ In the Matter of Williams-Sonoma, Inc., Complaint, March 30, 2020, https://www.ftc.gov/system/files/documents/cases/202_3025_williams-sonoma_admin_complaint.pdf.

⁷ June 13, 2018 FTC Closing Letter to Williams-Sonoma, Inc., https://www.ftc.gov/system/files/documents/closing_letters/nid/musa_williams-sonoma_closing_letter.pdf.

⁸ May 21, 2019 TINA.org Complaint Letter to FTC regarding Williams-Sonoma, Inc.’s Continuing Use of False Made in USA Marketing, https://truthinadvertising.org/wp-content/uploads/2019/05/5_21_19-ltr-to-FTC-re-Williams-Sonoma-Made-in-USA-marketing_Redacted.pdf.

⁹ TINA.org’s Williams-Sonoma Investigation, <https://truthinadvertising.org/brands/williams-sonoma/>.

¹⁰ *In the Matter of Williams-Sonoma, Inc.*, Agreement Containing Consent Order, March 30, 2020, <https://truthinadvertising.org/wp-content/uploads/2020/03/Williams-Sonoma-Cosent-Order.pdf> and Decision and Order, July 16, 2020, <https://www.ftc.gov/system/files/documents/cases/2023025c4724williamssonomaorder.pdf>.

¹¹ This consumer also reported to TINA.org that she also wanted a mattress pad that met OEKO-TEX standards (a set of standards that pertain to the presence of harmful substances in textiles) and that the webpage description advertising the mattress pad at issue states it meets such standards. However, according to this consumer, there is no OEKO-TEX certification on the pad or packaging.

TINA.org confirmed that the mattress pad at issue is indeed marketed with the following language: “OEKO-TEX® STANDARD 100: tested for 1000+ harmful substances to keep you and your family safe from chemicals common to textile manufacturing. 14.HUS.42449 HOHENSTEIN HTTI.” PBteen Essential Mattress Pad, <https://www.pbteen.com/products/classic-mattress-pad/>.

DETAILS YOU'LL APPRECIATE

- Woven of pure cotton with polyester filling.
- Sewn with Bengalore™ elastic for a secure fit.
- OEKO-TEX® STANDARD 100: tested for 1000+ harmful substances to keep you and your family safe from chemicals common to textile manufacturing. 14.HUS.42449 HOHENSTEIN HTTI.
- 300-thread count.

Further, the mattress pad ordered by TINA.org directly from this webpage and received by TINA.org on August 15, 2023 does not contain any OEKO-TEX certification. *See* OEKO-TEX Standard 100, <https://www.oeko-tex.com/en/our-standards/oeko-tex-standard-100>.

¹² While TINA.org has not undertaken a broader review of Williams-Sonoma’s current marketing materials in an attempt to unearth additional examples of false U.S.-origin claims, the history of this company has shown that one incident of false Made in USA marketing may be indicative of a larger issue.