

REVLON

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Alexandra Gerber
Vice President & Assistant General Counsel



May 15, 2015

Laura Smith, Esq.
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P.O Box 927
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Re: Almay Simply American™ Advertising

Dear Ms. Smith:

I write in response to your May 8, 2015, letter regarding advertising for the Almay brand of cosmetics, which is owned by Revlon, Inc. (Revlon). I thank you for your inquiry and for the opportunity to clarify Revlon's advertising and to assuage your concerns.

Almay cosmetics was founded in the United States in 1931, at a time when cosmetics were heavy, full of fragrance and made with powerful chemicals and were much too harsh for sensitive skin. Intrigued by the challenge of developing cosmetics that would work with his wife Fanny May's delicate complexion, chemist Alfred Woititz, began to experiment with pure and gentle ingredients in makeup. With the help of a dermatologist they created the first doctor-tested hypoallergenic, fragrance-free cosmetics line. "Almay" is a combination of their names (al + may). Since that time, Almay products have been formulated in the United States. In 1997 Almay was acquired by Revlon and we consolidated our United States manufacturing operations in North Carolina. We are proud to provide to more than 1,000 American jobs in our Oxford, North Carolina facility, which is the largest plant in Granville County, North Carolina and is one of, if not the largest in the State of North Carolina with a size of roughly one million square feet. We invite you to tour Almay's North Carolina production facility, and meet our American workers.

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Your letter asserts that Almay makes an “implied, unqualified claim that its products are made in the United States of America,” but I note that the letter does not explain what advertising claims form the basis of your assertion. In fact, Almay makes no express or implied claim that its products are made entirely in the United States. This fact is quite evident from the labels themselves -- Almay’s products are clearly and correctly labeled as to their site of manufacture, and when they contain non-domestic content.

Almay is a cosmetic brand that is proudly American. Almay’s Simply American™ campaign reflects and truthfully communicates Almay’s brand values of authenticity and American beauty. The campaign is focused on American look, style and feeling, drawing a contrast to the European styling focus of competitors such as L’Oreal Paris – which promotes French Innocence and several other products with French names – and Rimmel London, which prominently displays the Union Jack in its promotion, along with images of a distinctly British look. In short, Almay’s Simply American™ campaign is a celebration of American beauty, personified by spokeswoman Carrie Underwood, who has been described as “America’s sweetheart.”

All of Almay’s products are formulated in Almay’s laboratories in Edison, New Jersey, which is also the home of Almay’s product innovation team. Most of Almay’s product testing likewise takes place in Edison, as well as in Princeton, New Jersey. It is for these reasons that Almay states on its website that its products are grounded in “American Science.”

Because the focus of its campaign has been on American style, Almay has not made “assembled in the USA” or qualified “made in the USA” claims. Nevertheless, Almay could satisfy the criteria established by the FTC for such claims. *See FTC Enforcement Policy Statement on U.S. Origin Claims*, 62 FR 63760, 63755 (Dec. 2, 1997); *see also FTC Guidance: Complying with Made in USA Standard* (Dec. 1998).

I trust this response satisfies your concerns. Accordingly, I respectfully request that you discontinue any further inquiry into Almay’s advertising, and instead devote the resources of your honorable cause to protecting consumers from deceptive advertising. If you would like any additional information, and certainly if you would like a tour of our North Carolina facility, please feel free to contact me.

Very truly yours,


Alexandra Gerber