



June 22, 2015

**VIA EMAIL AND OVERNIGHT MAIL**

Doug McMillon, President and CEO  
Karen Roberts, Executive Vice President and General Counsel  
Stephen F. Quinn, Executive Vice President and Chief Marketing Officer  
Wal-Mart Stores, Inc.  
702 SW 8<sup>th</sup> Street  
Bentonville, AK 72716-8611



Re: Wal-Mart's False and Deceptive Use of USA Labels

Dear Mr. McMillon, Ms. Roberts, and Mr. Quinn:

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 [www.walmart.com](http://www.walmart.com) has revealed that your company, Wal-Mart Stores, Inc. ("Walmart"), is marketing products through the use of false and/or deceptive "Made in the USA" and "Assembled in the USA" representations. TINA.org's findings make it clear that Walmart's website is mired in USA labeling errors. Specifically, we have found that your company's website:

- Displays USA product labels that, in many instances, misrepresent the origin of the products and are therefore false. For example, the Equate Beauty Wedge Applicator Sponges, which are made in China according to the product packaging, are labeled as "Made in the USA" on the Walmart website (see attached);
- Displays USA product labels that, in many cases, conflict with the information contained in the product specifications on the same webpage. For example, the Equate 7 Day Dental Whitening System Advanced Whitening Wraps bear a "Made in the USA" label, while the specifications beneath the product image indicate that the product is entirely imported (see attached). In addition, Walmart's website displays product specifications that, in some cases, misrepresent the origin of the products and are therefore false. For example, the specifications for the Almay Intense I-color Liquid Eye Liner, which is made in

Germany according to the product packaging, indicate that the product is assembled in the USA and that all of its components are from the USA (see attached); and

- Displays USA product labels that do not clearly or prominently disclose the important qualifying language that only a certain percentage (50%+, 75%+, or 90%+) of the product is made in the United States, or that the product is just assembled, but not made, in the United States.

TINA.org has compiled over 100 examples of such errors, as well as an expert report by a visual perception and Web interface specialist in support of its contentions.

In short, Walmart's use of its USA labels and specifications is false and deceptive, and therefore in violation of the Federal Trade Commission's standards for making U.S.-origin claims, as well as Section 5(a) of the FTC Act. Accordingly, we intend to notify the FTC of these USA labeling and marketing issues, unless, **by June 26, 2015**, you confirm in writing that Walmart intends to remove from its website and any other marketing materials all false and deceptive USA representations.

Sincerely,



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