



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Bureau of Consumer Protection  
Division of Enforcement

April 21, 2026

**VIA EMAIL**

Southland Tile Tools and Accessories d/b/a/ Troxell USA  
c/o Akerman LLP  
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Dear Ms. Nowels and Ms. Massie,

We write regarding Commission staff’s review of unqualified U.S.-origin and “Made in the USA” claims made by Southland Tile Tools and Accessories d/b/a Troxell USA (“Troxell”) about its products. Following your submissions, Commission staff expressed concern that Troxell overstated the extent to which its knee pads are made in the United States. For example, in several instances, Troxell advertised and sold knee pads with “Made in the USA” on product packaging even though it used components from Vietnam and South Korea in its kneepads and assembled them in Mexico for a duration of time. Commission staff also raised concerns with broad, unqualified “Made in the USA” and U.S.-origin claims made by third-party retailers selling Troxell’s products.

Section 5(a) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 45(a) prohibits unfair or deceptive acts or practices in or affecting commerce. Among other things, the FTC Act requires that any representations be truthful, non-misleading, and adequately substantiated.<sup>1</sup> In addition, 15 U.S.C. § 45a (“Section 45a”) provides, in relevant part, that “[t]o the extent any person . . . sells, advertises, or offers for sale in commerce a product with a ‘Made in the U.S.A.’ or ‘Made in America’ label, or the equivalent thereof, . . . such label shall be consistent with the decisions and orders of the Federal Trade Commission pursuant to section 45 of this title” (i.e., Section 5 of the FTC).<sup>2</sup> Accordingly, when a company makes a “Made in the

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<sup>1</sup> Fed. Trade Comm’n, *Policy Statement on Deception*, 103 F.T.C. 174 (1984) (appended to *Cliffdale Assocs., Inc.*, 103 F.T.C. 110 (1984)); *Fed. Trade Comm’n v. Direct Mktg. Concepts, Inc.*, 624 F.3d 1, 8 (1st Cir. 2010) (“Where the advertisers lack adequate substantiation evidence, they necessarily lack any reasonable basis for their claims. And where the advertisers so lack a reasonable basis, their ads are deceptive as a matter of law.” (Citation omitted)).

<sup>2</sup> See, e.g., *In the Matter of ExotoUSA LLC*, FTC Docket No. C 4800, Decision and Order (Jan. 10, 2024); *In the Matter of Chaucer Accessories, Inc.*, FTC Docket No. C-4797, Decision and Order (Aug. 22, 2023); *In the Matter of Cycra Inc.*, FTC Docket No. C-4794, Decision and Order (May 30, 2023); *In the Matter of Instant Brands LLC*, FTC Docket No. C-4788, Decision and Order (March 1, 2023); *In the Matter of Electrowarmth Products, LLC*, FTC

USA” or other unqualified domestic origin claim about its product, “all or virtually all” of that product must be made in the United States.<sup>3</sup> This means that “all significant parts and processing that go into the product” are of U.S. origin; the product should contain, at most, only negligible foreign content.<sup>4</sup> Additionally, as the Commission has explained, “marketers should not represent, either expressly or by implication, that a whole product line is of U.S. origin (e.g., ‘Our products are Made in USA’) when only some products in the product line are, in fact, made in the United States.”<sup>5</sup>

The Commission also enforces the Made in USA Labeling Rule (“MUSA Labeling Rule”), 16 C.F.R. Part 323. It is a violation of the MUSA Labeling Rule to label any product as “Made in the United States” unless the final assembly or processing of the product occurs in the United States, all significant processing that goes into the product occurs in the United States, and all or virtually all ingredients or components of the product are made and sourced in the United States.<sup>6</sup> In other words, if a product labeled as “Made in the USA” is not “all or virtually all” made in the United States, then the company may violate Section 5 of the FTC Act or the MUSA Labeling Rule by making a “Made in USA” or other unqualified domestic origin claim about that product.

In response to Commission staff’s review, Troxell has brought its “Made in the USA” claims into compliance with the laws and rules enforced by the Commission and has implemented a remedial action plan to address future conduct. This plan requires Troxell to: (i) update product labeling and packaging to cease use of “Made in the USA” for all of its products including its kneepads, tile spacers, grout floats, and electric saw switches; (ii) remove all “Made in the USA” claims from its website and promotional materials; (iii) work with its third-party retailers and distributors to remove “Made in the USA” claims on their websites and provide correct marketing materials; (iv) create a third-party monitoring program including use of a full-time employee to monitor Made in the USA claims by third-party retailers and distributors; (v) create a storefront on a third-party online platform to identify and remove Made in the USA claims; and (vi) provide training on U.S.-origin claims. Moreover, Troxell should not state, nor imply, in marketing materials or on product labeling that its products are wholly or

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Docket No. C-4779, Decision and Order (Oct. 25, 2022); *In the Matter of Lions Not Sheep Apparel, LLC*, FTC Docket No. C- 4772, Decision and Order (July 28, 2022); *In the Matter of Resident Home LLC*, FTC Docket No. C-4767, Decision and Order (June 21, 2022); *In the Matter of Gennex Media LLC*, FTC Docket No. C-4741, Decision and Order (Apr. 9, 2021); *In the Matter of Chemence, Inc.*, FTC Docket No. C-4738, Decision and Order (Feb. 9, 2021); *In the Matter of Williams-Sonoma, Inc.*, FTC Docket No. C-4724, Decision and Order (July 13, 2020); *In the Matter of Sandpiper of California, Inc.*, FTC Docket No. C-4675, Decision and Order (Apr. 16, 2019); *In the Matter of Underground Sports Inc.*, FTC Docket No. C-4674, Decision and Order (Apr. 16, 2019); *In the Matter of Nectar Brand LLC*, FTC Docket No. C-4656, Decision and Order (Aug. 28, 2018); *see also* *FTC v. Cardiff*, 5:18-cv-02104, Dkt. 706, Final Order (C.D. Cal. Mar. 1, 2022).

<sup>3</sup> *See* Fed. Trade Comm’n, *Issuance of Enforcement Policy Statement on “Made in USA” and Other U.S. Origin Claims*, 62 Fed. Reg. 63756, 63767-78 (Dec. 2, 1997), <https://www.ftc.gov/legal-library/browse/enforcement-policy-statement-us-origin-claims>. *See also* Fed. Trade Comm’n, *Complying with the Made in USA Standard* (July 2024), <https://www.ftc.gov/business-guidance/resources/complying-made-usa-standard>.

<sup>4</sup> 62 Fed. Reg. at 63768. The Commission analyzes several factors to determine whether “all or virtually all” of a product is made in the United States, including the proportion of the product’s total manufacturing costs attributable to U.S. parts and processing, how far removed any foreign content is from the finished product, and the importance of the foreign content or processing to the overall function of the product. *See id.* at 63768-69.

<sup>5</sup> *Id.* at 63768 n.111.

<sup>6</sup> 16 C.F.R. § 323.2.

partially made in the United States unless the company has adequate substantiation for those claims.

Based on Troxell's engagement with Commission staff, its remedial action plan, and its stated commitment to future compliance, Commission staff has decided not to pursue its investigation further. Please note this letter should not be construed as a determination that a law violation has not occurred. The Commission reserves the right to monitor and take further action against Troxell, including filing a federal lawsuit and seeking a permanent injunction and/or monetary relief, as the public interest may require.

If you have any questions, you can reach out to staff, specifically, Michelle Schaefer at mschaefer@ftc.gov.

Sincerely,

*/s/ Michelle Schaefer*

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Michelle Schaefer  
Staff Attorney

*Lashanda J. Freeman*

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Lashanda Freeman  
Senior Investigator