



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

Bureau of Consumer Protection
Division of Enforcement

July 8, 2025

Via Federal Express and Electronic Mail

USA Big Mountain Paper Inc.
Attn: Gustavo Massagli, President
2160 W. 33rd Street
Jacksonville, FL 32209
gustavo.m@nateen.com

Compliance Warning Re: Made in USA Representations

Dear Mr. Massagli,

The Federal Trade Commission (“Commission”), the nation’s consumer protection agency, enforces the Federal Trade Commission Act, 15 U.S.C. § 41 *et seq.* Specifically, Section 5 of the FTC Act prohibits unfair or deceptive acts or practices in or affecting commerce. 15 U.S.C. § 45. Pursuant to the FTC Act, the Commission requires that any representations be truthful, non-misleading, and adequately substantiated.¹ When a company makes United States origin claims about its product (*e.g.*, “Made in the USA”), or otherwise claims the product is of domestic origin, the product must be “all or virtually all” made in the United States.² 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.³ The Commission also enforces the Made in USA Labeling Rule (“MUSA Labeling Rule”), 16 C.F.R. § 323.⁴ 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.⁵ In other words, if a

¹ See, *e.g.*, 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.” (internal citation omitted)).

² 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>.

³ *Id.* at 63768. The Commission analyzes several factors to determine whether a product is “all or virtually all” 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.

⁴ The Commission promulgated the MUSA Labeling Rule pursuant to its statutory authority under 15 U.S.C. § 45a. See Section 320933 of the Violent Crime and Law Enforcement Act of 1994, Public Law 103-322, 108 Stat. 1796, 2135 (1994) (authorizing the Commission to issue rules to prevent unfair or deceptive acts or practices relating to MUSA labeling).

⁵ 16 C.F.R. § 323.2.

product is not “all or virtually all” made in the United States, making a “Made in the USA” or other unqualified domestic origin claim on labeling, packaging, or elsewhere about that product may violate Section 5 of the FTC Act or the MUSA Labeling Rule.

The Division of Enforcement has received information that USA Big Mountain Paper Inc. (“USA Big Mountain Paper”), a division of Belgium-based manufacturer Nateen, promotes Hospeen-branded adult diapers, wipes and other incontinence personal care products (“Product”), as being made in the United States. Specifically, USA Big Mountain Paper has made unqualified United States origin claims on its packaging and product labeling that:

- the Product is “Made in US”; and
- Hospeen is “high quality America [sic] manufactured products.”

However, information and complaints reviewed by Commission staff suggest the Product may be wholly imported or may contain significant imported content. Unless USA Big Mountain Paper can adequately substantiate that “all or virtually all” of the Product is made in the United States, USA Big Mountain Paper’s claims likely violate Section 5 of the FTC Act and the MUSA Labeling Rule.

We strongly encourage you to immediately bring USA Big Mountain Paper’s “Made in the USA” claims into compliance. Please note that violations of the FTC Act and the MUSA Labeling Rule could subject USA Big Mountain Paper to legal action, including the issuance of civil investigative demands (administrative subpoenas), the filing of a federal lawsuit, a permanent injunction, the imposition of civil penalties of up to \$53,088 per violation of the MUSA Labeling Rule, and other monetary relief pursuant to Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b). By sending this letter, the Commission does not waive its rights to take law enforcement action and seek appropriate injunctive and monetary remedies against USA Big Mountain Paper based on these alleged violations.

Thank you for your attention to this matter. Within five (5) business days of receipt of this letter, please contact Michelle Schaefer (mschaefer@ftc.gov) and Lashanda Freeman (lfreeman@ftc.gov) to discuss USA Big Mountain Paper’s full compliance with Section 5 of the FTC Act and the MUSA Labeling Rule.

Very truly yours,



Brian C. Berggren
Acting Associate Director
Division of Enforcement