

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright**

_____)	
)	
In the Matter of)	
)	
)	Docket No. C-4412
Relief-Mart, Inc.,)	
a corporation.)	
)	
)	
_____)	

COMPLAINT

The Federal Trade Commission, having reason to believe that Relief-Mart, Inc. (“Respondent”) has violated provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent is a California corporation with its principal office or place of business at 755 Lakefield Rd., Ste. H, Westlake Village, CA 91361. Respondent does business under the names Relief-Mart and Tempflow.
2. Respondent manufactures, advertises, offers for sale, sells, and distributes “memory foam” mattresses, which are marketed as mattresses that conform to the sleeper’s body shape and weight. Respondent distributes these mattresses through its website, www.tempflow.com.
3. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.
4. Respondent has disseminated or has caused the dissemination of promotional materials for its memory foam mattresses, including, but not limited to, print advertisements and website advertisements in the attached exhibits.

5. In many instances, including but not limited to the promotional materials shown in Exhibits 1 through 3, Respondent has prominently represented that:
- a. Respondent's memory foam mattresses do not contain volatile organic compounds ("VOCs"). Exhibits 1-3.
 - b. Respondent's memory foam mattresses have "no VOC off-gassing." Exhibit 2.
 - c. Respondent's memory foam mattresses lack the common smell typically associated with memory foam. Exhibit 1.
6. In truth and in fact, Respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 5 at the time the representations were made.

COUNT I (Unsubstantiated Representations)

7. Through the means described in Paragraphs 4 and 5, Respondent has represented, expressly or by implication, that it possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 5, at the time the representations were made.
8. In truth and in fact, Respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 5 at the time the representations were made. Therefore, the representations set forth in Paragraph 7 are false or misleading.

THEREFORE, the Federal Trade Commission, this nineteenth day of September 2013, has issued this complaint against Respondent.

By the Commission.

SEAL:

Donald S. Clark
Secretary