



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Willard Cooper
Berkeley County Water & Sanitation
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Cooper:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Mona Menezes
City of Branson
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Menezes:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jared Cummons
City of Bridgeport
State of West Virginia

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Cummons:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Pruss
Burns & McDonnell
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Pruss:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to sanitary sewer systems and municipal wastewater treatment plants throughout the Midwest by manufacturers claiming their products are "flushable," when such is not the case. You also relate the problems owners of private septic systems have faced when purportedly "flushable" wipes have caused sewage backups. In light of your wastewater treatment experience, you express strong support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Beth Eckert
Cape Fear Public Utility Authority
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Eckert:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Adam D. Link
California Association of Sanitation Agencies
City of Sacramento
State of California

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Link:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of the California Association of Sanitation Agencies ("CASA"), an association representing more than 115 entities that provide wastewater collection, treatment, clean energy and water recycling services to millions of Californians. Because of CASA's experiences, you fully support the Commission's action in this matter.

Specifically, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. This damage can lead to sewer overflows, which negatively impact the environment and local communities.

In addition, you endorse the order's requirements for substantiating a claim of flushability, particularly to the extent that it calls for professionals in the relevant field to evaluate the evidence supporting such a claim. You explain that this is important because wastewater industry professionals know how these products interact with water after flushing and the problems caused when they do not truly dissolve or disperse.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Moreover, you highlight the problem with wipes containing plastic, as that can reduce the water treatment agencies' ability to recover wastewater resources and may cause additional environmental problems. The Commission believes that it would be unlikely that a manufacturer

could substantiate a safe for sewer or septic claim for a wipe containing plastic the terms of the final order.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Charles Gray III
Chesterfield County Rural Water Co.
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Gray:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Kevin Irby
CDM Smith, Inc.
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Irby:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Office of the Secretary

October 30, 2015

Roger S. Bailey
Central Costa Contra Sanitary District
State of California

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Bailey:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case, and express support for the Commission's action in this matter. You suggest that the Commission seek the wastewater industry's participation when evaluating whether competent and reliable evidence supports a "flushable" claim. The Commission takes allegations of unsubstantiated and false claims seriously. Moreover, staff of the Commission routinely interacts with a wide variety of industry participants – including professionals in the relevant field – when examining potentially unsubstantiated and false claims.

In addition, you highlight the problem of wipes that contain plastic. You state that "[p]lastics in wastewater can reduce the ability of a utility to recover resources and may cause downstream environmental impacts." Moreover, the Commission would look closely at any claims of safe for sewer and septic for wipes containing plastic. We value the input of knowledgeable professionals on this issue, and thank you for your guidance.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Tim Haapala
The Sanitary Board
City of Charleston
State of West Virginia

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Haapala:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe and document the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express strong support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Robert Elwell
City of Auburn
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Elwell:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused by manufacturers claiming their products are "flushable" when in fact they do not disperse in a sufficiently short period of time to prevent jamming pump station equipment and to avoid combining with fats, oils, and greases and causing clogs. You note that the City of Auburn has spent significant resources to deal with these products in your sewer system, which has resulted in increased costs to all customers. Because of this experience, you express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Bradley Moore
City of Bangor Wastewater Treatment Plant
City of Bangor
State of Maine

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Moore:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment expresses support for the Commission's proposed settlement with Nice-Pak, particularly because it requires products sold as "flushable" to disperse in a sufficiently short period of time and because the settlement requires that product tests replicate real world conditions. The Commission values the input of wastewater industry professionals, such as yourself, on this issue.

In addition, you state that all manufacturers who label their wipes as flushable should have to abide by the "real world" standard in the Nice-Pak order. We believe that the final order will put manufacturers and marketers on notice of that the required substantiation for flushable claims implicates "real world" conditions.

You urge the Commission to include a definition of "flushable" in its Guides for the Use of Environmental Marketing Claims, 16 C.F.R. Part 260 ("Green Guides"). There is the issue, however, whether "flushable" always implies an environmental benefit claim. Absent a clear implication of an environmental claim, the Commission will continue to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from

the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Lucien J. Colburn
Water Pollution Control Facility
City of Brewer
State of Maine

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Colburn:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you express support for the Commission's proposed settlement with Nice-Pak, particularly because the settlement requires that products sold as "flushable" disperse in a sufficiently short period of time, and that tests used to substantiate claims reflect real-world conditions. You state that the nonwoven wipe manufacturers' trade association guidelines for "flushable" do not reflect real-world conditions, and as such, should not be used to substantiate a "flushable" claim under the order. You underscore this point by noting that those guidelines have not been accepted by wastewater professionals. The Commission values the input of wastewater industry professionals, such as yourself, on this issue.

You urge the Commission to include a definition of "flushable" in its Guides for the Use of Environmental Marketing Claims, 16 C.F.R. Part 260 ("Green Guides"). It is unclear, however, whether "flushable" always implies an environmental benefit. Absent a clear implication of an environmental claim, the Commission will continue to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. A final order in the Nice-Pak matter will inform manufacturers of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable."

Your comment also requests that the Commission require that wipes not marketed as "flushable" be labeled "do not flush," because of consumer confusion regarding the flushability of wipes. Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the

Federal Trade Commission Act, 15 U.S.C. § 45. Absent findings that it is unfair or deceptive to fail to label such wipes “do not flush,” the Commission believes that it is appropriate to continue its general practice. Moreover, staff of the Commission routinely interacts with a wide variety of industry participants – including professionals in the relevant field – when examining potentially false, misleading, and unsubstantiated claims.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission’s website at www.ftc.gov. It helps the Commission’s analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Debra Tunstall
City of Lincoln
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Tunstall:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Andy Miller
City of Greenfield
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Miller:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe problems caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection system's experience, you express support for the Commission's action in this matter. The Commission values your input.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Theodore Lynch
City of Raleigh
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Lynch:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of your organization, which serves a number of municipalities in the Raleigh, N.C. area. In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express strong support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. You also provided the results of tests that the City conducted on numerous products, many of which are labeled as "flushable." Based upon those tests, you have concluded that most of these products in fact were not "flushable." We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

You urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Paul Lehosit
Clarksburg Sanitary Board
City of Clarksburg
State of West Virginia

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Lehosit:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you express support for the Commission's action in this matter and describe the damage caused to local and municipal sewer systems by manufacturers claiming their products are "flushable," when such is not the case.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Nicole Kaiser
Metropolitan Washington Utilities and Stakeholders
Washington, District of Columbia

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Kaiser:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of operators of sanitary sewer systems and municipal wastewater treatment plants that serve six million customers in and near Washington, D.C. You describe the damage caused to wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. Moreover, you mention that those operators have dedicated funds to educating consumers about the inaccurate advertising of wipes as "flushable." In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis. This includes evaluation of the evidence by professionals in the relevant field.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Charles Gross
Duckett Creek Sewer District
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Gross:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Curt Zuvela
City of Edmonds Wastewater Treatment Plant
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
File No. 132 3272, Docket No. C-4556

Dear Mr. Zuvela:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the expensive biological process your city uses to treat wastewater, and how flushing anything other than that which is absolutely necessary increases the costs of that process. We understand this statement to mean that consumers should not flush wipes in your system, whether advertised as flushable or not.

We appreciate your comment and believe that the proposed order should help address your concerns. The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipes will be disposed. We also believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable."

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Susanna Littell, President
Florida Industrial Pretreatment Association
City of Windermere
State of Florida

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Littell:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of the Florida Industrial Pretreatment Association ("FIPA"), which consists of professionals representing 65 municipal industrial pretreatment programs throughout the Florida. Your members describe the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. These comments express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Forrest Whittington
City of Florence
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Whittington:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe problems caused by disposal of "flushable" baby wipes into the sewage system, as they can cause operational problems that could lead to sewer overflows and violations of the Clean Water Act. We appreciate your comment and believe that the proposed order should help address your concerns. The final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable." The order prohibits Nice-Pak from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipes will be disposed.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Darrel Frame, P.E.
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Frame:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the problems caused to the nation's aging wastewater infrastructure due to manufacturers claiming their products are "flushable," when such is not the case. You express support for the Commission's action because, in your opinion, continuing to flush these wipes down the toilet will cause only further problems. The Commission values your input as a professional engineer.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

D. Wrenne Kapornyai
Franklin County Public Utilities
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear D. Wrenne Kapornyai:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the maintenance problems caused by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express support for the Commission's action in this matter. In your opinion, wipes should not be flushed, but disposed of in the garbage. The Commission values your input as a member of the wastewater treatment community.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

JoEllen Gay
Greenville Utilities Commission
City of Greenville
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Gay:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe and illustrate the damage to wastewater equipment caused by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express strong support for the Commission's action in this matter.

You also encourage the Commission to notify other manufacturers of "flushable" wipes about the proposed Nice-Pak consent agreement, and to take action against them if they make deceptive claims about similar products. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a

variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Karla Pierce
City of Independence
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Pierce:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Nicholas Heatherly
City of Joplin
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Heatherly:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Pam Elardo. P.E.
King County Department of Natural Resources and Parks
Water Treatment Division
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Elardo:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to 34 local sewer agencies throughout the Puget Sound area by manufacturers claiming their products are "flushable," when in actuality their products do not disperse in a municipal sewer system. You note that your department has spent significant resources to capture and remove paper debris from the system and to educate the public that toilet paper is the only safe manufactured product to flush in your system. Because of this experience, you fully support the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Bobbi Wallace
Department of Public Works
City of Kirkland
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Wallace:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment states that you fully support the Commission's action in this matter, particularly because it reinforces your department's efforts to educate consumers about what is appropriate to flush. Additionally, you suggest actions that you believe would further alleviate the burden caused to waste water systems by products that do not disperse after being flushed.

One suggestion you make is to require wipes not marketed as "flushable" to be labeled "do not flush." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. Absent findings that it is unfair or deceptive not to label such wipes "do not flush," the Commission believes that it is appropriate to continue its general practice.

In addition, you suggest that manufacturers should test the dispersibility of a product in all communities where the product is sold. We believe that the proposed order should help address your concerns. The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipes will be disposed. This requirement also should address your concern that wipes and other non-dispersible products combine with fats, oils and grease in the sewer pipes after being flushed. Finally, the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable."

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Scott Firman, P.E.
Maine Water Environment Association
City of Augusta
State of Maine

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Firman:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to Maine wastewater equipment by manufacturers claiming their products are "flushable," when in fact the majority of these products do not disperse in a sufficiently short period of time to prevent clogs. You note that many communities have spent significant resources to handle these "flushed" materials. You also state that these products have not been tested in real-world conditions that would support a claim of "flushable." Because of this experience, you express support for the Commission's action in this matter.

You also encourage the Commission to evaluate claims by other manufacturers of "flushable" wipes. The Commission takes allegations of misleading claims and their attendant harm seriously. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable."

Your comment requests that the Commission require that wipes not marketed as "flushable" be labeled "do not flush." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

Finally, you underscore the need for the order to apply to all Nice-Pak products marketed as "flushable." The order does include strong injunctive relief against Nice-Pak by, among other things, requiring the appropriate level of substantiation for "flushable" claims. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the

case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Karl Kopec
Mishawaka Utilities
City of Mishawaka
State of Indiana

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Kopec:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the substantial operational and maintenance problems caused by manufacturers claiming their products are "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience that non-woven fabric wipes labeled as flushable do not disperse and are not safe for sewer systems, you express strong support for the Commission's action in this matter because.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the

Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Russell Colbath
City of Monroe
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Colbath:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Cynthia Finley, Ph.D.
National Association of Clean Water Agencies
Washington, District of Columbia

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Finley:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

You submitted a comment on behalf of the National Association of Clean Water Agencies ("NACWA"), which represents the interests of nearly 300 publicly owned wastewater treatment agencies nationwide, serving the majority of the sewered population in the United States. In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of NACWA members' experience, NACWA fully supports the Commission's action in this matter.

Your comment expresses NACWA's view that the order's substantiation requirement is appropriate. The order requires tests that substantiate that a wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipe will be disposed. Moreover, those tests must be "based on the expertise of professionals in the relevant area."

You note that a test using the guidelines devised by the trade association of nonwoven fabrics would not provide evidence of a wipe's flushability, because those guidelines do not reflect the expertise of wastewater professionals, do not replicate the physical conditions of municipal sewer systems, and allow too long for the wipe to disperse. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you describe the environmental problems caused by wipes containing plastic that are marketed as flushable. Specifically, you state that plastic should be kept out of the sewer system. The Commission would look closely at any claims of safe for sewer or septic made for

a wipe containing plastic under the terms of the final order.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Kathleen Schmid, Senior Counsel
New York City Law Department
City of New York
State of New York

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272; Docket No. C-4556

Dear Ms. Schmid:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment describes New York City's infrastructure and the damage caused to its wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. Because of New York City's experience, you "welcome the Commission's attention to the pressing problems that sanitary wipes that are marketed to be flushable present to sewer and wastewater treatment utilities, the City is concerned that the proposed Order suffers from several weaknesses that may threaten its efficacy."

You do raise a number of concerns about the operation of the order, which we will address. You urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

You also believe that other manufacturers of "flushable" wipes should be required to comply with the order's substantiation standards. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before advertising a wipe as "flushable."

Your comment states that the company or the wipe manufacturers' trade association should not be allowed to determine what test results are sufficient substantiation under the order. Specifically, you state that the trade association's current flushability standards are not representative of the "physical conditions of the environment" of sewer and wastewater infrastructure, and do not reflect the expertise of individuals in the wastewater treatment field. You add that those standards allow for significantly more time and agitation than is present in New York City's infrastructure.

The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a “sufficiently short amount of time” after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The evidence substantiating this claim must also replicate the physical conditions of the environment where the wipes will be disposed. As such, the wipe manufacturers’ trade association’s flushability standards do not replicate the physical conditions of the environment where the wipes will be disposed.

In addition, you suggest that the Commission consult wastewater treatment agencies about what constitutes “competent and reliable evidence” of flushability, and that the Commission seek input from professionals from a variety of geographic areas because of differing conditions of infrastructure. Commission staff do routinely interact with a wide variety of industry participants – including professionals in the relevant field – when examining substantiation for potentially unsubstantiated and false claims. The order requires that the evidence must have been “conducted and evaluated in an objective manner by qualified persons, using procedures generally accepted in the profession to yield accurate and reliable results.” This addresses your concern regarding neutral third party oversight. Moreover, as noted above, the order requires that the substantiation tests replicate the physical conditions of the environment where the wipes will be disposed.

Finally, you request that the Commission require that wipes not marketed as “flushable” be labeled “do not flush.” Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission’s website at www.ftc.gov. It helps the Commission’s analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Gary Alford
North Charleston Sewer District
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Alford:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Al Nelson
Northshore Utility District
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Nelson:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage to wastewater equipment and the environment caused by manufacturers claiming their products are "flushable," when such is not the case. You underscore that only products that disperse in a sufficiently short period of time should ever be disposed of in a wastewater conveyance and/or treatment system. In light of the Northshore Utility District's experience, you express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jerry Jesky
Olsson Associates
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Jesky:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe your engineering work with municipalities which have had substantial operation and maintenance problems caused by manufacturers claiming their products are "flushable," when such is not the case. You categorize these products as solid waste and state that they are more suited for disposal in a landfill, as opposed to a sewer system. As such, your comment supports the Commission's action against Nice-Pak for unsubstantiated claims that its product was flushable. The Commission values the input of knowledgeable industry participants, such as yourself, on this issue.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from

the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

James D. Herberg
Orange County Sanitation District
City of Fountain Valley
State of California

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Herberg:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you express support for the Commission's action in this matter and describe the damage caused to wastewater equipment, and potentially to public health and the environment, by manufacturers claiming their products are "flushable," when such is not the case.

In addition, you highlight the problem with plastic in wipes, as that can reduce the water treatment agencies' ability to recover wastewater resources. The Commission would look closely at any safe for sewer or septic claims for a wipe containing plastic.

You request that the Commission require that wipes not marketed as "flushable" be labeled "do not flush." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Donald Plath
State of New York

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Plath:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe how your septic system overflowed after using "flushable" wipes that were marketed as safe for septic systems. In addition, you quote your plumber as saying that he had other clients who suffered similar experiences as a result of using "flushable" wipes. Your comment expresses support for the Commission's action against Nice-Pak in this matter. The Commission appreciates hearing from the public about their experiences.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Evan Romo
Public Water Supply District #1 of Lincoln County
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Romo:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe and document the damage caused to homeowners' grinder pumps and wastewater equipment in your district's pressure sewer system by manufacturers claiming their products are "flushable," when such is not the case. You express support for the Commission's action in this matter, and the Commission values your input.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Charles Ham
Public Works Commission
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Ham:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Kevin Eason
City of Reidsville
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Eason:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Bill Yetman
City of Rock Hill
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Yetman:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

George Dicks
Ronald Wastewater District
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Dicks:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. You underscore that only products that disperse in a sufficiently short period of time should ever be disposed of in wastewater conveyance and/or treatment systems. In light of your wastewater collection and treatment system's experience, you express support for the Commission's action in this matter.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Pastore
Southern California Alliance of
Publicly Owned Treatment Facilities
State of California

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Pastore:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of the Southern California Alliance of Publicly Owned Treatment Facilities, whose member-agencies serve communities across southern California. Your comment describes the damage caused to both wastewater equipment and the environment by manufacturers claiming their products are "flushable," when such is not the case. You underscore that only products that disperse in a sufficiently short time should ever be disposed of in a wastewater conveyance and/or treatment system. In light of the experience of your agency's members, you express support for the Commission's action in this matter. As an alliance of wastewater industry participants, we value your input.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Ray Hoffman, Director
Seattle Public Utilities
City of Seattle
State of Washington

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Hoffman:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. You add that such wipes lead to increased risk of sewer overflows, and that the Seattle area has experienced sewer blockages that have caused overflows into public swimming areas. You also document your organization's efforts to educate consumers not to flush wipes, even when the wipes are labeled as flushable. Because of your experience, you express full support for the Commission's action against Nice-Pak in this matter.

You also state that there are other wipes manufacturers that make deceptive claims about similar products. Your comment requests that all manufacturers should be required to prove that products are safe before labeling their products as flushable. The order prohibits the company from representing that any wipes are safe to flush unless it can substantiate that the wipe will disperse in a "sufficiently short amount of time" after flushing to prevent clogging and/or damage to household plumbing, sewage lines, septic systems, and other standard wastewater treatment equipment. The test must also replicate the physical conditions of the environment where the wipes will be disposed. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis."

Lastly, your comment requests that the Commission require that wet wipes be labeled "not flushable – dispose in the garbage." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated,

on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Wescott
Spartanburg Water
City of Spartanburg
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Wescott:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Stephen Meyer
City of Springfield
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Meyer:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jay Hoskins
Metropolitan St. Louis Sewer District
City of St. Louis
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Hoskins:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to sanitary sewer systems by manufacturers claiming their product is "flushable," when such is not the case. In light of your wastewater collection and treatment system's experience, you express strong support for the Commission's action in this matter.

You also encourage the Commission to notify and take action against other manufacturers of "flushable" wipes that make deceptive claims about similar products. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from

the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Alicia Wilson
Summerville CPW
City of Summerville
State of South Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Wilson:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Jerry Johnson
Washington Suburban Sanitary Commission
City of Laurel
State of Maryland

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Johnson:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was submitted on behalf of Washington Suburban Sanitary Commission, which provides drinking water and wastewater services to 1.8 million residents near Washington, D.C. In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also encourage the Commission to evaluate other "flushable" wipe manufacturers' claims and suggest that we seek the wastewater industry's participation during such evaluations. The Commission takes allegations of unsubstantiated and false claims seriously, and values your input as a member of the wastewater treatment industry. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis. Moreover, staff of the Commission routinely interacts with a wide variety of industry participants – including professionals in the relevant field – when examining potentially unsubstantiated and false claims.

In addition, you request that we require manufacturers of non-"flushable" wipes to display labels instructing consumers not to flush the wipes. Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Claudio H. Ternieden
Water Environment Federation
City of Alexandria
Commonwealth of Virginia

Re: *In the Matter of Nice-Pak Products, Inc.*
File No. 132 3272, Docket No. C-4556

Dear Mr. Ternieden:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

Your comment was filed on behalf of the Water Environment Federation (WEF), a not-for-profit technical and educational organization, which you identified as having 35,000 individual members and 75 affiliated member associations representing water quality professionals worldwide. Your comment describes the work that your organization has done to address the problems caused to municipal wastewater infrastructures by wipes that are labeled and advertised as flushable, but do not sufficiently disperse after flushing.

In light of WEF's experience, you support the Commission's action in this matter. In particular, you point to the proposed order's requirement that any tests must demonstrate that the covered product disperses in a sufficiently short period of time after flushing, and that test conditions must substantially replicate the varied physical conditions of the waste water environment in which the covered product may be disposed. You state that the flushability tests developed by wipe manufacturers do not reflect real-world conditions and therefore do not support claims of flushability. Specifically, you state that "neither the amount of time allowed, nor the amount of force applied reflects real world conditions." You also state that a further problem with those tests is overly-generous pass/fail criteria.

Your comment also relates municipalities' concerns about the presence of plastic materials in wipes sold as flushable, because such materials negatively impact the quality of the resulting biosolids. The Commission values your input on this issue.

Your comment requests that the Commission require that wipes not marketed as "flushable" be labeled "do not flush." Please understand, however, that the Commission generally acts to address specific representations that are false, misleading, or unsubstantiated, on a case-by-case basis to ascertain whether a marketer has engaged in unfair or deceptive conduct in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

John Gripentrog
City of Wentzville
State of Missouri

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Gripentrog:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

James Pridgen
Water Reclamation Facility
City of Wilson
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Mr. Pridgen:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary



Office of the Secretary

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

October 30, 2015

Laura Pruitt
City of Wilson
State of North Carolina

Re: *In the Matter of Nice-Pak Products, Inc.*
FTC File No. 132 3272, Docket No. C-4556

Dear Ms. Pruitt:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment, you describe the damage caused to wastewater equipment by manufacturers claiming their products are "flushable," when such is not the case. In light of your experience, you express support for the Commission's action in this matter.

You also state that the Commission should notify and take action against other manufacturers that make deceptive claims about similar products. We believe that the final order will put manufacturers on notice of the quality of substantiation a manufacturer should possess and rely upon before representing that a wipe is "flushable," and we will continue to evaluate such representations on a case-by-case basis.

Finally, you urge the Commission to take strong further action should Nice-Pak fail to comply with the order. If Nice-Pak violates the Commission's final order, it could be liable for civil monetary penalties of up to \$16,000 per violation, pursuant to Section 5(1) of the FTC Act, 15 U.S.C. § 45(1). As is the case with all Commission orders, Commission staff will closely monitor Nice-Pak's future activities to determine whether any violations occur.

After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the complaint. The final Decision and Order and other relevant materials are available from the Commission's website at www.ftc.gov. It helps the Commission's analysis to hear from a variety of sources, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary