

FTC Announces “Made in the USA” Sweep

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In March, President Trump [issued](#) an executive order directing the Chairman of the FTC to prioritize enforcement of Made in USA claims. Last week, the FTC announced enforcement actions against three companies that allegedly misled consumers into thinking their products were made in this country. Here’s a quick overview of the FTC’s allegations and the settlement terms.

- TouchTunes Music Company made unqualified “Made in the USA” claims on its website and other marketing materials. Although the company assembled its electronic dartboards in the US, many components—including ones essential to the function and operation of the products—were made outside the US. To settle the case, the company agreed to pay \$625,000 towards consumer redress, stop misrepresenting that products are Made in the USA, and notify consumers about the settlement.
- Americana Liberty, Three Nations, and their principals advertised that flags and other accessories were “Made in the USA,” “All-American Made,” “100% Made in the USA,” “100% American Made Tough,” and “Built by Americans for Americans,” even though several products were wholly imported from China and others were comprised of significant or essential components from China. To settle the case, the company agreed to pay \$167,743 towards consumer redress, stop misrepresenting that products are Made in the USA, and notify consumers about the settlement.
- Oak Street Manufacturing Company advertised that certain footwear products were “handcrafted 100%” in the US, that some were made in the US “from heel-to-toe, using no pre-assembled components from overseas,” and that some were “More than Made in USA.” The FTC alleged that some of the products’ components were produced outside of the US and that, in some cases, final assembly was completed outside of the US. To settle the case, the company agreed to pay \$75,000 towards consumer redress and stop misrepresenting that products are Made in the USA.

In addition to these actions, the FTC issued closing letters to two companies that had been under investigation for making unqualified “Made in the USA” claims without proper substantiation. The companies agreed to take action to remediate certain claims and to comply with the FTC’s “Made in USA” standard. Based on each company’s remedial actions and commitment to future compliance, FTC staff issued letters closing these investigations.

Christopher Mufarrige, Director of the FTC’s Bureau of Consumer Protection, warned: “We will robustly enforce the ‘Made in the USA’ standard so that the American people have confidence that their purchases of American-made products support American workers and manufacturing.” If you haven’t evaluated whether you can substantiate your “Made in the USA” claims, now may be a good

time to do that.