

Made in USA Tracker - April 2021

April 14, 2021

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NEWS

FTC Action on 'Made in USA' Claims Signals Heightened Risk for Industry, Attorney Says

A recent FTC action that hinged on a 'Made in USA' claim serves notice that such claims will be under greater scrutiny during the Biden Administration, an attorney says.

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President Biden Signs Made in America Executive Order

On January 25, 2021, President Joseph R. Biden, Jr. signed an Executive Order entitled *Ensuring the Future Is Made in All of America by All of America's Workers* (the Order). The Order fulfills a campaign promise of Biden's, directing federal agencies to strengthen Buy America requirements for procuring goods and services from sources that will support U.S. businesses and workers.

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FTC Obtains \$1.2 Million in Alleged Violation of Made in USA

The FTC recently [announced](#) that glue maker, Chemence, paid a landmark \$1.2 million settlement to resolve allegations that the company failed to comply with a [2016 Order](#) regarding "Made in USA" claims. The 2016 Order required Chemence to pay \$220,000 and to stop making misleading claims that its products were made in the United States.

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FEATURED EVENT

IN FASHION: Kelley Drye's 7th Annual Fashion & Retail Law Summit

Wednesday, April 14, 2021", "9:30 AM - 1:30 PM ET

Please be our guest at the 7th Annual Kelley Drye Fashion and Retail Law Summit. The virtual event will include a half day of presentations addressing hot button issues that influence the fashion and retail industries. The topics to be presented were selected by many of you who responded to our IN FASHION 2021 planning survey, including IP Issues, live event cancellations, retailers' concerns in a Biden Administration, the future of personalized advertising, and more sessions will be added.

This seminar is by invitation only. If you have an in-house colleague who would like to receive an invitation, please contact infashion@kelleydrye.com.

We hope that you can join us!

IN FASHION 2021 PROGRAMS The Future of Personalized Advertising for the Fashion Industry

A Q&A with **Facebook's Director of Privacy, Civil Rights, and Ads, Pedro Pavon** and [Alysa Hutnik](#), partner and chair of Kelley Drye's Privacy and Information Security practice. This panel will discuss key privacy legal and industry developments and what they mean for personalized advertising strategies for the Fashion Industry.

This Season's Collection of IP Hot Topics

[Andrea Calvaruso](#), chair of Kelley Drye's Trademark and Copyright practice and Intellectual Property partner [Michael Zinna](#) will discuss some of the significant IP developments and emerging trends that fashion and retail companies should prepare for in 2021 and beyond.

What the Fashion and Retail Sector Can Expect from the Biden Administration and the 117th Congress

Government Relations and Public Policy group co-chairs [Dana Wood](#) and [Paul Rosenthal](#) will take a look at the legislative and policy issues that are top of mind for the apparel and retail sector, and share their thoughts on which priorities are most likely to advance in the first two years of the Administration.

Navigating the ESG Disclosure Movement - Corporate Responsibility or Integrated Business Strategy?

The health, economic, and social crises that unfolded in 2020 presented companies and brands with new challenges in meeting stakeholder expectations on issues like climate, sustainability, racial justice and gender equality. In this Q&A session, **VF Corporation's Vice President for Government Affairs and Global Impact, Luis Benitez** and special counsel [Jennifer McCadney](#), will discuss the evolution of Environmental, Social and Governance (ESG) disclosures – both mandatory and voluntary – and the opportunities and risks that accompany those communications.

The Show Must Go On: Legal Issues When Planning for Live Events

Live events always require considerable planning and effort. And, with the COVID-19 pandemic seemingly waning, 2021 may see the return of large in-person gatherings as well as the continuation of virtual experiences. **Debra Shuwarger, Senior VP and Associate General Counsel at Endeavor**, and [Michael Lynch](#), chair of Kelley Drye's Litigation practice, will discuss lessons learned during the COVID-19 pandemic and how to manage legal risks when running live events to ensure that the many moving pieces fall into place.

Never Out of Style: Advertising Law Update

The topics are familiar but the concerns are new. [Christie Grymes Thompson](#), chair of Kelley Drye's Advertising law practice, and partner [Gonzalo Mon](#) will discuss today's hot issues including, sustainability and other green marketing claims, "Made in USA" and related origin claims, use of influencers and product reviews, and COVID-19 related pitfalls to avoid.

Kelley Drye's Advertising and Marketing practice prepares a comprehensive summary of FTC closing letters relating to Made in USA matters: [Click here](#).

RESOURCES

[Advertising and Privacy Law Resource Center](#)

The Advertising and Marketing and Privacy and Information Security practice groups at Kelley Drye have organized this Advertising and Privacy Law Resource Center to help your company navigate the legal landscape. While this practical site is not exhaustive, it addresses key legal topics relevant to

advertising and marketing, privacy, data security, and consumer product safety and labeling. Feel free to contact us to discuss any specific claims, privacy or data security practices, or for any other questions.

Advertising and Privacy Law Desktop Reference Guide

The laws regulating advertising and privacy can seem daunting. The potential for liability arising from inaccurate or misleading advertising or lax privacy practices can be significant, both as a consequence of regulatory enforcement and of litigation. The Advertising & Marketing and Privacy & Information Security practice groups at Kelley Drye & Warren LLP have organized this “Advertising and Privacy Law Desktop Reference Guide” to help your company navigate the legal landscape. While this practical guide is not exhaustive, it addresses key legal topics relevant to advertising and marketing, privacy, data security, and consumer product safety and labeling. Feel free to contact us to discuss any specific claims, privacy or data security practices, or for any other questions.

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