



GLOBAL ORGANIZATION FOR EPA AND DHA OMEGA-3S

September 14, 2020

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue NW, Suite CC-5610 (Annex C)
Washington, DC 20580
Submitted electronically via www.regulations.gov

RE: MUSA Rulemaking Matter No. P074204 (FTC-2020-0056-0001)

To Whom It May Concern:

GOED, the Global Organization for EPA and DHA Omega-3s, is a trade association representing 170+ companies worldwide that are active in the EPA and DHA omega-3 industry. GOED's membership includes all segments of the omega-3 supply chain from fishing and seafood companies to fish oil refiners, supplement manufacturers, food and beverage marketers and pharmaceutical companies. GOED's members agree to adhere to product quality and ethical standards that represent the benchmark for quality in the omega-3 market. GOED's mission is to increase global consumption of EPA and DHA and ensure that our members produce quality products that consumers can trust.

GOED thanks the Federal Trade Commission (FTC) for the opportunity to provide comments on the Notice of Proposed Rulemaking (NPRM)¹ related to unqualified "Made in the USA" claims.

While GOED supports the FTC's Proposed Rule, given that the NPRM is meant to "make it easier for businesses to understand and comply with the law," GOED recommends some clarification, which was not included in the 1997 *Enforcement Policy Statement on U.S. Origin Claims*,² to assist the dietary supplement industry.

"All or virtually all" is a nebulous description and GOED suggests providing a more definite description. Given that consumers buy dietary supplements for their active, not inactive, ingredients, GOED suggests 100% of active ingredients be made and sourced in the United States, but only 90% of inactive ingredients need to be made and sourced in the United States.

Since expectations influence perception, GOED suggests the FTC conduct research through surveys to better understand consumers' expectations of unqualified versus qualified "Made in the USA" claims.

Thank you for considering GOED's comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harry B. Rice". The signature is fluid and cursive, with a long horizontal stroke at the end.

Harry B. Rice, Ph.D.
Vice-President, Regulatory & Scientific Affairs

¹ <https://www.federalregister.gov/documents/2020/07/16/2020-13902/made-in-usa-labeling-rule>

² <https://www.ftc.gov/public-statements/1997/12/enforcement-policy-statement-us-origin-claims>