



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Enforcement

September 29, 2008

Paul D. Rubin, Esq.
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037-1350

RE: Dillard's, Inc.
FTC Matter No. 0823198

Dear Mr. Rubin:

As you know, the staff of the Federal Trade Commission conducted an investigation of Dillard's, Inc., for possible violations of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, the Fur Products Labeling Act, 15 U.S.C. § 69 et seq., and the Rules and Regulations Under the Fur Products Labeling Act, 16 C.F.R. Part 301. The investigation focused on whether the company made false or unsubstantiated representations relating to a fur product on the company's website, www.dillards.com. The investigation focused specifically on whether Dillard's represented that the collar of a coat contained faux fur, when it actually contained real fur.

The staff of the Enforcement Division has completed its investigation into this matter and has determined that, in light of information provided by Dillard's about sales of the jacket and improved quality control measures taken by the company, no further action is warranted at this time.

According to the information provided, Dillard's had very limited sales of the coat in question, with only 4 garments sold. When Dillard's learned of the issue from the Humane Society of the United States, prior to the FTC investigation, it immediately changed its website and sent each purchaser a letter offering a full refund.

In addition, upon being notified of the FTC investigation, Dillard's reviewed and improved its existing quality control procedures in connection with both real fur and faux fur products sold in Dillard's stores or on the Internet. Dillard's procedures include obtaining a certification of the genus and species of real fur and of the fiber content of faux fur for private label products. It also includes requirements specifically related to online advertising to ensure that representations made about real or faux fur are accurate.

In light of the above, the staff has decided to close the investigation. This action is not to be construed as a determination that a violation has not occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take further action as the public interest may require.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Kohm".

James A. Kohm
Associate Director