

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
Terrell McSweeney**

In the Matter of

**NECTAR BRAND LLC, a limited liability
company, also d/b/a NECTAR SLEEP;
DREAMCLOUD, LLC; and
DREAMCLOUD BRAND LLC.**

DOCKET NO. C-

COMPLAINT

The Federal Trade Commission, having reason to believe that Nectar Brand LLC, a limited liability company, also doing business as Nectar Sleep; DreamCloud, LLC; and DreamCloud Brand LLC (“Respondent”), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Nectar Brand LLC, also doing business as Nectar Sleep; DreamCloud, LLC; and DreamCloud Brand LLC (“Respondent”) is a California limited liability company with its principal office or place of business at 2000 University Drive, Palo Alto, California 94303.
2. Respondent has advertised, labeled, offered for sale, sold, and distributed products to consumers, including but not limited to mattresses. Respondent advertises these products online, including, but not limited to, on its website, nectarsleep.com.
3. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.
4. Respondent has disseminated or caused to be disseminated advertisements, packaging, and promotional materials for its products, including but not necessarily limited to the attached Exhibit A. This exhibit contains the following statement: “Designed and Assembled in USA.”
5. In numerous instances, including, but not limited to, the promotional materials shown in Exhibit A, Respondent has represented, expressly or by implication, that its mattresses are assembled in the United States.

6. In fact, Respondent's mattresses are wholly imported from China, and Respondent performs no assembly operations in the United States.

7. Therefore, Respondent's express or implied representations that its mattresses are assembled in the United States are false.

COUNT I
(False or Unsubstantiated Representation – Assembled in USA)

8. In connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of its products, Respondent has represented, directly or indirectly, expressly or by implication, that its products, including, but not limited to, mattresses, are assembled in the United States.

9. In fact, certain of Respondent's products are wholly imported. Therefore, the representation set forth in Paragraph 8 is false or misleading, or was not substantiated at the time the representation was made.

Violations of Section 5

10. The acts and practices of Respondent, as alleged in this complaint, constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this _____ day of _____, 20__, has issued this Complaint against Respondent.

By the Commission.

[Donald S. Clark]
Secretary

SEAL:



[Click for Mattress Details](#)

COUNTRY OF ORIGIN

Designed and assembled in the USA

CONSTRUCTION & MATERIALS

4-Layer Foam Construction
Medical Grade Visco Elastic Memory Foam
Hi Core 9.2 Grade Transition Foam
High Vegetable Base Super Core 5 lb Support Foam
Tencel Long Staple Fiber Removable Cooling Cover

MEASUREMENTS & DIMENSIONS

TWIN 39" x 75" x 11" 45 lbs
TWIN XL 39" x 80" x 11" 48 lbs
FULL 54" x 75" x 11" 68 lbs
QUEEN 60" x 80" x 11" 74 lbs
KING 76" x 80" x 11" 89 lbs
CAL KING 72" x 84" x 11" 89 lbs

SHIPPING INFO

Our goal is to deliver your mattress as quickly as possible, which is why we ship via FedEx. Delivery typically takes between 3 - 7 days depending on where in the country you live. As soon as FedEx picks up your mattress you will receive a tracking number so that you can follow your mattress all the way to your doorstep.

SHIPPING COSTS

Free shipping and free returns.

CERTIFICATION

NECTAR is certified pure and better for you and the environment. NECTAR'S foams are CertiPUR-US® certified and NECTAR's Tencel natural fiber cover is certified Oeko-Tex, the most stringent certification.

CertiPUR-US® approved foams are made without ozone depleters, PBDE flame retardants, mercury, lead and other heavy metals, formaldehyde, phthalates regulated by the Consumer Product Safety Commission. They are Low VOC (Volatile Organic Compound) emissions for indoor air quality (less than 0.5 parts per million).