



Office of the Secretary

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

April 16, 2008

Ms. Kate Langmore  
[redacted]

Re: *In the Matter of Life is good, Inc. and Life is good Retail, Inc.*,  
*FTC File No. 072-3046, Docket No. C-4218*

Dear Ms. Langmore:

Thank you for the comments you submitted regarding the above-referenced matter. Your comment was placed on the public record pursuant to Section 2.34 of the Commission's Rules of Practice, 16 C.F.R. § 2.34. After careful consideration, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without modification.

Your comment focuses on the sunset provision contained in Part VIII of the consent order, which provides that the order will terminate after twenty years. You question the proposed termination of this order, noting that "once [Respondents have] satisfied the . . . order, [they] may be tempted to scale back on increased security measures in order to cut costs." Further, because the Analysis to Aid Public Comment in this case made reference to possible "exceptions" to the twenty year duration of orders, you ask what those exceptions are.

The Commission issued a policy statement on the duration of consumer protection orders in 1995.<sup>1</sup> The Commission stated that consumer protection administrative orders ordinarily fulfill their remedial purposes within twenty years, and that the relief provided in such orders could become overly costly or regulatory over time or could embody requirements that the Commission would not adopt under current practice.<sup>2</sup> The Commission also stated, however, that the duration of the proposed consent order would be extended in the event that the United States or the Commission files a complaint in federal court alleging a violation of the order. The possibility of an extension in the event of the filing of an order violation action is the "exception" referred to in the Analysis to Aid Public Comment.

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<sup>1</sup> Policy Statement Regarding Duration of Competition and Consumer Protection Orders, 60 Fed. Reg. 42,569 (Aug. 16, 1995).

<sup>2</sup> *Id.* at 42,571, 42,573.

The twenty year termination period in this order follows the Commission's stated policy with respect to the duration of administrative orders, and the Commission finds no basis for varying that policy in this matter. Accordingly, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without modification. Thank you again for your comments. The Commission is aided in its analysis by hearing from a variety of sources in its work, and it appreciates your interest in these matters.

By direction of the Commission.

Donald S. Clark  
Secretary