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UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

CARE LABELING RULE WORKSHOP

Friday, January 29, 1999

Room 432

Federal Trade Commission

600 Pennsylvania Avenue, N.W.

Washington, D.C. 20580

1 PARTICIPANTS

2 FEDERAL TRADE COMMISSION:

3 Elaine Kolish, Chairperson, Morning Session

4 Mary Engle, Chairperson, Afternoon Session

5 James Mills

6 Randi Boorstein

7 Connie Vecellio

8 Carol Jennings

9

10 QVC, INC.:

11 Melinda Oakes

12 Rhonda Martinez

13

14 POLLUTION PREVENTION EDUCATION AND RESEARCH CENTER:

15 Peter Sinsheimer

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17 THE PROFESSIONAL WETCLEANING NETWORK:

18 Ann Hargrove

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20 AMERICAN APPAREL MANUFACTURERS ASSOCIATION:

21 Steve Lamar

22 Rachel Subler

23

24 CAPITAL MERCURY APPAREL, LTD.:

25 Gloria T. Ferrell

1 PARTICIPANTS (continued)

2 INTERNATIONAL FABRICARE INSTITUTE:

3 Mary Scalco

4 Jackie Stephens

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6 CLEANER BY NATURE:

7 Deborah Davis

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9 MID-ATLANTIC CLEANERS AND LAUNDERERS:

10 Dick Selleh

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12 AMERICAN ASSOCIATION OF FAMILY AND CONSUMER SCIENCES:

13 Martin Coppack

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15 CENTER FOR NEIGHBORHOOD TECHNOLOGY:

16 Sylvia Ewing

17 Anthony Star

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19 PRESTIGE CLEANERS:

20 Ed Boorstein

21 Elaine Harvey

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23 THE PROCTER & GAMBLE COMPANY:

24 Corey S. Snyder

25 Liz Eggert

1 PARTICIPANTS (Continued)

2 TEXAS WOMAN'S UNIVERSITY:

3 Charles Riggs

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5 GREENPEACE:

6 David DeRosa

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8 SEARS, ROEBUCK & CO.:

9 Karen Mueser

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11 ASTM:

12 JoAnne Pullen

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14 CONSUMERS UNION:

15 Nancy Hobbs

16 Pat Slaven

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18 THE CLOROX COMPANY:

19 Eric (Rick) Essma

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21 RCG MARKETING:

22 Roy Rosenthal

23

24 ENVIRONMENTAL PROTECTION AGENCY:

25 Cindy Stroup, Steve Latham

1 P R O C E E D I N G S

2 MS. KOLISH: Good morning. We are still
3 missing a few people, but I think we will start,
4 nonetheless, because we do have a lot of material. A
5 lot of good discussion I hope we will have.

6 My name is Elaine Kolish. I am the Associate
7 Director for the Division of Enforcement, which
8 handles the care labeling rule.

9 And I would like to begin with just a little
10 description of how we are going to conduct this
11 workshop. I am going to the moderator of this
12 morning's session in talking about washing
13 instructions. My Assistant Director, Mary Engle, will
14 be moderating this afternoon's discussion.

15 I would also like to introduce the rest of the
16 staff that's been working on this rulemaking
17 proceeding. Connie Vecellio, to my right, who you
18 probably know, who has been working on care labeling
19 issues for, lo, these many years.

20 And Carol Jennings, who has also been working
21 on care labeling issues but also works on textile and
22 wool act labeling issues. And I think you will see
23 outside this new brochure that we have done in
24 cooperation with the American Apparel Manufacturers
25 that Carol is the proud author of this and the

1 movement behind having these cute, little sheep in it.

2 And finally, to my left is James Mills, who has
3 been working on this as well. He also does the same
4 type, appliance labeling energy guides. So
5 appliances, washing, you know, it all fits together.

6 And he's actually really worked hard to make
7 this happen today, as have a number of our other staff
8 whom you have probably met outside and who are
9 available to help you if you need help with faxes,
10 phones, and facilities.

11 This workshop on the record. It is going to be
12 a part of the rulemaking record of this proceeding.
13 We have a stenographer over here. And to ensure that
14 we have an accurate transcription, we would like
15 people to speak one at a time to the extent possible
16 and to state your name and affiliation first.

17 You know, I think we have really good name tags
18 today. Everybody, I think, can read them. And I have
19 a little chart here where people are sitting, too, as
20 does the stenographer. So hopefully we can try to
21 keep track of this.

22 We are also videotaping it. So if there are
23 any little gaps, we can go back and look at that to
24 see who said what, make sure the record is accurate.

25 I am going to try to keep some order in the

1 proceeding this morning and see if we can proceed at
2 least in a semi-orderly fashion. And I will try to
3 determine the order of speakers. As people raise
4 their hands, I will try to pick people instead of
5 everyone trying to talk at once.

6 Now if we run out of time, the record is going
7 to remain open right now for 72 hours after the end of
8 today for people who have extra comments they wanted
9 to make and couldn't get in today.

10 And also, the entire record will remain open
11 for 30 days following today's proceeding. The 72-hour
12 thing is for a chance for you to get comments in the
13 record that you would like the rest of the
14 participants to see because they could then look at
15 the transcript and any additional 72-hour comments in
16 doing any additional or rebuttal comments that you
17 might have for the record.

18 And maybe James will tell me actually when the
19 30 days runs at some point so I can tell you at the
20 end of this proceeding. With February only having 28
21 days, I'm not certain what exact day that is and
22 whether it falls on a Saturday or Sunday.

23 We have an agenda, which is in your packet.
24 We're going to try to follow it. We recognize that
25 the items on the agenda are often very closely

1 interconnected and that we might find ourselves
2 talking about areas out of the sequence which are
3 listed.

4 But we will try to accommodate that and go with
5 the flow. If anyone has a prepared statement and
6 wants to read it into the record, let me know. I
7 would like to keep these statements really short. If
8 you have a longer statement, you can give it to the
9 stenographer and we will include it in the record.

10 The dialogue is intended to be principally
11 among the participants at the table, although
12 observers sitting in the back, if they have questions
13 or comments, could stand and ask to be recognized.

14 We'll also try to make time at the end of any
15 sequence of a discussion to see if other people have
16 comments. And, you know, maybe we'll actually call on
17 people in the audience who might have interesting
18 insights but who aren't sitting here.

19 I see baby clothes manufacturers over there.
20 Maybe they will be able to share some things with us,
21 or London Fog might be able to share some comments
22 with us from time to time.

23 As you probably already know, there are
24 restrooms on this floor just outside this hall. Our
25 staff could help direct you. If you need phones or a

1 fax, let us know.

2 We will try to take a break this morning.
3 There's coffee out there. We've given you a list of
4 restaurants. Frankly, we don't have much time and I
5 strongly recommend just going upstairs to the 7th
6 floor, directly above this room, to the cafeteria. It
7 is not gourmet, but it is good food.

8 Is there any questions about the procedures?
9 I am going to move on to like a little opening
10 statement about why we are here.

11 Any questions?

12 (No response.)

13 MS. KOLISH: Great. Well, first I want to like
14 emphasize again that today's discussion is to
15 supplement the record and to help the Commission
16 decide whether it would be appropriate and proper to
17 adopt the proposed amendments that we are going to be
18 discussing.

19 Please keep in mind that any questions from me
20 or from the staff or from each other are only meant to
21 elicit information. There's been no decision about
22 the proposed amendments yet. It is an information
23 session.

24 And I would like to like briefly summarize the
25 history of the care labeling rule and why it was

1 promulgated and what it does to set the stage for
2 today's discussion. I'm sure most of you are very
3 familiar with this, but I thought it would be helpful
4 if we are all on the same page.

5 And then I am going to touch on a few of the
6 factors that caused the Commission to initiate this
7 rulemaking proceeding.

8 As you all probably know, this rule dates back
9 to 1971 when the Commission determined that it was
10 unfair and deceptive for manufacturers to fail to
11 include care instructions in textile wearing apparel
12 and we needed a rule requiring information on
13 garments.

14 "Unfair" and "deceptive" are important words to
15 us. Our Federal Trade Commission Act prohibits
16 unfair, deceptive active practices. And so that is
17 the legal rubric under which this proceeding is being
18 conducted.

19 The Commission explained at that time that the
20 rule is designed to assist consumers in making
21 informed purchase decisions and to enable consumers
22 and cleaners to avoid product damage.

23 In 1983, the Commission had another rulemaking
24 and we amended the rule to be more specific as to what
25 must be included on a care label.

1 At that time the Commission made clear that in
2 general, labels for textile wearing apparel must have
3 either a washing instruction or a dry cleaning
4 instruction, not both. Only one method that works is
5 required.

6 In 1983, the Commission also amended the rule
7 to make it very clear that a manufacturer or an
8 importer has to have a reasonable basis for the care
9 instructions of that garment.

10 It was always assumed, but because of ambiguity
11 we may that expressly clear. And that is just
12 consistent with how we treat all advertisers'
13 statements or representations that are expressed. You
14 just can't make them up; you have to have some
15 reasonable basis for why you are putting them there.

16 And the Commission also explained that we are
17 putting the burden on manufacturers to provide care
18 instruction because we believe that manufacturers are
19 in are the best position to know.

20 They know what fiber components they are using.
21 They know what other trim they're using. They know
22 what the garment is going to be in its entirety. So
23 the burden is on them, not the dry cleaner or the
24 consumer to figure out what would work.

25 We are now considering changing the rule in

1 several ways. We want to talk about two of those
2 proposed amendments today, the two proposals that
3 generated the greatest number of comments and also had
4 the greatest diversity of opinion about what we should
5 do, which should lead to a very good discussion.

6 The first amendment we are going to talk about
7 this morning is the proposal that garments that could
8 be safely washed at home be labeled as washable.

9 And this afternoon we will talk about the
10 professional wet cleaning proposed amendment, and
11 that's the discussion that Mary will head.

12 Our consideration of these amendments dates
13 back to '94 when as part of our ongoing review of all
14 of our rules we scheduled this rule for review. And
15 we asked people to try to send us information about
16 whether they thought the rule was useful or not and,
17 you know, should we keep it.

18 The general response we got back is that it is
19 very useful and it is very popular with consumers.
20 They value the information they get from manufacturers
21 about how to care for their clothing.

22 The 1994 notice also noted that there have been
23 changes in the marketplace that have occurred since
24 the Commission had last amended the rule in 1983. In
25 particular, the Environmental Protection Agency had

1 designated perchloroethylene -- I can barely say that,
2 so I am going to call it PERC -- as a hazardous air
3 pollutant under Section 112 of the Clean Air Act and
4 that EPA was working with the dry cleaning industry to
5 reduce overall exposure to PERC.

6 It was noted at that time that our rule might
7 pose an impediment to EPA's goals because it currently
8 only requires either a washing or a dry cleaning
9 instruction.

10 Thus, consumers who see a garment labeled dry
11 clean can't tell whether it may also be washable
12 because the manufacturer isn't saying yes or no about
13 that.

14 If the rule were to require washing
15 instructions for all garments that can be washed at
16 home, consumers who wanted to wash garments either to
17 save money or to avoid the use of PERC or both would
18 have the information they need.

19 For this reason, as well as others that we
20 described in that notice, in 1995 the Commission began
21 this proceeding with an advanced notice of proposed
22 rulemaking.

23 That was followed by our actual notice of
24 proposed rulemaking required by law to advance the
25 thing first with our NPR describing the specific

1 amendments that are now under consideration.

2 The second issue that we are going to discuss
3 this afternoon is also motivated, at least in part, by
4 EPA and that is the idea about including professional
5 wet cleaning in the rule.

6 As you know, the rule is silent on this now.
7 Professional wet cleaning, as performed through
8 relatively newly developed equipment, is an emerging
9 cleaning method and its use might reduce exposure to
10 PERC.

11 This afternoon we hope to develop the record on
12 this cleaning methodology to determine whether and how
13 the rule could be amended to accommodate professional
14 wet cleaning.

15 For example in our May, 1998 notice we proposed
16 a definition of professional wet cleaning, and this
17 afternoon we will spend some time discussing whether a
18 definition is necessary or not and many other issues
19 relating to this.

20 The first thing we are going to begin with is a
21 presentation of some empirical evidence. For those of
22 you who are familiar with the rule or who have
23 observed Commission rulemakings in the past, you would
24 probably already know the Commission highly values
25 empirical research because it is empirical; it is not

1 anecdotal.

2 It is very highly desired. It is often not
3 feasible to obtain empirical research because of the
4 cost or because of design issues involved with the
5 issue you are looking at.

6 In this proceeding we are fortunate to have
7 some research that goes to the question of how
8 consumers interpret labels and how they behave.

9 And as we noted in our Federal Register notice
10 announcing this workshop, we would like to spend some
11 time discussing this research. And to help us all
12 meaningfully discuss it, we have asked Clorox -- and
13 Procter & Gamble also has some research -- to do some
14 short presentations.

15 I think this will help us all be on same page.
16 I want to stress, however, this is only one piece of
17 evidence on the record. We will be looking at
18 everything; all the comments that have been filed in
19 response to the earlier notices, this transcript, and
20 the postrecord comments.

21 And if anyone else has empirical research or
22 other types of research that they would like to be
23 considered, please submit it with a comment during the
24 postworkshop comment period.

25 If there aren't any questions, I think I will

1 ask Eric Essma from Clorox to do a short presentation
2 of research that they conducted and who it was done
3 by. I think we are passing out copies.

4 At the end -- we made some, we copied some of
5 it so everyone could have it. Although it was on our
6 web page, we know that everyone may not have seen
7 that.

8 So, Eric.

9 MR. ESSMA: Thank, you Elaine. Where is my new
10 best friend?

11 This is my first Power Point presentation, so
12 please save your jeers and snickers until the end.

13 So are there any questions?

14 Okay, I think we are ready to go. I am going
15 to do my very best to explain a piece of research that
16 we commissioned in response to a request by the
17 Federal Trade Commission to try to get to an idea, an
18 understanding of how consumers interpret a dry clean
19 instruction on a care label and how they react to it.

20 In other words, do they understand what it
21 means? And if they don't, or even if they do, how do
22 they react and what are their actions in response to
23 what they see on a care label?

24 So I went to a research organization, the
25 professionals, and I asked them this question. And

1 their response was a series, a barrage of questions
2 back to me to clarify exactly what it was we wanted to
3 find out.

4 And we boiled it down to how do consumers
5 interpret and react to dry clean care instructions on
6 care labels. And from that beginning, that opening
7 question, we went to Market Facts, Incorporated, a
8 division of Telenation Research, and they conducted a
9 thousand telephone surveys for us, June 19th to 21st
10 in 1998.

11 It is a random sample, a nationally
12 representative sample, is expandable by weighting,
13 using the factors from the U.S. census, is expandable
14 to being nationally representative of all U.S.
15 households.

16 So it is very reliable research. We have a
17 very high level of confidence in what they have told
18 us. The results were weighted and filtered.

19 And the results that I am going to present to
20 you are the filtered results. By filtered I mean
21 there were filtered -- there were two sets of
22 questions, one set of questions asked of two subgroups
23 of respondents.

24 The first subgroup was all respondents. In
25 other words, whoever answered the phone, that's who

1 they talked to.

2 The second group were people who have occasion
3 to do laundry in the household. And that is the group
4 that I will present to you.

5 The statistical differences between the
6 responses we got from the two groups is negligible,
7 and in most cases it's zero. There is no statistical
8 difference between the two.

9 But I thought the comfort level with the
10 respondents who actually do laundry in the household
11 might be a little higher, so that's the set of
12 responses that I used.

13 The first question that addressed the issue,
14 there were some qualifying questions and then the
15 first question to address the issue was when the care
16 instructions on an article of clothing reads dry
17 clean, what does that mean to you?

18 When we recorded their responses, we probed for
19 additional information. And we found that the
20 responses that we got broke out into a group of
21 categories.

22 We could take the responses and set them in
23 little cubbyholes and divide them into categories.
24 The first one, what does a dry clean instruction on a
25 care label mean to you, the first and by far the

1 largest group of responses that we got revolved around
2 the issue of the item requires special care.

3 The second most common was, I have to use some
4 alternative cleaning method on this. By
5 "alternative," they mean they can't just throw it in
6 the washing machine; they have to do something
7 different than their normal procedure.

8 The third group of responses revolved around
9 the limited wear or purchase intent of the consumer.
10 They either don't buy dry clean clothing or they don't
11 wear dry clean clothing, one of those two.

12 And the fourth and final grouping revolved
13 around the expense and convenience issues. Dry clean
14 clothing is more expensive. Dry clean clothing is
15 more inconvenient to refurbish and take care of.

16 Within that group of requires special care, the
17 largest of the four groups, that 81 1/2 percent of
18 consumers that say it requires special care, the
19 responses that we got back from them when we asked
20 them, well, what kind of special care are you talking
21 about? What are the issues that you see as special
22 care?

23 They said it either must be dry cleaned, that
24 was by far the largest response; they said, I can't
25 wash it, is the next highest response; it will be

1 ruined if I don't dry clean it.

2 Dry clean certain fabrics. Now here the
3 consumer is starting to make a distinction among
4 fabrics that have to be dry cleaned in which she feels
5 like she knows or he knows that there are certain
6 fabrics that can and can't be dry cleaned and can and
7 can't be washed. They're starting to not rely on the
8 care label.

9 And then the final category, depends on the
10 fabric, some can be washed, some can't. It's very
11 closely related to the previous.

12 The second group of responses we got requires
13 an alternative cleaning method. That's the consumer
14 that says, well, I can't just throw it in the washing
15 machine, I have to do something different.

16 Not necessarily dry clean, I just have to do
17 something different than what I usually do. Those
18 responses broke out into several groups from washing
19 by hand or I have to wash it myself.

20 I'm not sure if I understand the distinction
21 between those two, but washing by hand and washing
22 myself were broken out as different categories.

23 A significant number of people said that I have
24 to wash it in Woolite. And then others associated
25 drying issues with that response. Others, wash it in

1 the washing machine and just use the gentle cycle.

2 And then there was a group that used an other
3 cleaning method, and we didn't not get responses on
4 what that other cleaning method was.

5 But if they are not hand washing it, dry
6 cleaning it, or washing it in Woolite or washing it
7 themselves, give it to the kids and let them beat it
8 on a rock down by the river. I don't know what that
9 is.

10 Within that limited wear, limited purchase
11 group, almost six percent of our respondents said that
12 they just don't buy dry clean clothing or they've
13 never had any.

14 And then a much smaller but still significant
15 portion said I don't wear dry clean clothing much or I
16 only wear it very little.

17 And then the expense/convenience issues at 4.7
18 percent of consumers who took away these
19 expense/convenience issues from that dry clean label,
20 remember these are all in what do you see when you see
21 dry clean on a care label, what does that mean to you,
22 the expense and convenience issues were mostly around
23 dry cleaning as expenses.

24 That was by far the largest response other than
25 other convenience references. And those are the trips

1 to the dry cleaners, making arrangements to have
2 somebody go pick it up.

3 Now that we know what they're thinking when
4 they see dry clean on a care label, we wanted to find
5 out what do they actually do? Okay, this is what you
6 think, now tell us what you do.

7 So we asked them, have you ever washed or
8 laundered apparel items labeled dry clean? Over half
9 of them said yeah, we have. About the other half,
10 slightly less number, said no, we don't.

11 Then there is a group down there that says I
12 don't know. There's always that one percent, I
13 suppose, someplace that just hasn't got a clue.

14 Okay. If you do wash it, how did you wash it?
15 What procedure did you use when you washed this item
16 that was labeled dry clean. About half of them
17 machine washed it.

18 And within the research that we have that's
19 available to you, you will see we have broken out how
20 they washed it: Did they machine wash it, what cycle
21 did they use, what temperature did they use?

22 There is a whole group of criteria to identify
23 specifically how they machine washed the item. About
24 30 percent hand washed it. About 20 percent did both;
25 they alternated depending on what the item was, what

1 the fabric was, how they felt that day. And there's
2 that one percent that just doesn't know.

3 Well, if you took this item that said dry clean
4 and you washed it anyway, were you satisfied with the
5 results? How did it turn out? 63 percent said, yeah,
6 it turned out fine. It worked okay. I washed an item
7 that said dry clean and it turned out just fine.

8 26 percent said, no, I wasn't very happy with
9 the results. And 11 percent said sometimes. So now
10 that we know what they're thinking when they see that
11 instruction on a care label, a dry clean instruction,
12 and we know what they're doing and we know how they
13 feel about the results of their actions, we asked them
14 about the two instructions for machine washing and dry
15 cleaning.

16 And we asked them for clothing that can be
17 either washed or dry cleaned, if the label can show
18 only one of those instructions which instruction would
19 you prefer to see on a care label?

20 The overwhelming preference was for washing.
21 Almost 90 percent of consumers said they would rather
22 have wash instructions than dry clean instructions on
23 a care label. Nine percent said dry clean. And
24 there's our one percent.

25 So the key findings that I took away from this

1 research, and you will have, depending on your
2 perspective, your own key findings, what you consider
3 important, but I think these are the key points for
4 the issue under consideration this morning.

5 Dry clean articles are laundered by about half
6 of consumers. Remember, I mentioned that we were
7 dealing with the filtered respondents as opposed to
8 whoever answered the phone.

9 If you look at the numbers for whoever answered
10 the phone, that half is about 49.4 percent as opposed
11 to the 52.5. So there is that statistically
12 insignificant difference between the two groups again.

13 But regardless of which sets you're looking at,
14 about half of the articles labeled dry clean are
15 laundered by about half of consumers. I said that
16 wrong.

17 Dry clean articles are laundered by roughly
18 half of consumers. And three-fourths of those that do
19 launder those items are at least sometimes satisfied
20 with those results and that 88.8 percent is that
21 nearly nine in ten consumers would prefer washing
22 rather than dry cleaning instructions on care labels.

23 So our conclusion, what I draw from all of
24 this, is the empirical data strongly indicates a
25 justified, because they are satisfied with the

1 results, consumer preference for washing instructions.

2 So our answer to the original question is, yes,
3 the care label rule should be amended to require a
4 washing instruction for items that can be safely
5 laundered at home.

6 Thank you very much. And now I believe we have
7 a few minutes for questions.

8 MS. KOLISH: Thank you, Eric.

9 If you want, I think we can have Corey Snyder,
10 who has brought some findings with her that you could
11 share. We could put those, both of those pieces of
12 research out on the table and then we can discuss
13 what's been shown.

14 We are letting our technical wiz readjust the
15 equipment there. All set to go, Corey?

16 MS. SNYDER: Yes.

17 MS. KOLISH: Okay, good. Thanks.

18 MS. SNYDER: Good morning. We conducted this
19 study ourself. And basically, we had a study that was
20 already planned. And so we tacked on an additional
21 question for this. So it is not a separate study
22 specifically aimed at the question.

23 So what we did, the base was a thousand
24 consumers. It was nationally rep'd, and it was a
25 one-on-one interview, or I think it was done on the

1 telephone as well, so.

2 And it was among female head of households,
3 those that currently do the laundry. And the question
4 we asked them was, assume you are looking at a garment
5 and the care label on the garment reads "dry clean."

6 Which of the following methods of cleaning this
7 garment do you believe would be acceptable for the
8 garment? And then we gave them a list of six options.

9 And then for each person we randomized the
10 options so they're not in the order that they appear
11 on the chart or in the actual questionnaire.

12 So we asked, would one of the following, each
13 of the following be an acceptable method for cleaning
14 this garment, yes or no?

15 And the choices were commercial wet cleaning,
16 commercial dry cleaning, washing by hand at home, home
17 laundry, washing machine gentle cycle, home laundry
18 washing machine regular cycle, and none of the above.

19 I don't have "none of the above" on here, but
20 that was about two percent that said "none of the
21 above."

22 So of the people that responded to the
23 following five choices, this is the results that we
24 have here. Basically 90 percent -- and they, of
25 course it adds up to over a hundred percent because

1 they could have chosen more than one option.

2 So over 90, or 90 percent said that commercial
3 dry cleaning would be an acceptable way, 22 percent
4 commercial wet cleaning, 38 percent washing by hand at
5 home, 33 percent home laundry gentle cycle, and 19
6 percent home laundry regular cycle.

7 So between the two, depending on which cycle
8 they used in the washing machine, it was roughly 50
9 percent.

10 And then we did some quick break-outs on the
11 data based on their responses to some other questions
12 around do they use a dry cleaner or not. And those
13 that currently use the dry cleaner, which would be at
14 any amount use the dry cleaner, which is at roughly 57
15 percent of the panel, those users are significantly
16 more likely to agree that dry cleaning is the only
17 alternative or the only separate way to care for this
18 type of garment.

19 And out of the total panel, regardless of
20 whether they're dry cleaned or not, about 44 percent
21 said that dry cleaning was the only acceptable way to
22 clean.

23 And then the last point is, among the dry
24 cleaning users, which is 57 percent, about half of
25 those feel that dry cleaning was the only way to clean

1 a garment that said dry clean only.

2 So our take on was that when consumers see a
3 dry clean label, they are more than likely to assume
4 that that means that must be dry cleaned and that's
5 the only acceptable way.

6 MS. KOLISH: Thank you, Corey.

7 Does any of the participants have any questions
8 they would like to ask the presenters? Does anyone
9 have any questions about the methodology or any
10 reasons to question the accuracy of the results in
11 these studies?

12 MR. LAMAR: Steve Lamar, with the American
13 Apparel Manufacturers Association. Can you all hear
14 me? I will try to speak up.

15 A question for Rick. Can I call you Rick?

16 MR. ESSMA: Sure.

17 MR. LAMAR: Did you do a dry clean only study
18 or is it just dry clean?

19 MR. ESSMA: Rick Essma, Clorox. Our question
20 to the consumers included the phrase "dry clean."

21 MR. LAMAR: Just dry clean, yes. And was there
22 any sort of environmental discussion in that, as well,
23 in the survey? Was that an option, or did any of the
24 responses come back citing these? You said they cited
25 household dry cleaning. Did any of the responses come

1 back citing it's a hassle because of environmental
2 reasons or was there any discussion about that at all?

3 MR. ESSMA: I would have to go into the
4 research to see if there was a subgroup under that
5 inconvenience issue that involved environmental. But
6 I don't call any to mind, no.

7 MR. LAMAR: Thanks.

8 MR. ESSMA: You're welcome.

9 MS. KOLISH: Are there any other question?

10 MS. EWING: I have a question about the Procter
11 & Gamble research. I'm Sylvia Ewing from the Center
12 for Neighborhood Technology.

13 MS. KOLISH: Just speak loudly.

14 MS. EWING: Let me start again. I'm Sylvia
15 Ewing from the Center for Neighborhood Technology.
16 And in the Procter & Gamble information, in that
17 research, how was wet cleaning described?

18 It's still, it is an emerging but accepted
19 technology. And I was curious how consumers were, how
20 it was explained. Could you give us an overview of
21 that?

22 MS. SNYDER: It wasn't really explained. None
23 of the responses were explained. They were just said,
24 or given the option of commercial dry cleaning and
25 commercial wet cleaning.

1 So it was also surprising that a number of
2 people were aware that wet cleaning was an option for
3 them.

4 MS. EWING: Thank you.

5 MS. ENGLE: I'm Mary Engle with the FTC. Were
6 those close-ended questions or open-ended? In other
7 words, were consumers given a pair of possible
8 responses or?

9 MS. SNYDER: They were close-ended.

10 MS. ENGLE: Close-ended, okay.

11 MS. KOLISH: Are there any other questions?

12 MS. SCALCO: Excuse me.

13 MS. KOLISH: Yes.

14 MS. SCALCO: I'm sorry. You were looking that
15 way. Mary Scalco with the International Fabricare
16 Institute. Eric, on your data does it break out per
17 garment? Did people say, like, with they respond that
18 they home wash a dry cleanable label, did it say,
19 well, does it break it out by garment; are they
20 sweaters, are they suits, are they -- or was it just a
21 blanket question?

22 MR. ESSMA: No, it only, the only responses we
23 got from consumers were that they had different
24 attitudes toward different fabrics, but we didn't ask
25 them what those fabrics were.

1 MS. SCALCO: Or garments.

2 MR. ESSMA: Or garments.

3 MS. SUBLER: And to sort of follow up on that
4 question, Rachel Subler with American Apparel
5 Manufacturers, did you ask them, like if you were to
6 ask me do you hand wash a dry clean garment? And I
7 would say yes, but it is only one of the dry clean
8 garments that I own. I have a silk blouse that I wash
9 by hand sometimes.

10 Do you ask them what percentage of the dry
11 clean garments they own that they actually wash by
12 hand, or do you just leave it as a total? I mean, was
13 that a variable you factored into it?

14 MR. ESSMA: No. No, we didn't factor in that
15 variable. This is a do you ever, have you ever, those
16 types of questions; closed-end, yes or no type
17 questions.

18 The only open-ended question we asked was what
19 does a dry clean instruction mean to you. The rest of
20 them were have you ever, did you ever, those types of
21 questions.

22 MS. SUBLER: Okay. And you don't think that
23 affected the outcome of the study at all?

24 MR. ESSMA: No, not for the purposes of this
25 study, no.

1 MS. SUBLER: Great. Thanks.

2 MS. KOLISH: Are there any other questions
3 about this? I actually think Steve Lamar, when he
4 asked a question about dry clean versus dry clean
5 only, it raises an interesting issue and one that we
6 actually wanted to discuss a little bit about whether
7 anyone here has views about whether consumers
8 distinguish between dry clean and dry clean only.

9 From our point of view, under the rule, dry
10 clean only is supposed to convey a warning that
11 another care instruction, another care method would
12 harm the garment, whereas dry clean is purposefully
13 under the rule ambiguous.

14 It only means a manufacturer is recommending
15 dry clean. It is not necessarily a warning against
16 washing, nor is it a recommendation that you do wash
17 it.

18 But I'm not certain whether consumers
19 distinguish between those two, and I would be
20 interested in people's views. And I also wonder to
21 what extent people remarked in the survey that they
22 washed dry clean things when they were actually
23 washing dry clean only things.

24 Because unless they went and looked at their
25 garment tag, they may not in their memory have been

1 recalling the difference.

2 But I would like to hear from people about
3 whether you have views on whether consumers
4 distinguish.

5 Gloria.

6 MS. FERRELL: Gloria Ferrell, Capital Mercury
7 Apparel, Limited. I personally have asked people is
8 there a distinction. And even my own daughter-in-law,
9 who has two young children, thank God, said she bought
10 a dry clean blouse. And she said she hates to wear it
11 now because she has to bring it to the dry cleaner.

12 And I was trying to explain to her, you know,
13 you can wash it, it's rayon. But she takes that as
14 strictly dry clean only. So because of the two active
15 children, she doesn't wear it that often.

16 And I have asked a couple of other people in my
17 family, not in the industry, but in the family.
18 People think that dry clean is dry clean only.

19 MS. KOLISH: Melinda.

20 MS. OAKES: Hi. I'm Melinda Oakes from QVC.
21 We deal with a lot of vendors, bring in a lot of
22 product from small vendors. And it has been our
23 experience that the manufacturer may not understand
24 the difference between dry clean and dry clean only,
25 or would put a wash method and then say for best

1 results dry clean only instead of only dry clean or,
2 you know.

3 They're trying to convey that if it's
4 consistently dry cleaned they feel you will get the
5 best result. But when it is taken as the intended
6 warning, you know, you can wash it, but dry clean
7 only, people are confused enough about laundry tags
8 that they sit and look at this and it's like, who do
9 you think you are. You're confusing. I was just
10 trying to wash it.

11 MS. KOLISH: Any other views on this?

12 Charles.

13 DR. RIGGS: Charles Riggs, Texas Woman's
14 University. I think there may be an age respondent
15 difference too. In talking to consumers of varying
16 ages -- this wasn't in a formal study -- but my
17 observation is that in the history of rule, from '71
18 to '83, the rule would have included the statement do
19 not do one or the other.

20 And then beginning in '83, it would have
21 allowed one or the other. And talking to older
22 consumers, they probably are still in the mind set of
23 the '71 to '83 type of labels and when it says dry
24 clean, they think they have to dry clean.

25 Younger consumers are more inclined, in my

1 experience, to test other alternatives to what the
2 label may say. And I think it partly has to do with
3 the change that occurred in '83 where you only require
4 one method and no longer can warn against do not wash
5 or do not dry clean, if that be the case.

6 MS. KOLISH: Would it be a fair statement for
7 us to conclude that participants agree or largely
8 agree that there may be manufacturer and consumer
9 confusion about the distinction between dry clean and
10 dry clean only?

11 Yes, there is agreement? No one would
12 violently disagree?

13 Okay. Yes, Pat.

14 MS. SLAVEN: Pat Slaven, Consumers Union.
15 Every apparel project that we work on at Consumers
16 Union, we'll look at hundreds of garments and log in
17 literally hundreds of care labels.

18 And there is a lot of confusion between the
19 verbiage on those care labels. You see dry clean, you
20 see dry clean only, do not wash. It is confusing to
21 consumers. And having looked at thousands of care
22 labels, you can add that into the general consensus.

23 MS. KOLISH: Okay. Would you, would
24 participants agree that the research that we have seen
25 and maybe your own observations or experiences are

1 that consumers to a significant degree or a
2 significant number of consumers believe that dry clean
3 means that it can not be washed at home?

4 So people do agree about that. Yes.

5 But what we also see from the Clorox research
6 and from the Procter & Gamble research is that there
7 is yet, there almost seems to be half or
8 two-thirds/one-third, depending on which piece of
9 research you look at, that consumers also believe or
10 take risk.

11 I take it back. What I think it shows is that
12 a greater percentage, about 80 percent of consumers
13 believe that dry clean means you should not wash it.
14 But notwithstanding that perception, about 50 percent
15 of them went on to wash it anyway.

16 So we have perception and then we have
17 behavior.

18 David, did you want to --

19 MR. DeROSA: David DeRosa, Greenpeace. From my
20 conversations with people, I think what the Clorox
21 data, one explanation of that would be that people
22 don't find the labels to be particularly reliable.

23 Going back to the American Apparel comments,
24 sometimes they might mean that things should never be
25 washed, sometimes the label is just wrong and it is

1 very obvious to customers that they can be washed.

2 And it is that other group that might be, where
3 they're really unsure they're probably going to err on
4 the side of caution and not try to wash it when it
5 might be very logical that it could. And the bolder
6 they are, there may well be an age difference.

7 The fact that 22 percent of people knew that
8 commercial wet cleaning could do something that says
9 dry cleaning when it sounds about as close to the
10 opposite of dry cleaning as possible is in one sense
11 an encouraging sign, although I think people do
12 interpret most of these care labels that say anything
13 besides washing instructions as you have to think more
14 about it. And that's about all the help the label is
15 going to give you.

16 MS. KOLISH: I think there are two people in
17 our observer group if there is no one else at the
18 table who wants to comment on it right now.

19 MS. HUDDY: Hi. Kathleen Huddy, Good
20 Housekeeping Institute. Just to add on to what he was
21 saying, I think you need to look at the fact that I
22 think the consumer looks at the garment.

23 You know, I don't think they are going to wash
24 a jacket with an acetate lining that they paid, you
25 know, around \$150 to \$200 for.

1 But I think that they will attempt to wash a
2 wool knit sweater. So I think that should be, I think
3 that's along the lines of what he is saying; it should
4 be in there.

5 MS. KOLISH: There was someone else. I will
6 let you go first.

7 MS. ANGLIN: Ellen Anglin, from Kmart. I have
8 also been doing a little bit of an informal survey of
9 people I know, just from friends to clerks at stores.

10 And many people do agree that they would like
11 to try washing items that say dry clean only. But
12 they are hesitant to do so for fear that something
13 will go wrong and they don't want to lose the
14 purchase, the money.

15 They feel they are, by not following the
16 instructions, losing the right to, you know, be
17 dissatisfied and return that garment.

18 And some people were very upset about this and
19 are almost feeling hostile over being restricted and
20 not informed as to what to do. Thank you.

21 MS. KOLISH: Pat.

22 MS. SLAVEN: Pat Slaven, Consumers Union. Back
23 in February of '97 we published a short article where
24 we compared, we took a group of blouses with dry clean
25 or dry clean only labels in them.

1 We washed half and we dry cleaned half and
2 compared the results. Actually, we hand washed half.
3 We measured them, evaluated them for shrinkage and
4 finish. And we found that in general, plain weave and
5 silk or rayon performed very well. The results were
6 comparable with dry cleaning.

7 Crinkle weaves, especially crepe, crinkle
8 weaves and rayon or rayon/acetate didn't perform very
9 well. Red silk bled. We wrote up the article. We
10 also got some additional information from the cashmere
11 trade association that cashmere sweaters could indeed
12 be washed, often in direct violation of a dry clean or
13 dry clean only label.

14 These -- granted, these are not garments.
15 These are not lined garments. These are not garments
16 with interfacing or acetate linings. But here is a
17 whole group of garments that often cost you quite a
18 bit to professionally dry clean that can indeed or can
19 successfully be at least hand washed.

20 MS. KOLISH: Well, I think the phenomenon of,
21 it's called low labeling in the industry where dry
22 clean is used, we have heard, instead of wash.

23 But there's been a lot of discussion about that
24 on the record and at the conferences that we have
25 attended.

1 And do other people have views about the extent
2 to which this so-called low labeling occurs? We are
3 not saying it's illegal, we are just saying it is
4 choosing dry clean so that nothing might go wrong as
5 opposed to washing which might be successful.

6 Do other people have views on that? Did you
7 want to address a prior point?

8 MR. BOORSTEIN: Yes. Ed Boorstein, Prestige
9 Cleaners. We do quite a bit of wet cleaning. And I
10 would like to echo what Pat just said. Our experience
11 in doing professional wet cleaning is exactly what she
12 said.

13 And we make judgments and we do not wet clean
14 rayon/acetates. We do not wet clean wool crepes.
15 But the other point is when they're washed at home
16 successfully, are they finished at home successfully?
17 And can the consumer take stains out?

18 Because it is not just a question of washing
19 something; it's a question of is it going to be
20 wearable the way they want it to be?

21 I think that all of this, all of these
22 statements lead to the obvious, the reasonable basis
23 discussion that the manufacturer needs to test or have
24 a reasonable basis to assure the consumer that they
25 can do more than one practice.

1 MS. KOLISH: Right. We are not taking issue
2 with the manufacturer's reasonable basis for the dry
3 clean if in fact that does work. We are just saying
4 is there, would there be, would it be advantageous,
5 would it be more appropriate to provide a wash
6 instruction as opposed to saying while not criticizing
7 manufacturers as a legal matter from putting dry clean
8 labels on now, we're just deciding have there been
9 changes in the technology, in the marketplace that
10 would make the decision we made back in 1983 one that
11 we should revisit and change now?

12 But anyway, let's take -- Mary, did you have
13 other views on that?

14 MS. SCALCO: Well, both of the issues. I think
15 you might find that people will take into account
16 price point when they decide whether they're going to
17 wash it or dry clean it.

18 I think there are very few consumers that would
19 take a wool suit coat and throw it in the washing
20 machine or even hand wash it. Put a wool sweater or a
21 silk shell or a silk blouse and they may go ahead and
22 try that on.

23 So I would feel that -- I don't think you could
24 make a blanket statement across the board that
25 consumers would feel better, you know, that 50 percent

1 of all dry cleanable -- 50 percent of all consumers
2 would rather wash dry clean.

3 Everybody knows we'd rather wash. It costs
4 money to dry clean. But I think price point enters
5 into that. In terms of labeling, I think that's what
6 I was getting to.

7 And somebody else said it here. Consumers have
8 no confidence in care. You know, once they learn to
9 wash, if they take something and wash it at home, all
10 of a sudden they disregard what they are thinking the
11 care label is telling them to do.

12 So they have no confidence in that. And that's
13 why I think what I was getting to is that we should
14 disclose all information to consumers.

15 Can it be laundered, can it be dry cleaned, can
16 it be wet cleaned, can you stomp on it on a rock, and
17 is that an appropriate method of care for that
18 particular garment, and then let the consumer choose
19 what they want to do, if they want to wash it at home,
20 if they want it professionally dry cleaned because
21 they have a large disposable income or no time. And
22 it gives them all those options.

23 MS. KOLISH: Rhonda.

24 MS. MARTINEZ: Rhonda Martinez with QVC. I
25 think there's an awful lot of valuable information.

1 I agree with everything that has been said; points
2 were well made.

3 And I would just like to add to that. We live
4 in a country where there are tremendous amounts of
5 choices. And I think in addition to what Mary said, I
6 think the consumer wants all options, all options on
7 the table and then they can make their choice.

8 But if we're used to having seven kinds of
9 dressing for our salad when we go to dinner, we want
10 to know what three things will work for cleaning as
11 well. I think it is well, it is a good idea to
12 consider that.

13 MS. KOLISH: Karen, did you want to say
14 something?

15 MS. MUESER: Karen Mueser with Sears. In
16 addition to price point, I think the consumer is smart
17 enough in this day and age to identify certain fibers.

18 If they see something is a hundred percent
19 polyester and it is labeled dry clean only, they know
20 there's an option and they will certainly be likely to
21 attempt a different cleaning method because they don't
22 necessarily feel it is necessary.

23 MS. KOLISH: But would they be right, though?
24 I mean, even though it was a polyester fiber, could
25 there be dyes?

1 MS. MUESER: There could be dyes. There could
2 be other issues involved. But they might be more
3 inclined to take that gamble because they know that
4 there are some -- they have some evidence that
5 polyester is washable.

6 MS. KOLISH: Right.

7 MS. MUESER: So that's another part of the
8 issue.

9 MS. KOLISH: Melinda, did you want to add to
10 that?

11 MS. OAKES: Yes. It's been my experience in
12 talking to friends of mine who are professionals but
13 not in the textile industry that we make an assumption
14 among ourselves that people understand that polyester
15 is washable.

16 You have polyester that was the bullet-proof
17 kind of stuff from the '70s that if you wore three
18 layers of it you couldn't be shot with a bullet. And
19 then now you get into the really nice micro fibers.

20 And do the micro fibers have a different
21 technology and they have to be taken care of
22 differently? If you see somebody who -- and if I am
23 stepping on someone's toes, I'm sorry -- wears a
24 polyester tie, that polyester tie is dry clean only
25 because of the lining inside the layers.

1 I have discovered that most of the real
2 education that goes on is tribal lore, one woman or
3 man telling another woman or man.

4 I can't tell you the number of people I have
5 said hand wash that blouse. You, know, don't worry
6 about it, it's fine. If it is one color and it's not
7 going to run together, wash it, put it in a bag and
8 put it in a gentle cycle. You can do that?

9 And these are women with master's degrees in
10 history or doctorates in law; they aren't necessarily
11 the old housewife kind. When they want to refurbish a
12 piece of clothing, they want to do it quickly and they
13 don't want to have to worry about it.

14 The fret factor over a blouse is not worth it,
15 I don't care what the blouse is, if you're really,
16 really busy. So with all of the labeling and the
17 tribal lore and all of the other things that go on,
18 the responsibility of making sure that you have an
19 accurate, complete care label in your garment, maybe
20 it's on some of us to go over and above what the law
21 requires and to stop the low labeling and to
22 understand that each person that this serves is a
23 customer in one way or another and that this customer
24 needs this information, and how can we do that for
25 that customer, whether it is the taxpayer, whether it

1 is someone who buys from my company or from Sears,
2 that they deserve the whole piece of it.

3 And not everyone really instinctively, even if
4 she wears a skirt, knows that certain fibers go in the
5 washing machine and certain fibers don't.

6 MS. KOLISH: David, you had your hand up first.

7 MR. DeROSA: Yeah, I was curious if we could
8 get an clarification. The point about people using
9 the fiber knowledge to determine on some level whether
10 the label is likely to be correct or not is a good
11 one.

12 And I think we are going to be discussing an
13 aspect of this this afternoon. With the requirement
14 that clothes have the fibers, a lot of times when you
15 go to a garment, especially if you have had it for
16 awhile, you still have the care label but very often
17 the fiber information isn't there anymore.

18 I'm not sure exactly -- I'm sure many people
19 here could explain, but where the fiber content label
20 is required. It's not the same label; right?

21 MS. KOLISH: Fiber content information usually
22 has to be on a label required by the textile act which
23 talks about country of origin, the name of the
24 manufacturer or the registered number of somebody.
25 And fiber content may or may not be with that.

1 Carol, am I right, it does not have to be
2 permanent?

3 MS. JENNINGS: Correct.

4 MS. KOLISH: It does not have to be permanently
5 attached and legible for the life of the garment.
6 Although, you're right, one of issues is should it be?
7 So we will get to that.

8 Did other people want to talk about issues
9 about commonness of low labeling?

10 Nancy.

11 MS. HOBBS: I think one of the things adding to
12 -- Nancy Hobbs with Consumers Union. I think one of
13 the things adding to the confusion about how I wash
14 this, can I wash it, are the changes in the washing
15 machines themselves.

16 They now have intermittent cycles. They now
17 have delicate. They now have -- you know, the cycle
18 back in, 20 years ago you had two choices if you were
19 lucky.

20 You know, you had a short cycle, a long cycle,
21 or a semi-gentle cycle and a more regular kind of
22 cycle. Now you look at a washing machine, even the
23 lower price point washing machines and you have a lot
24 of choices as to what kind of cycle and water
25 temperature that you didn't have before.

1 And I think that adds to the confusion. Then
2 you go, oh, I have one that has an intermittent cycle.
3 I have this wool sweater; I can put it in there. I'll
4 try it; we'll see.

5 So that adds to the confusion, along with the
6 washing machine is a bit updated maybe faster than we
7 have updated our care labeling regulations.

8 MS. KOLISH: That's an interesting point.
9 Deborah.

10 MS. DAVIS: I'm Deborah Davis of Cleaner by
11 Nature. I think there is also an income factor here
12 that you should be considered as well.

13 I don't know if that came out in any of the
14 surveys, but I would guess from my anecdotal
15 experience that those in the lower income bracket are
16 going to be more likely to take the risk and not
17 follow the care labels, take a risk to try to hand
18 wash or machine wash something at home.

19 That means we are in a sense putting that
20 burden or putting that risk disproportionately on
21 those who can least afford it, and I think that is
22 something that should be taken into consideration
23 also.

24 I think consumers should have as much
25 information as possible about various options for

1 cleaning the garment.

2 MS. KOLISH: Eric, did you want to say anything
3 about demographics there?

4 MR. ESSMA: Not about the demographics, Elaine.
5 Rick Essma, Clorox. On the issue of low labeling in
6 general, Clorox has done several studies. And you
7 know where I'm going.

8 Clorox has done several studies, and we found
9 that about 70 percent, if you consider all the
10 instructions on a care label, about 70 percent of all
11 the care labels that we have checked, which have been
12 in the tens of thousands, are low labeled.

13 So if that is projectable onto the dry cleaning
14 issue as well, then you can estimate that about 70
15 percent of dry clean or dry clean only care labels are
16 also low labeled.

17 If those numbers are projectable, and I'm not
18 saying that they are and I'm not at all confident in
19 that statement, but if they are projectable, you have
20 a 70 percent low labeling factor.

21 And our research has also shown, it focused on
22 the bleaching instructions on care labels naturally,
23 and we found that just low labeling on bleach
24 instructions alone causes consumer harm to the amount
25 of \$266 million a year in garments that are

1 prematurely downgraded or discarded because they could
2 not be properly refurbished because the consumer was
3 restricted from using bleach on that item.

4 So if the consumer wants to -- consumers is
5 \$266 million a year just for bleach low labeling and
6 70 percent of labels are low labeled or 70 percent of
7 instructions are overly restrictive, then that
8 consumer loss is, although the consumer, it's probably
9 transparent to the consumer, that consumer loss is
10 considerable.

11 And I think the overall issue, not just on dry
12 cleaning, but I think the overall issue of low
13 labeling and enforcement needs to be addressed by the
14 Commission.

15 MS. KOLISH: Okay. Half the staff go away and
16 do enforcement actions.

17 As you -- well, that's a good point. And I
18 just wanted to note for the record that those of you
19 who may not see all of our press releases that the
20 care labeling area actually has been an area of
21 increased law enforcement attention over the last
22 several years.

23 And I think you will have noticed far more
24 cases have come out in the last few years than came
25 out in the years before that. And there are others in

1 the pipeline.

2 Do other people have comments?

3 Martin.

4 MR. COPPACK: I am Martin Coppack with the
5 American Association of Family and Consumer Sciences.

6 I just wanted to clear up for Melinda and
7 Deborah in terms of thinking, one of the aspects of
8 low labeling is point of purchase, when a consumer
9 unavoidably is going to purchase something.

10 If they see dry clean only would not increase
11 their decision not to buy that because they'd think it
12 was going to cost more to keep that garment properly
13 clean.

14 And then you've got different choices from the
15 consumer there. And that's and in terms of
16 discriminating against consumers with less money and
17 from that perspective.

18 And I am just saying you should never
19 overestimate the consumer. I myself have one degree
20 in home economics. And when I get, sometimes when I
21 am reading a label I will get confused. And past
22 experience is just never overestimate the knowledge.

23 MS. KOLISH: JoAnne a.

24 MS. PULLEN: JoAnne Pullen, Chair of ASTM
25 Committee D1362 on care labeling. I am going to speak

1 in relation to my second. Standards development is my
2 volunteer work. Teaching school is my work for pay.

3 I teach in seventh to twelfth grade in a
4 regional school in rural Massachusetts. Massachusetts
5 usually takes the lead in education, protection for
6 special needs, and so forth.

7 So we have worked hard with some conservative
8 legislators to implement the goals 2000 for education.
9 And I am adding this piece for information that should
10 affect policy.

11 We have now an Education Reform Act of 1993
12 that says schools must teach English, math, science,
13 social studies, foreign languages, and fine arts. And
14 if you are teaching family and consumer sciences, or
15 formerly called home economics, you might have 22
16 lessons in the junior high that you might teach.

17 But they have also removed the law that
18 required related arts education in the junior high
19 school if your town is 20,000 people or larger.

20 So the decimation of the educational
21 opportunities to learn about textiles, to learn about
22 home care and dry cleaning care, the whole care
23 labeling information is declining drastically.

24 So your responsibility to inform consumers is
25 moving over to the Good Housekeepings, the Consumer

1 Unions, and the apparel manufacturers and retailers
2 themselves because consumer information is not being
3 taught as much in the public schools.

4 We have managed to get our information about
5 health, relationships, family living, nutrition into
6 our health frameworks and been able to forge a
7 coalition with them to at least have a framework,
8 which is not tested.

9 But the textiles and clothing did not make it.
10 It is the one area of our profession that lost out.
11 So that's where education stands for information to go
12 with this.

13 For the political issues, while the Federal
14 Trade Commission is dealing only with our national
15 interests, those apparel manufacturers or those
16 retailers who are companies who are dealing on the
17 worldwide market have the information that if they are
18 an international trader and do work in the European
19 market, they usually put both pieces of information
20 out because the international voluntary, that's
21 maintained that it is voluntary, standard does require
22 both washing and dry cleaning.

23 But it is a voluntary standard. North America,
24 Canada, the United States, and Mexico require one
25 instruction. So there is your information for

1 voluntary care labeling.

2 MS. KOLISH: Thank you, JoAnne.

3 MS. SNYDER: Corey Snyder, Procter & Gamble. I
4 just have a couple of comments around Deborah's
5 question on demographics and how likely you are to see
6 versus age or income or different demographics.

7 What we found is that it really crosscuts a lot
8 of variety of demographics, age, income. And what we
9 are finding, it is more what we look at as a notice or
10 questions around I'm more likely or I'm more willing
11 to try new things or experiment with something
12 different or -- so it's really based on the
13 personality.

14 You can't really say, people, okay, if you're
15 within this range and this income then you're more or
16 less likely to do it. It really depends on the
17 person, their educational level as far as -- like we
18 have people that it's been passed down from, their
19 moms told them that these are the kinds of things you
20 do know matter what or you should try because you
21 don't need to dry clean.

22 And with the labels, they are becoming more and
23 more confusing for people because not only are there
24 just the pure fibers but there's all these blends.

25 And you pick out a label and there's four or

1 five different fiber contents and, you know, who
2 knows, there's all the decorative decorations, the
3 multi colors. But there's a lot of variety in the
4 apparel, in the garment.

5 So it is real hard to say, well, this is
6 primarily polyester. There is something, there is
7 some acetate or some rayon or some wool in there that,
8 you know. So it's very confusing for consumers.

9 And a lot of times a lot of people will avoid
10 buying dry clean or dry clean only labeled garments.
11 So that reduces the range of garments that are sold to
12 a variety of people.

13 And it is not primarily the low income; it is
14 across all income levels where people make a value
15 decision of, okay, if I am going to buy this garment,
16 I'm going to spend this much for it but I'm going to
17 spend this much ongoing to take care of this, they
18 see, which most people do that, that they're going to
19 have to dry clean it. So that's a big factor in their
20 decision-making.

21 MS. KOLISH: Dr. Riggs.

22 DR. RIGGS: Charles Riggs, Texas Woman's
23 University. A couple of comments. I think we are
24 getting off on low labeling, and perhaps that's not
25 the key issue here but yet I think it is part and

1 parcel of the concern.

2 It has been my observation -- I have been
3 involved in garment care research since 1974, so
4 almost the entire duration of the Care Labeling Act --
5 that since '83 there have been much more cases of low
6 labeling than prior to '83 when you had to indicate
7 things not to do.

8 In particular, I think where I see the most
9 common, and it's probably not the one we're discussing
10 here, but the one that says hand wash when in fact it
11 could be machine washed. And in fact, one appliance
12 manufacturer has a cycle in their machine that is
13 labeled hand wash, which I find interesting.

14 But I think in terms of making some progress, I
15 wonder if we could ask for a clarification of our
16 discussion point.

17 As I go through the material ahead of time, my
18 assumption as to the point was that the amendment
19 would require a manufacturer to say, if they're
20 currently saying dry clean, to also include a washing
21 instruction if that was appropriate.

22 But yet if I read the title that we were given,
23 it would perhaps be interpreted to indicate that they
24 should only give the washing instruction and not also
25 the recommended dry clean.

1 And as we move towards using icons, what I
2 think would be wonderful, and maybe it's not cost
3 effective, would be for every label to have a complete
4 set of icons with X's denoting what you should not do.

5 So I wonder if we could clarify, are we talking
6 about having a washing instruction in addition to a
7 recommendation to dry clean, or are we talking about
8 doing away with the dry clean instruction for
9 everything that could possibly be washed?

10 MS. VECELLIO: Well, I can answer that. Connie
11 Vecellio from the Federal Trade Commission. When we
12 began this process, I believe we proposed having both
13 at an earlier stage.

14 We got comments from manufacturers saying that
15 it would be too extensive and actually also might
16 increase the exposure to PERC because some
17 manufacturers feel they have to test to prove whether
18 or not their garments can be dry cleaned if they have
19 to make a statement about that.

20 So the current proposal is just that garments
21 that are washable at home be labeled for washing at
22 home. But, of course, the manufacturer can also give
23 dry cleaning instructions.

24 But under the current proposal, the
25 manufacturer would only be required to give washing

1 instructions if the article is washable at home. The
2 dry cleaning instructions would be optional.

3 MS. KOLISH: And, Dr. Riggs, there are lots of
4 other issues we want to discuss. I thought it was
5 useful to get information on the record about to what
6 extent are there garments labeled dry clean that
7 people are washing and the phenomenon or observations
8 that people have along those lines.

9 I just want to take a few more comments on
10 that. And I warned people in the audience that I
11 might call on them. And my recollection is that from
12 prior conferences I have gone that EPA has sponsored
13 is that J.C. Penney has a great deal of testing on
14 clothing to see whether things labeled dry cleaned
15 could be washed and may require their vendors to
16 relabel them.

17 Is it Nancy Morris from J.C. Penney? Would you
18 care to address that at all?

19 MS. MORRIS: I'm Nancy Morris for J.C. Penney.
20 And we do --

21 MS. KOLISH: That was me, I'm sorry. There's
22 our phone to connect the regional offices underneath
23 here and my foot tapped it. Sorry.

24 MS. MORRIS: That's okay. When we get
25 merchandize into our testing center and it is

1 something we feel is machine washable, even though the
2 manufacturer has included a label that says dry clean,
3 we will indeed machine wash that item.

4 And if it is machine washable and we feel that
5 that's the best care for the J.C. Penney customer,
6 then we will ask the manufacturers to change those
7 labels.

8 MS. KOLISH: Nancy, do you have any sense about
9 how often this occurs where you find items labeled dry
10 clean that you in fact can have relabeled to be
11 machine washed?

12 MS. MORRIS: I would not have any figures in
13 terms of what kind of percentage. But it does happen
14 frequently.

15 MS. KOLISH: Frequently.

16 Rhonda.

17 MS. MARTINEZ: We do some home simulated
18 testing at QVC in order to protect our customer and
19 try and second-guess sometimes what they might do
20 which, obvious from the research, we find consumers
21 are doing things other than what's on the label.

22 And sometimes we find that what you are
23 referring to as low labeling, we like to refer to
24 sometimes as the CYA method of labeling, is sometimes
25 because of shoddy manufacturing.

1 So we like to keep that in mind, too. There's
2 nothing wrong with hand laundering many cotton
3 fabrics, but sometimes it's because there is some
4 shoddy manufacturing. So we try to keep that in mind.

5 And as far as percentage wise, I wouldn't have
6 any idea. But we often take the same approach that
7 you do and then sometimes require relabeling.

8 MS. KOLISH: Karen was nodding her head
9 affirmatively.

10 MS. MUESER: Yes. We have the same situation.
11 We do often find garments that are labeled dry clean
12 which can successfully be washed. And for our
13 customers we do request that they change the label, as
14 well.

15 MS. KOLISH: Somebody in the audience would
16 like to speak.

17 MS. HUDDY: Kathleen Huddy, Good Housekeeping
18 Institute. For Nancy and also for the lady at Sears,
19 what is the manufacturer's reaction when you require
20 them to relabel?

21 Because I know businesses is good around the
22 country but it isn't in apparel. And I do question
23 that. What is their reaction usually? Are they able
24 to do it for you? Are they not?

25 MS. MORRIS: For merchandise that would be --

1 again, Nancy Morris with J.C. Penney. For merchandise
2 that is produced under the J.C. Penney labels, any one
3 of our brands, it is not a problem because we usually
4 have those discussions before the labels are actually
5 produced.

6 If it is national brand merchandise, then
7 sometimes there is a little bit of reluctance. But
8 we do try to work with those going forward sometimes.

9 MS. MUESER: Karen Mueser from Sears. We have
10 the same exact situation.

11 MS. KOLISH: Jackie.

12 MS. STEPHENS: Jackie Stephens from
13 International Fabricare. For Sears and I believe it
14 was J.C. Penney, any indication as to what garment
15 types and fiber types for those that you are asking to
16 be relabeled that can be machine washed? Do you have
17 any information on that?

18 MS. MUESER: Well, as I mentioned before, that
19 was why I mentioned polyester. Just recently I had
20 some hundred percent polyester garments that were dry
21 clean only labeled. And we did request a change.

22 MS. KOLISH: Steve.

23 MR. LAMAR: Can I make a point? Would a dry
24 clean only label, though, would that be -- Dry clean
25 only under the current situation is, it can not be

1 washed.

2 So you're making a statement that it can not be
3 washed, as opposed to a dry clean statement which is
4 that it can be dry cleaned or it can be washed. So in
5 that case you are actually complying with the law.

6 I mean, that would be another case of low
7 labeling, under labeling that would be illegal and
8 that would be actionable by FTC, I think; is that
9 correct?

10 MS. KOLISH: That's right. Because you are
11 supposed to have a reasonable basis for the warning
12 that you provide consumers in a sense only as a
13 warning, meaning you can not use any other method.
14 That would be a violation.

15 And maybe we need to bring some cases on that.
16 But for dry clean, dry clean is not, when we just use
17 those two words alone, it does not necessarily mean it
18 is washable. It means the manufacturer is offering no
19 opinion on it. It may or may not be washable.

20 MR. LAMAR: Just a follow-up question in terms
21 of what the impact of the rule would be. And I think
22 I know the answer from the proposed rule.

23 If you now want to have a lone dry clean symbol
24 or a dry clean statement, that would effectively, and
25 without a washing instruction, that would effectively

1 be a dry clean only statement.

2 That's a point that I think needs
3 clarification.

4 MS. VECELLIO: Yeah, I think that's right. It
5 would be.

6 MS. KOLISH: The view would be that we move
7 towards having dry clean only as the instruction in
8 those cases, warning against the washing.

9 MR. SELLEH: I'm Dick Selleh with the
10 Mid-Atlantic Cleaners and Launderers Association. I
11 think you may be adding, we may be adding to the
12 ambiguity of the labeling rule by stating dry clean
13 only as opposed to dry clean recommended.

14 With J.C. Penney and Sears, and I compliment
15 J.C. Penney because from the servicing industry, we
16 understand and appreciate their testing of garments.
17 And I don't have as much experience with Sears, but
18 with J.C. Penney, we work with them locally. We have
19 had occasion to work with them locally.

20 The -- excuse me. I'm very nervous. There's
21 such a large audience.

22 MS. OAKES: We are all really cute.

23 MR. SELLEH: Thank you. The ambiguity that
24 lies within the care labeling instruction for the
25 consumer and for the servicing industry is paramount.

1 It's, there's such a diverse scenario, all the
2 labels. As a matter of fact, the labels that remain
3 within the garment. Because in many cases the
4 manufacturer's label stays, whereas the care label is
5 destroyed within a short period of time of servicing
6 that garment.

7 But to have an instruction such as a washing
8 instruction and a statement dry clean recommended or
9 wet clean recommended or something of this nature
10 would be more appropriate than this garment can be
11 machine washed or this garment is dry clean only.

12 I think therein lies the ambiguity of the two
13 statements. Thank you.

14 MS. KOLISH: When I say the rule is ambiguous,
15 I think it is, but it isn't meant to be ambiguous to
16 consumers. It was meant to reflect a cost benefit
17 choice in 1983, that we were weighing the cost to
18 manufacturers of the, I guess, the benefits to
19 consumers.

20 And the decision was to only burden
21 manufacturers with the duty to provide one care
22 instruction. And we realized that would lead to some
23 uncertainty, but consumers would get information on at
24 least one care instruction that would work.

25 One of the reasons we are revisiting this is

1 because we believe that there may be more evidence now
2 that consumers would prefer to have more control over
3 that or would prefer to get a washing instruction more
4 often than a dry clean construction, which seems to be
5 commonplace, from what I have heard today, on garments
6 even if they could be washable.

7 And the question I would like the panel to
8 discuss next is if in fact, if you all agree, and I
9 think there is a lot of evidence on this, that
10 consumers would prefer to get washing instructions for
11 garments that are dry clean.

12 After all if it said washable and you don't
13 have time, you could still take it to a dry cleaner
14 and have it professionally laundered.

15 Many of us probably have our spouse's shirts
16 done at the dry cleaner so you don't have to iron
17 those things. If that in fact is the case, that
18 consumers would prefer that information, the Clorox
19 research showing that nine out of ten consumers would
20 say if there is a choice between the two, please tell
21 me it's washable.

22 If that's the case, why isn't the marketplace
23 responding to the consumer desire? Is the issue that
24 the marketers, the sellers, the manufacturers aren't
25 aware that this is consumer preference?

1 Are there market imperfections going on here?
2 Is it because consumers are experimenting on their own
3 at home, they're not trusting the label or they have
4 past experience or knowledge or the sales clerk,
5 Melinda has told them you can wash this.

6 And so the information, there is something
7 happening with the perfect flow of information between
8 sellers and buyers that is impeding the manufacturer's
9 ability to provide washing instruction.

10 Or do manufacturers know but not care, using a
11 CYA theory?

12 MS. OAKES: Melinda Oakes, QVC. We have
13 discovered that there are a lot of people out there
14 that are manufacturing garments that are not
15 professional textile people.

16 There are a lot of people whose entire QA
17 consists of this is cute, let's sell it. And when you
18 come across someone who knows what they're doing, it
19 is a whole different issue.

20 Then you say, well, you need a care label and
21 it needs to be permanent and it needs to be done under
22 this section of the law. And they go, wow, I didn't
23 know that. This is great working with you.

24 And you're going, oh, my gosh. And there's a
25 lot of designers. And to tell you the truth, it is

1 about as hit and miss.

2 If anybody else here is a home sewer, you walk
3 into a fabric store and you discover that they've
4 taken and they've rewound the bolt on something else.
5 And you're looking at the end of the bolt and it says,
6 you have got this big wooly, fluffy fabric, and it
7 says 100 percent cotton, machine wash hot.

8 You know, and you realize that they just
9 rewound the bolt. And I think what happens is a lot
10 of these manufacturers go out and find something that
11 looks good, it drapes. They really don't understand
12 what it is.

13 And they don't really have a knowledge of what
14 the product is. Or they are taking a base product, a
15 T-shirt, a jacket and embellishing it and not
16 realizing that they have to relabel now that they've
17 added or subtracted an element.

18 And a lot of these people just don't have the
19 background. And there's a lot of manufacturers. If
20 they get to a certain point where they have technical
21 people on the staff, then they do understand.

22 But a lot of them are designers. They hire
23 subcontractors. The subcontractor says sure, I will
24 make you a label, and they do. It's not a good one,
25 but they make them a label.

1 And sometimes they come in and they, we, you
2 know, someone is not a native English speaker, you get
3 labels that say machine wash wash instead of machine
4 wash warm, because whoever was looking at it couldn't
5 read the English.

6 All different kinds of different scenarios all
7 over the country and all over the world. And some of
8 these people are just not textile people but they're
9 manufacturing clothing.

10 MS. KOLISH: So in your view it wouldn't be
11 that manufacturers are failing to respond to consumer
12 preference, they're just acting out of ignorance of
13 their responsibility?

14 MS. OAKES: Or ignorance of what the options
15 are. They really don't understand -- they don't
16 understand what it is they put together. They're
17 looking at it aesthetically.

18 But the rest of it is just kind of a mystery.
19 There is someone else. There's a me back at home base
20 for the person who is buying it. When a consumer buys
21 a product, they figure, our customers do, that we're
22 watching out for them.

23 I'm sure Penneys and Sears has the same thing,
24 that if they buy something from us, that we have done
25 our homework and what we're telling them is true and

1 that we are doing the best job that we can for them,
2 mainly because we keep telling them we're doing that.

3 So those kinds of things happen. And if the
4 person who is buying it doesn't know to check or
5 doesn't know what to tell them or that if a mistake
6 has been made and there is no educational information
7 going back, they think they're fine.

8 MS. KOLISH: I am seeing flurries of hands.

9 Pat.

10 MS. SLAVEN: One of the very interesting things
11 about working at Consumers Union on an apparel project
12 is seeing multiple replications of the same garment
13 from the same manufacturer; same size, same model
14 number, same, same, same, and finding two or three or
15 even four different care labels.

16 Everything from on a pair of jeans to machine
17 wash gentle cold water only to machine wash hot.

18 MS. KOLISH: How do you account for that?

19 MS. SLAVEN: We usually make a couple of phone
20 calls at that point, and customer service generally
21 straightens it out. Now, the consumer doesn't see
22 the, the multiplicity of care labels.

23 I suspect that they're getting pulled out of a
24 box and they ran out of box one, somebody brought them
25 box two. This is within launder instructions to see a

1 vast range on the same garment.

2 This is, in my opinion, part of the confusion.
3 Sometimes we will even see situations where the
4 package has one set of care instructions and the
5 garment inside has something contradictory. That's
6 also amusing, and a call to customer service.

7 MS. HOBBS: And to add to that -- Nancy Hobbs
8 from Consumers Union -- we also see garments, to kind
9 of back up what Melinda was saying, where
10 aesthetically they look great, but no way should
11 those two fibers or those two fabrics been put
12 together.

13 They cause nightmares for the fabricare
14 institute, they cause nightmares for the consumer and
15 the local dry cleaner who gets a very irate consumer.

16 So if there is no one in the middle, like a
17 testing department or someone to help these folks out,
18 then I think that is a very interesting combination of
19 labels and things.

20 MS. KOLISH: I think Eric had his hand up and
21 then Mary.

22 MR. ESSMA: Rick Essma, Clorox. One of the
23 problems, or a couple of the problems that we have
24 encountered in dealing with the industry is that it is
25 such a fragmented industry, the apparel manufacturing

1 industry.

2 There are some 2,000 apparel manufacturers just
3 in the United States alone. And the Levis and the
4 Sears and the Penneys of the world are very
5 conscientious about their labeling, but they are the
6 exception.

7 And because of the industry size and
8 fragmentation, they don't represent a significant
9 portion of it. It doesn't reach a critical mass for
10 care labeling accuracy.

11 So most of those small manufacturers lacking
12 the ability to do their own testing are taking their
13 care instructions from the directions that they get
14 from the mills that provide them with the fabric.

15 And the mills completely understand that there
16 is no burden of proof, no onus on them for accuracy
17 for the care instructions that they provide.

18 And that entire situation, lacking any sort of
19 policing activity for that mill to manufacturing
20 connection promotes the idea of low labeling.

21 The mill will use the most generically, least
22 common denominator instruction that they can that
23 applies to as much of their product as possible.
24 Whether or not it's accurate is not a consideration;
25 broad applicability is.

1 And another issue that we have run into is the
2 smaller manufacturers when they go shopping for care
3 labels really don't understand what they are getting
4 from the label manufacturers. And they buy deals from
5 the label manufacturers on stock care labels.

6 A label manufacture has a, for example, may
7 have an overstock situation on one care label with a
8 set of instructions that may or may not be applicable
9 to the garment that this manufacturer is buying the
10 labels for, but they're getting a deal on the label so
11 they buy them and put them on anyway.

12 And I think both of these situations in an
13 industry that's, that represents such a consumer
14 investment, I think that there are several points
15 along this production and distribution chain that need
16 to be closely monitored.

17 MS. KOLISH: Mary is going to be next.

18 MS. SCALCO: Mary Scalco, with the
19 International Fabricare Institute. I think what you
20 are hearing is that low labeling basically occurs
21 because manufacturers are not testing or there is no
22 teeth required to have the basis for that care label.

23 And I would be curious what the costs actually
24 were. Because just using I, if I was an example, you
25 gave us a garment and you said develop me a set of

1 care instructions and we had to test for all
2 processes, it would cost about \$300.

3 So \$300 spread out over the cost of the
4 multitude of garments that are made for that
5 particular style, it seems to me that consumers would
6 pay an extra penny or two to find out how they can
7 have confidence in how to care for their particular
8 garment.

9 And when we say low labeling, even if you put a
10 dry clean label on there, that doesn't always
11 necessarily mean dry cleaning is not going to cause
12 damage to that garment. Sometimes that does occur.

13 And then that cost is eaten by the dry cleaner.
14 I mean, he has the irate consumer across his counter
15 saying you ruined my garment, and it says dry clean
16 only on there. And his cost is much more than a penny
17 or two to replace that garment to that consumer.

18 MS. KOLISH: Sylvia.

19 MS. EWING: I guess just starting where Mary
20 left off in the care end, at CNT, we're at the
21 intersection of economic development and wanting to
22 see small businesses thrive and succeed in
23 communities, as well as environmental concerns,
24 wanting to see them be environmentally efficient when
25 they do it.

1 So a lot of our major concerns will come this
2 afternoon in the more wet clean related section of the
3 day. But our research at the Greener Cleaner did
4 bring in thousands of garments that were, I would say,
5 low labeled or mislabeled.

6 And I don't know if it is a charitable view
7 that there was misunderstanding, or the less
8 charitable view that it is a CYA scenario where the
9 consumer and the apparel care provider are really left
10 holding the bag.

11 We found garments that can't be cleaned by any
12 method and even have seen some labeled do not clean.
13 And we also found that say 20 percent -- Ann Hargrove
14 could probably speak to this more directly, or Deborah
15 Davis.

16 If you took 20 percent of what comes in a shop,
17 into a professional cleaner's, that can be done in
18 water because of the nature of the fabric and the
19 style.

20 However, getting back to Karen, who does have a
21 great quality and assurance testing lab, I can vouch
22 for that, at Sears, that \$100 or \$150 polyester dress,
23 I have questions as to whether or not it is not
24 labeled washable because it is a status and a price
25 point issue.

1 You know, why are you paying \$150 for something
2 that's washable? So I think that there is a lot of
3 consumer education that has to go on in terms of how
4 they use their fabric care professional.

5 MS. KOLISH: I will let some people talk who
6 haven't had a chance before.

7 Gloria.

8 MS. FERRELL: Gloria Ferrell, Capital Mercury
9 Apparel, Limited. I would just like to ask, Rick,
10 because you upset me with something you said about
11 manufacturers just taking labels, if they are out of
12 one, they'll use another. Who did you speak to? Did
13 you speak to manufacturers and get that kind of
14 information?

15 MR. ESSMA: I didn't make that comment, but I'm
16 sure it happens.

17 MS. FERRELL: Oh, I'm sorry. Didn't you say if
18 they're out of --

19 MR. ESSMA: You mean, go from one box to the
20 other? Somebody down at that end of the room said
21 that. I did make the comment that label manufacturers
22 --

23 MS. FERRELL: But anyway, whoever said that, I
24 would like to know where that information came from.
25 Because personally, we at Capital Mercury, we have a

1 whole testing lab. We never put something in there
2 that we find is not true. And I don't know that any
3 manufacturers would do that.

4 MS. KOLISH: Wait. Deborah was going to be
5 next. Then we'll do Karen and then Roy.

6 MS. DAVIS: It's somewhat related. Well, I
7 think what's probably happened in this area is there
8 are very responsible manufacturers, but there are a
9 percentage of less than responsible manufacturers.
10 And unfortunately, they spoil it for the industry.

11 Anecdotally, we do some testing for a designer,
12 a manufacturer in Los Angeles. And I find it curious
13 that they continually come to us and ask us what they
14 should put on the label. I'm flattered, but we
15 shouldn't be their source of information.

16 And sort of related to that, then, I think that
17 manufacturers, you are asking the question why if
18 consumers want this information aren't they doing it,
19 it has something to do, I think, with the lack of
20 feedback that manufacturers get.

21 I think someone else mentioned this, as well.
22 When something goes wrong in cleaning, particularly
23 something that they brought to the dry cleaner, of
24 course, who do they blame? The cleaner.

25 And it's pretty difficult to get a consumer to

1 take a garment that didn't clean properly or finish
2 properly and get them to go back to where they bought
3 it and take it back. They don't want to hear anything
4 of it. The cleaner was the last one to handle it, it
5 was the cleaner's fault.

6 So I think there is a feedback mechanism that's
7 missing there because it's difficult to get consumers
8 to bring the garment back to where they bought it,
9 which is sort of ignorance on the part of the consumer
10 as well that I think needs to be addressed too.

11 MS. KOLISH: Karen and then Roy.

12 MS. MUESER: Karen Mueser at Sears. There are
13 several points I kind of wanted to touch on. Yes,
14 there are a lot of large domestic manufacturers who do
15 a wonderful job. They do their own testing and
16 they're great.

17 What comes into play is the global market. We
18 have a lot of importers. Some of them use the CYA
19 approach. Some of them are sort of a take-off on
20 Mickey Rooney and Judy Garland saying let's put on a
21 play. They decide they want to import some stuff.

22 And what we find is they have absolutely no
23 clue that there are laws in this country. Even if
24 they're American by birth, they don't understand. And
25 it's compounded when there are people from other

1 countries who are doing importing here in the U.S.

2 The foreign countries have far less concern and
3 understanding of why we do have these things. So
4 that's another part of the puzzle.

5 I am encountering things within our own
6 organization. We have buyers who take a dry clean
7 only care method, even if it's for a \$45 polyester
8 skirt, as a connotation of quality.

9 And they feel that that is a good thing as
10 opposed to possibly a negative which may even decrease
11 sales or cause dissatisfaction.

12 And just a quick comment, too, about multiple
13 labels. Many times manufacturers will use several
14 different subcontractors. They may be in several
15 different countries.

16 And that is one of the places where you often
17 will get multiple labels that have differing
18 explanations for how to care for a product.

19 MS. KOLISH: Roy was going to be next.

20 MR. ROSENTHAL: Hi. Roy Rosenthal, RCG
21 Marketing. I work with textile industry apparel and
22 the Clorox Company.

23 To answer Gloria, your question relative to are
24 people using labels from stock that are inappropriate
25 for use, I have met with a good number of the label

1 providers who have stock programs.

2 Unfortunately, in their catalogs they have
3 incorrect labels. And they are sold because they are
4 in inventory. The other thing we come across is
5 people look at what other people are doing and assume
6 it's right.

7 The big reason why you have low labeling, in my
8 view, is that they're scared. When you -- and I have
9 been there from an outsider and somebody says, will
10 you sign off on this label being correct and
11 compliant, there is a twinge right there.

12 And it's easier to take the negative, the safe
13 way, because you're the person who is going to get
14 those ten items of 100,000 that get returned because
15 they put grape juice on it and don't understand why
16 the laundry didn't get it clean.

17 It's very visible. So there is a real, still
18 that old-fashioned attitude which says I'm still going
19 to play it safe because I'm not going to get really in
20 trouble. Yet this is really not going to bother me
21 kind of, especially if you are in family-run
22 businesses.

23 If you have got a family business and you have
24 joined it, grandpa, who started it, made apparel
25 during the time when you had to worry about some of

1 the fabrications holding up to even rainwater.

2 So I think a lot of the reasons you have this
3 is today they don't -- they want to play it safe
4 because at that moment when you're putting your name
5 on the line, you get this twinge. And you look at
6 your buddies and say, well, he did it last year that
7 way, so that's the way I'm going to do it.

8 That's not an excuse. That's what's done.

9 MS. KOLISH: Rhonda and then Ed.

10 MS. MARTINEZ: Just, again, to Gloria's point.
11 I have been in a lot of factories. And if a person
12 whose primary language is not English is getting paid
13 piece work to simply sew a little tag in a garment and
14 do hundreds and hundreds of them day after day after
15 day, that's what they do.

16 They don't read it. They don't look at it.
17 And I don't think malicious intent describes the
18 manufacturer or that seamstress, but it does happen.
19 It happens quite frequently.

20 MR. BOORSTEIN: Ed Boorstein, Prestige
21 Cleaners. Just for the record, before International
22 Fabricare Institute, there was the National Institute
23 of Dry Cleaning. And I went through the school in
24 1956 before modern care labels.

25 And their laboratory was filled with garments

1 that didn't make it, sometimes because the cleaner
2 screwed up, sometimes because the consumer did,
3 sometimes because the manufacturer did.

4 And it was never thus and it still is and
5 probably will be for everybody's lifetime. But these
6 crazy combinations weren't invented yesterday. We had
7 a garment last year that I ended up paying \$500 for.

8 It was a wool crepe with vinyl trim around the
9 button holes. And underneath there was black suede
10 that we couldn't see. Okay.

11 I do want to establish one more time for the
12 record, my feeling is that if you put a wash label on
13 something, the consumer can feel it can not be dry
14 cleaned.

15 If you put a dry clean label on it, the
16 consumer can feel it can't be washed. And I'm in
17 favor of multiple practices if they're legitimate.

18 MS. KOLISH: We are going to break in a minute.
19 A few people want to talk and then we will go to a
20 break.

21 Steve.

22 MR. LAMAR: I just want to make a couple of
23 points. With regard to -- this is a minor point.
24 With regard to the do not clean comment, I think that
25 is in the law.

1 In fact, you're supposed to say that if you can
2 not clean something, if it can not be refurbished, you
3 are required to say that it can not be cleaned or it
4 can not be cleaned by some method.

5 So there is a provision in there. And if
6 that's a problem, maybe that's one of the things that
7 should be looked at.

8 The other thing, too, I am hearing two
9 different things in terms of the low labeling issue.
10 One where people are labeling something one way even
11 though others believe it could be labeled another way
12 and still be successfully cleaned.

13 But a second time where people are saying that
14 it's labeled one way when that's not the correct way
15 of labeling it.

16 I think there is a distinction between the two.
17 One is legal; you may not agree with it, but there is
18 a, essentially it is a difference of opinion over how
19 a garment should be cleaned or best be cleaned.

20 The second one is against the law. And there
21 is an actionable item against that, and I think that's
22 a question of enforcement. I think that goes back to
23 a point I made earlier.

24 And the third one I'm hearing also is that, my
25 experience has been with all the number of apparel

1 companies that I work with is they want to sell
2 clothes and they want to sell as many clothes as
3 possible, and they want the consumers to be happy.

4 And again, this is the experience with the
5 people I'm working with is they want to put on the
6 best information and they want to sell the most
7 clothes they possibly can.

8 If they're putting on wrong information, if
9 they're putting on inaccurate information, if it's an
10 honest mistake they will be eager to change it. And I
11 have heard a couple of cases where people have said
12 we've gone back to customer service, whatever, and
13 they have made the change.

14 And if they are not changing it, I would
15 maintain that the information is not getting back o
16 them. I just want to step away from the urge to kind
17 of say the manufacturers are all out there trying to
18 do all these evil things to the consumers. I'm not
19 sure that's accurate.

20 I think they really want to sell as many
21 clothes to consumers and have happy consumers. I
22 wanted to put that out there.

23 MS. KOLISH: I heard less things about evilness
24 and slightly more about maybe sloppiness. But anyway,
25 we'll take one more comment and then we will go to a

1 break. Oh, we'll take two comments. We'll let her
2 and then you, okay?

3 MS. EASTER: Elizabeth Easter, and I'm a
4 textile professor at the University of Kentucky and
5 I'm a consultant with GE Appliances.

6 I have to agree with the last statement that
7 Steve made. I don't think it's intentional. But
8 someone else made the comment that you only get ten
9 percent returns of defective products.

10 And that doesn't mean that you only have ten
11 percent consumers that are unhappy. One of the things
12 that we just completed was a survey of 15,000 garments
13 used in a textile class just to see, since this was
14 coming up, what the textile labels actually included.

15 And of those about 15,500 garments, 62 percent
16 were cotton, which is a very good indication because
17 62 percent of the market is cotton right now for
18 apparel items.

19 So they were kind of on track. Some of these
20 were in their wardrobe, others were in the retail
21 store. And out of those garments, zero garments in
22 that group were actually washable in hot water, which
23 was one of the areas we were interested in.

24 45 percent were washable in machine, machine
25 wash but cold water, and about 18 percent were dry

1 clean only. Yet there were 62 percent cotton garments
2 in the product to begin with.

3 And some of the examples that the students
4 thought were unusual they either had to record or
5 bring in. And one example was a major, major intimate
6 apparel supplier for 100 percent cotton white
7 underpants that were machine wash cold water only.

8 And a number, even though the home furnishings
9 area does not require the care label, there were
10 numerous examples of towels machine wash in cold
11 water.

12 And they were not deep, dark navy blues or, you
13 know, black colors. And so I think even though it may
14 not be so-called intentional, I think that we need to
15 really look at the issue of how the label is developed
16 and what is the reasonable basis on which that label
17 was developed.

18 I don't think the realistic labels out there on
19 the market is necessarily the best care that that
20 product could provide when the consumer is trying to
21 take care of it.

22 And, you know, you're not really implicating
23 that the manufacturers are deceiving the consumer, but
24 the manufacturer is not getting the feedback how the
25 consumer is caring for that.

1 Because I don't think that the consumer is
2 going to buy those towels and wash them in cold washer
3 water.

4 MS. KOLISH: Well, I hope if you have the
5 results written up that you --

6 MS. EASTER: Well, we're actually, starting
7 Monday we are adding another 15,000. So we are hoping
8 to get about 50,000 garments by the end of the
9 semester so that we can have a much larger survey.

10 And we're trying to get some idea of what
11 actually is on the label so that the consumer has
12 available to purchase or that they have purchased.

13 MS. KOLISH: Well, our 30 days postworkshop
14 comment period will probably end before your semester
15 ends. So if you just provide what you have --

16 MS. EASTER: We can provide you what we have at
17 the end of next week, because next week I will be
18 teaching care labeling to students that I have for
19 textiles in my class. And that's the exception and
20 not the rule at the university.

21 MS. KOLISH: Thank you. We're going to take
22 one more comment and then we are going to break.
23 Elaine.

24 MS. HARVEY: My name Elaine Harvey. I am a dry
25 cleaning technician at Prestige Cleaners. I really

1 want to make just a statement about the care labeling.

2 I believe, well, I feel that the information
3 should be specific. One thing in point is that we had
4 a jacket recently that gave care instructions that
5 said hand wash warm. Do not bleach. Do not wring,
6 twist, or dry clean.

7 Now, what does that mean? Does it mean do not
8 wring it? Do not twist it? Do not dry clean it? Or
9 does it mean do not wring or twist, or it's okay to
10 dry clean it.

11 It's confusing to the consumer who will call
12 and say, well, I don't know what to do. And so I
13 think the information that is provided on the label, I
14 think it should be specific to say -- well, my
15 opinion, I feel that the label should say dry clean or
16 wash, and then go into the specifics about washing.

17 But putting dry clean at the end where it says
18 or dry clean is confusing because you don't know
19 should you dry clean it or should it not be dry
20 cleaned.

21 MS. KOLISH: Okay. Well, it's about ten of
22 eleven now. Why don't we take a 15-minute break and
23 come back at five after eleven. Thank you.

24 (A break was taken.)

25 MS. KOLISH: I'd like to start off, the last

1 question we were discussing before the break was sort
2 of a long, multi-parted question I put before you
3 about why aren't manufacturers responding to what
4 seems to be consumer preference.

5 And I was asking are there market imperfections
6 here at work, is there not a good information flow
7 back to manufacturers that are aware of consumer
8 preference.

9 And to sum up, what I think I heard is that
10 there are a number of factors going on, that there is
11 a feedback problem, that things that happen that go
12 wrong don't go back to manufacturers, they may go back
13 to the dry cleaners.

14 Or consumers successfully wash it at home so
15 they don't complain to manufacturers. I also heard
16 that there may be a great deal of, I hate to say this,
17 ignorance about the rule's requirements and people are
18 being maybe sloppy about how they put labels on or
19 what labels they put on because the industry is large,
20 it's fragmented.

21 There are people who are very expert at what
22 they're doing and people who are less expert at what
23 they're doing.

24 And so there may be many reasons contributing
25 to this, as well as the fact that some people want to

1 do dry cleaning because they feel like that may be
2 safest and they're not willing to put wash for
3 whatever reason.

4 One of the other issues that had come out, will
5 this lead me to believe then that manufacturers could
6 provide this if that was the law, and it might not be
7 a big deal.

8 But that's the question I want to talk about
9 next. Would it be difficult for manufacturers to
10 substantiate, to have a reasonable basis to say that
11 something is washable?

12 You know, how hard is it to determine that an
13 item is washable? What's the feasibility of doing
14 that? What's the cost of making these determinations?

15 I think Mary had mentioned that at IFI you
16 could have complete testing done for all possible care
17 methods for the sum of \$300. Do other people have
18 cost data here?

19 Because one of the issues that came out in the
20 written comments on the records is that this is not
21 feasible or easily feasible and it is a costly burden
22 on the manufacturers and it may not benefit consumers.

23 So I would still like to get people's views on
24 the cost feasibility point now, if I haven't confused
25 you by what I have said.

1 Does anybody have thoughts on that or you just
2 can't tell what I said?

3 Well, we have an observer who would like to
4 talk first.

5 MS. ANGLIN: Ellen Anglin, from Kmart. The
6 cost for us testing different care instructions would
7 be a little bit higher. Our lab in-house we find
8 operate on a break-even. But with the paperwork
9 involved and the tracking, we charge about \$75 for
10 what we call a shrinkage test, which is washing an
11 item three times under the recommended care
12 instructions. Conditioning in between, it takes a
13 couple of days to do.

14 Each different care instruction, though, would
15 have to be tested would require separate garments,
16 which getting extra garments from a manufacturer,
17 especially if it is an overseas manufacturer, can be
18 like pulling chicken's teeth; very difficult to get.

19 It would add substantially to the cost and
20 difficulty of trying multiple care instructions to see
21 which is most appropriate.

22 For doing dry cleaning and doing washing, it
23 would add some, but it wouldn't be as difficult if you
24 were just testing a particular washing instruction and
25 making sure dry cleaning.

1 One barrier we do have to encounter is the
2 differences in trims, differences in buttons. We are
3 under a very tight time frame. And sometimes the
4 garments that we are testing are as close as the
5 manufacturer can get to actual production garments,
6 but something may be ever so slightly different in the
7 actual production garments.

8 And we also -- and a lot of items have a
9 problem where you may be producing five or six colors
10 of an item, and one color may have sensitivity to a
11 certain procedure.

12 We have a couple of colors that due to our
13 outside consultants we have to have it that particular
14 shade of butter yellow, and that butter yellow is very
15 sensitive to the whiteners and brighteners that are in
16 almost all of the detergents on the market.

17 We can't change the color. They won't let us.
18 So we have to do, you know, somewhat low labeling
19 because we can not ask our manufacturers to change the
20 label on each different color of an item. The modern
21 manufacturing techniques just won't permit it.

22 MS. KOLISH: Let me change the question
23 slightly. I don't mean to suggest that manufacturers
24 would have to test for all possible care methods,
25 although I was intrigued by Mary's notion that it only

1 costs \$300 for them to do so.

2 Would it be more difficult, more costly for
3 manufacturers if the rule required that you have to
4 say when something is washable, that you put a was
5 instruction on there, as opposed to having your choice
6 now of which care instruction?

7 What are the relative costs of the proposed
8 amendment versus the status quo? Does anybody have
9 views on that?

10 (No response.)

11 MS. KOLISH: It's free.

12 David.

13 MR. DeROSA: David DeRosa, Greenpeace. Just
14 from the folks we have talked to in the industry, I
15 assume part of the reason you get low labeling is that
16 what you are doing by putting a dry clean label on a
17 garment is putting the burden on the cleaner and
18 saying you figure it out, then you don't have to put a
19 lot of details very often.

20 I would assume that testing for washing would
21 be a little more expensive simply because there's more
22 ability for unknown variables to crop up, whether it
23 is water temperature or what detergents people are
24 using.

25 And they are using more instructions with

1 washing, which, you know, if that starts happening I
2 think would be better throughout the chain of the
3 industry, even if the added cost is there from the
4 manufacturers.

5 Because that's not only helpful to people at
6 home, you know, it can be helpful to obviously to the
7 dry cleaners who might get further instruction. And
8 for any new methods that are cropping up, whether it
9 is wet cleaning or new methods of dry cleaning, it
10 will give them a basis to some extent.

11 But I understand that the cost is there. I
12 think it's a cost that society is really, often
13 assumes that the manufacturers have done. I don't
14 think most consumers understand the reasonable basis.

15 I think they sort of assume in anything but the
16 most sure stuff that it has been tested. And probably
17 customers would be relatively unhappy to find out that
18 that testing hasn't been done. They understand it
19 hasn't been done only insofar as they see how often
20 the labels are incorrect or ambiguous.

21 MS. KOLISH: Steve.

22 MR. LAMAR: I think in cases where you have a
23 home wash instruction ready, we are probably not going
24 to see a significant cost because people are doing
25 that already.

1 In cases where you have got somebody who wants
2 to put a dry clean instruction on, then the cost goes
3 up in a couple of stages. If they want to put a dry
4 clean instruction on as well as the mandatory home
5 wash instruction, then they also have to have a
6 reasonable basis for the home wash.

7 If they want to put dry clean, a solo dry clean
8 instruction on, then they have to go through what's
9 now required for the dry clean only, again proving no
10 for the home wash.

11 So I think you add that cost for those
12 situations. And I think that's probably going to fall
13 less on the larger companies and more on the smaller
14 manufacturers who might be making, you know, a limited
15 run of dresses, for example, that might require that.

16 And I think you're going to see that throughout
17 that segment of the apparel industry.

18 MS. KOLISH: Any other comments?

19 Mary Scalco and then Dr. Riggs.

20 MS. SCALCO: Mary Scalco. In terms of -- I
21 mean, from the International Fabricare Institute. In
22 terms of cost, it might be beneficial to ask a couple
23 of manufacturers to break out what they actually think
24 that cost would be and then do it to the price point
25 to the consumer.

1 Because in terms of your cost, what I quoted
2 you was the cost for testing, just testing. And it's
3 very reasonable to what she indicated, \$75 for
4 shrinkage, we would test the exact same parameters.

5 On top of that, they didn't have, as she
6 indicated, the cost of the garments that would be
7 destroyed in testing. But I do venture to say that
8 some of the information you gain from testing, one
9 type of garment will then be applicable to another
10 type of garment in a line.

11 So possibly it might be worthwhile to ask
12 several manufacturers to do it. This is what the cost
13 would be. And depending on how many runs of that
14 article, what would the cost that you now or obviously
15 going to tack to the manufacturer, I mean to the
16 consumer be?

17 Does it work out to \$10 more per garment you
18 would have to charge if we gave you all that
19 information, or \$5 more per garment or five cents? I
20 don't know what those figures are. But I have a
21 feeling it's fairly reasonable.

22 MS. KOLISH: Just one second. Are there some
23 manufacturers here who would be willing to do an
24 analysis like this about some kind of standard garment
25 they might sell, to undertake the testing and to see

1 what it would be amortized, I don't know if that's the
2 right word, spread out over a thousand runs of
3 garments you would be selling?

4 Are there any manufacturers willing to do that?

5 You would, Gloria?

6 MS. FERRELL: Sure.

7 MS. KOLISH: And you would consider to submit
8 it as a postrecord comment?

9 MS. FERRELL: Yes.

10 MS. KOLISH: I would appreciate it if other
11 manufacturers would take the time to do a little bit
12 of analysis. That would be very instrumental for us.

13 MS. KOLISH: Did you want to say something
14 about that?

15 MS. WRIGHT: We could do -- Marina Wright, Levi
16 Strauss & Company.

17 MS. KOLISH: Say it again so we can hear you.

18 MS. WRIGHT: Marina Wright, Levi Strauss &
19 Company. We would be able to provide something for
20 you about that.

21 MS. KOLISH: Thank you.

22 MR. LAMAR: Elaine?

23 MS. KOLISH: I will get to you in a second.

24 One of the things I was interested in is that I
25 could understand and appreciate that costs might go

1 up. But what the other part of it is, the benefits to
2 consumers if in fact they now go from a dry clean to a
3 wash instruction and there are greater costs on
4 manufacturers to provide it, consumers on the other
5 hand save all the costs of dry cleaning if they choose
6 to follow that instruction and wash it, and how does
7 that balance out?

8 But let's take some more information on this.

9 MR. LAMAR: I was just going to say, I can go
10 back to our membership and see if there's any other
11 members that would be interested in doing that.

12 MS. KOLISH: Okay. Charles.

13 DR. RIGGS: Charles Riggs, Texas Woman's
14 University. I am a strong advocate of testing. I
15 think manufacturers would learn tremendous amounts of
16 information from testing. And if at all possible, I'd
17 like to see, you know, a complete set of icons
18 required for everything sold.

19 But speaking for an apparel manufacturer, who I
20 do not represent, but I would assume that part of the
21 cost that apparel manufacturers would have to deal
22 with is not just the cost of testing but the cost of
23 how it would disrupt production scheduling.

24 Especially, you know, for Levi I don't think
25 it's as big an issue where similar fabrics and similar

1 products. But for a manufacturer who produces a lot
2 of different products and contracts for the sewing to
3 be done elsewhere, I think the impact on production
4 scheduling would be far more than the cost of doing
5 the test.

6 MS. KOLISH: Okay. That would be based on an
7 assumption you would have to do testing all the time,
8 which may or may not be the case since we don't
9 require that. So I would --

10 DR. RIGGS: What I am saying is I would like to
11 see you require that.

12 MS. KOLISH: Eric, you had your hand up, and
13 also you, Deborah. Did you still want to talk, Eric?

14 MR. ESSMA: You have already covered the topic
15 I wanted to suggest was the cost to consumers of not
16 doing it or how much would they save if we do it.
17 That was the only point I wanted to make.

18 MS. KOLISH: Great mind. Deborah.

19 MS. DAVIS: I guess I also want to reiterate
20 what Dr. Riggs said, as well. I also would prefer
21 that manufacturers have to test each type of garment
22 when they make it because of some of the factors we
23 talked about before.

24 You may know that, you know, wool or silk is
25 something that is handled in a particular way. But if

1 it's mixed with other types of fabrics, other trims,
2 et cetera, you can't just go by industry, past
3 industry understanding of how to treat particular
4 fabrics.

5 However, I understand that's not the way it's
6 done. Because manufacturers are allowed to use past
7 history and general understanding in the industry,
8 they would apply that also if we changed the rule to
9 ask them to test or put a label on for home washing or
10 professional wet cleaning, for that matter.

11 Therefore, I think the cost of that type of
12 testing would go down over time. Initially there
13 would be more cost because there hasn't been that kind
14 of testing on a wide variety of fabrics on the market.

15 As that was done for each type, that becomes
16 part of the pool of knowledge in the industry, and
17 therefore the testing doesn't have to be done each
18 time. So that cost would come down.

19 MS. KOLISH: Well, let me explain that we are
20 not against testing. We think it is often a very good
21 way to acquire a reasonable basis for a garment.

22 And I think you may have observed in the cases
23 that we have brought that manufacturers, when they
24 didn't have a reasonable basis for their care
25 instruction, it often was because they relied on past

1 experience that was not applicable to the garments
2 they had at hand.

3 So although we haven't mandated it because we
4 think it might be too costly and unnecessary in every
5 instance, we are certainly in favor of testing when
6 it's required. And we would like manufacturers to use
7 good judgment and common sense about choosing the type
8 of reasonable basis they're relying on.

9 There are two people in the audience who wanted
10 to talk. Okay. Three maybe. Go ahead.

11 MS. HUDDY: Kathleen Huddy, Good Housekeeping
12 Institute. I think it is very important when you get
13 an assortment of manufacturers to do this testing,
14 Levi is great. They have an in-house testing lab.

15 The little guys, get a bunch of the little guys
16 because they don't; they outsource their testing or
17 they rely on their overseas manufacturer to give them
18 some sort of test result.

19 So I think it's important to get their comments
20 and how much it would cost them.

21 MS. KOLISH: Are there some small manufacturers
22 here? I know there's baby clothes manufacturers.
23 Would you consider yourself a small company or a large
24 company?

25 AUDIENCE MEMBER: We're not the small company

1 you're looking for.

2 MS. KOLISH: I tried.

3 Maybe, Steve, your membership might include
4 some small companies as well as large.

5 MR. LAMAR: I can check.

6 MS. KOLISH: So there are some other companies.

7 MS. MCKENZIE: I'm Sheva Mckenzie of J. Crew.

8 Basically, we subcontract all of our work out
9 to independent laboratories. And we also get feedback
10 from them about recommended care and so forth.

11 We have like basically a base price that I
12 have, you know, a package price, I would say, that we
13 set up with all of our independent laboratories for
14 our vendors to send over the fabrication and/or
15 garment to have tested. So we get all of our
16 recommendations, our care recommendations from the
17 independent laboratories.

18 MS. KOLISH: Excellent. The gentleman next to
19 you.

20 MR. OVADIA: I'm Victor Ovadia. I'm with
21 Specialized Technology Resources, Str. And we are an
22 independent laboratory.

23 I think the frame of reference pricing costs of
24 testing that have been discussed here are well within
25 the reasonable price range from an independent

1 laboratory.

2 If there was going to be a manufacturers study,
3 we would be more than happy to participate. And I
4 think that part of what should be realized is that
5 routinely independent laboratories are doing care
6 labeling on a daily basis, both verification and
7 development care labeling.

8 And if this was a problem with interruptions in
9 production, I don't think we'd be in business. I
10 think, I am presuming that the reason we are getting
11 so much work from manufacturers is because they
12 realize the cost of not testing is much more
13 significant.

14 Finding the problem before it becomes a
15 manufactured product is much more economical than
16 producing the defective product.

17 MS. KOLISH: Thank you. A couple here.
18 Melinda and then JoAnne.

19 MS. OAKES: Melinda Oakes, QVC. It has been my
20 experience that once a manufacturer or a mill
21 understands that you are going to be testing their
22 product, you get a more reliable product.

23 The year that we had something that came in and
24 everything failed because the weights were low, the
25 next year everything came in with the weights just

1 exactly right. It was a miracle.

2 And it was because they had a lot of samples
3 with a lot of holes punched and a lot of, you know,
4 sporality in shrinkage. We had test marking done on
5 it.

6 I think that if this becomes a kind of a rule
7 or something that is looked at a great deal, that the
8 mills are going to be a little more careful about what
9 they're putting out, they're going to be a lot more
10 careful about what they're representing.

11 I think manufacturers are going to get fewer
12 surprises from the vendors, and then the consumers
13 will have fewer surprises.

14 MS. KOLISH: Speaking about the mills, it
15 reminded me that although, I forgot who said this, but
16 mills, although they're not under a care labeling rule
17 requirement, all businesses are making representations
18 to other businesses on which people are going to rely
19 that are material.

20 They have an obligation under the Federal Trade
21 Commission Act to make certain that those are not --
22 that they're accepted and that they have a reasonable
23 basis for their claim.

24 So for a mill to say something is dry clean
25 when it is not and it should only be washed, that

1 could be a violation of Section Five. So they do have
2 potential liability from us, although that would
3 probably be a hard area for us to uncover on our own.

4 It might be something you all would need to
5 tell us or that you all would take care of in the
6 normal course of your business practice.

7 If they say dry clean and it can be dry cleaned
8 or washed, that wouldn't probably be a Section Five
9 violation. But I just wanted to make sure that people
10 know that even mills have responsibility for the
11 statements they make to others they pass on.

12 JoAnne.

13 MS. PULLEN: JoAnne Pullen, ASTM. In the work
14 that I have done with ASTM for the past 22 years and
15 with care labeling as its chair since 1989, I can say
16 that the people that we work with are very
17 conscientious about trying to put out a product with a
18 good care label on it because they know they'll lose
19 customers if they don't put out an accurate care
20 label.

21 They have also shared their information about
22 what they test, what problems they have had to improve
23 our standards. And they have voluntarily, because
24 they would like the reliable evidence to be voluntary,
25 and yet they're dealing with a lot of downsizing.

1 Some are going into other North American
2 markets besides the United States. So we have just
3 put out, and it will be in the books this year, a
4 guide to care processes and the international test
5 methods that are associated with each care process.

6 So that now the manufacturer/retailer, whoever
7 wants to look at it, has available when the garment
8 says machine wash, here's the ASTM information, the
9 AATCC information, the Canadian standards, and the ISO
10 standards associated with that direction.

11 The same with bleaching, drying, dry cleaning,
12 and ironing. So by providing information through
13 voluntary standards, I think that we can improve the
14 quality or maintain the quality in the industry
15 without regulating the quality.

16 They've also informed us in these meetings that
17 even with blue jeans, they test every new lot because
18 even the dye manufacturer may change the dye
19 formulation without notifying them, that those
20 formulations change every so often.

21 So, you know, the mechanisms for reliability
22 are there. How we inform some of the manufacturers
23 about the information is an emerging concern because
24 the textile colleges are not there. The technical
25 expertise is not there.

1 And ASTM just started a brand new standards
2 proficiency training so that people can send their
3 people to ASTM or to AATCC. AATCC also has the same
4 thing.

5 So the technical tester can go there now, get
6 trained in one to two days about how to use the
7 machines, how to read the results, and come away with
8 a package that responds to what we found is a market
9 need.

10 So we are responding to that, some of the
11 concerns that are here today. But we are doing it in
12 the marketplace, not as a regulation. And I would
13 like to promote that concept.

14 Thank you.

15 MS. KOLISH: Thanks, JoAnne.

16 I want to move on to environmental issues in a
17 minute or two. But first I would like to get a little
18 more feedback on a couple of things that some of the
19 comments raised, the written comments, which is that
20 garments that might be washable at home can not be
21 easily refurbished by consumers to a satisfactory
22 degree.

23 Now, maybe that question has gone away because
24 manufacturers actually use these testing protocols,
25 voluntary or manufacturer established, that wouldn't

1 be an issue.

2 It was raised as a comment saying if you make
3 us do this, consumers aren't going to be happy with
4 the results.

5 Another issue that came out in the comments was
6 that the life of a garment can be shortened if it is
7 washed rather than dry cleaned. And so that wouldn't
8 be good for consumers.

9 So I wanted to put that out, along with the
10 consideration of, you know, what are the costs and
11 benefits here? Consumers may save the cost of dry
12 cleaning when they wash it.

13 The garment life may be shorter, but maybe it's
14 offset by the savings from dry cleaning and they can
15 buy something new. Do people have views on that? I
16 would like to just cover those couple little areas and
17 then move on to environmental.

18 Mary.

19 MS. SCALCO: Mary Scalco. In terms of, I think
20 it is not would it be harmful to the garment, but the
21 first item that comes to mind is black cotton shorts
22 in the summertime.

23 If they are a \$15 pair that you use to work out
24 in the yard, you don't care that the dye eventually
25 fades. If they are a \$75 pair that you use as walking

1 shorts to go to work in, then you're going to dry
2 clean them because you care to retain that color a
3 little bit.

4 Dockers, there is no reason why they can't be
5 done in the washing machine at home. But because the
6 work place says you want a sharp crease in them,
7 people take them to the professional care people so
8 they can get that look.

9 So it's not always the life of the garment but
10 sometimes it is what society thinks is acceptable.
11 Men's shirts, they are done professionally, not
12 because you can't wash them at home but because you
13 can't finish them at home to the degree of that crisp
14 look that society has deemed that they should look
15 like.

16 MS. KOLISH: I disagree. If I worked really,
17 really hard at it I can do it.

18 MS. SCALCO: That's exactly it. If you work
19 really, really hard at it. If you work really, really
20 hard at it and you wet them down and you put them in
21 the refrigerator like your mother used to do and then
22 you iron them when they're cold, you can get that
23 really crisp finish. But nobody does that anymore.

24 MS. OAKES: No, you put them in the freezer and
25 then you pop them in the microwave.

1 MS. KOLISH: We are going to consult and then
2 compile tips as a part of this proceeding, too.

3 Pat.

4 MS. SLAVEN: That was one of the comments that
5 we found when we compared the hand washing the dry
6 cleanable shirts. People don't like to iron.

7 I started my career in textiles when I was 15
8 ironing for rich ladies. I am still at it. But
9 that's a very definite issue.

10 MS. KOLISH: Well, is there a possibility that
11 dry cleaners, you could wash it at home and save some
12 of the money, maybe pay a reduced price to have it
13 pressed at your dry cleaner?

14 MS. SCALCO: We do have press only. I'm sorry.
15 Mary Scalco. You can take it to a dry cleaner and
16 have press only. I don't know if you would consider
17 the reduced reduced enough.

18 MS. OAKES: The other thing that happens --
19 Melinda Oakes. The other thing that happens is that
20 the first season or two seasons that you wear the
21 blouse, you take it to the dry cleaner. The third
22 season, it's an old blouse, you wash it.

23 MS. KOLISH: You're willing to take a risk at
24 that point.

25 MS. OAKES: Yeah, it's an old blouse.

1 MS. KOLISH: Pat.

2 MS. SLAVEN: On the press only issue, years ago
3 I lived in Europe and it was fairly common to take
4 things to the cleaners simply for pressing. And here
5 in the states, I have taken items to my local
6 cleaners and worked out a special deal. But that's
7 personal opinion rather than Consumers Union.

8 MS. KOLISH: Great. But keep in mind that we
9 have consumers, through this Clorox and other study,
10 saying that they prefer nine out of ten times to have
11 that washing instruction, which might mean they're
12 willing to do the ironing or they're not going to iron
13 it and they'll be happy with or they'll do a mediocre
14 ironing job, it won't be that crisp a look but it's
15 satisfactory to them.

16 MS. SCALCO: Or it might be that the item we're
17 talking about in that particular study is something
18 that doesn't require ironing. It might be a sweater
19 where they can easily refurbish it.

20 MS. KOLISH: I said I was going to take this
21 lady first and then we'll go to you.

22 MS. MCKENZIE: It's Sheva Mckenzie, J. Crew.
23 If we give them a preference on the care label, let's
24 say for instance we have tested this particular
25 garment and it can withhold, it can withstand washing.

1 But let's say the price point, okay, like maybe a
2 hundred dollars for this shirt, if we put machine wash
3 or hand wash or whatever on this particular garment
4 and say or dry clean if preferred, that's giving the
5 customer an option.

6 So is it inappropriate to put that label on in
7 the garment?

8 MS. KOLISH: No, absolutely not, if you have a
9 reasonable basis that both of those will be okay.

10 MS. MCKENZIE: Okay.

11 MS. KOLISH: Providing more information
12 voluntarily that's truthful and accurate is always
13 okay.

14 There were some other people, and I lost track
15 of you.

16 Jackie and then David. Dick.

17 MR. SELLEH: Dick Selleh from Supreme Cleaners,
18 Mid-Atlantic Cleaners and Launderers Association. In
19 reference to the finishing aspect of a garment, labor
20 is our, we are a labor intense industry.

21 And to encourage or to, that a press only area
22 of involvement as opposed to not the total picture,
23 that the consumer does half of the, or a third of the
24 process and the dry cleaner finish the garment is, I
25 think it's inappropriate.

1 Because many times in the care and handling of
2 the garment, if it's cared for inappropriately, then
3 the finishing process is laborious and involved.
4 Whereas if the servicing organization, whether it be
5 wet cleaned or dry cleaned or however it's handled,
6 then it can be serviced and taken care of and finished
7 in the appropriate manner.

8 MS. STEPHENS: I would like to tag on to what
9 Dick is saying. To me the option of having a
10 professional service, whether it is dry cleaning or
11 wet cleaning, it entails not only the care process,
12 but also spotting or stain removal, which is an
13 integral part of dry cleaning, as well as finishing.

14 And, you know, also reiterating what Dick said,
15 if the consumer does half the process and then takes
16 it to the dry cleaner for refurbishing, then, you
17 know, they may have even done some home spot
18 treatments in which case, you know, may have even
19 damaged the garment at that point.

20 So then the dry cleaner is left with the onus,
21 or the professional wet cleaner is left with the onus
22 of trying to either repair the damage or they can't
23 return the garment to the point where it's completely
24 refurbished because of some care procedures that were
25 done at home.

1 So I'm definitely in favor of very specific
2 words here, you know, either you can wash it or you
3 dry clean it which is all encompassing to me as far as
4 I'm concerned, including stain removal and finishing.

5 MS. KOLISH: Gloria, Ed, or my people, if
6 people do have information about how a garment life
7 might be shortened, be it machine washing versus dry
8 cleaning, and the relative costs and benefits, because
9 I haven't heard anybody really sort of address that.

10 In other words, it came out in a comment and I
11 didn't know how serious of a concern it was. So I
12 guess if I don't hear much, anything more about it,
13 we'll just set it aside.

14 So if you have things to say about that, fine.
15 But I'll take Gloria now.

16 MS. FERRELL: I just wanted to clarify
17 something you asked me. When you said would we want
18 to put home washing if it shortens the life of the
19 garment, do you mean like less than 25 washings?

20 Because that's usually what we try and go for.
21 Because I know that we would not want to put a care
22 that would shorten the life of the garment.

23 MS. KOLISH: Right.

24 MS. FERRELL: If it's not reasonable.

25 MS. KOLISH: I actually don't know what is

1 meant by that. This was a comment made by several
2 commentators when they filed it, and I don't remember if
3 there was any specificity about the number of
4 washings.

5 MS. VECELLIO: No.

6 MS. KOLISH: Okay. It was just a general
7 comment about it.

8 Pat.

9 MS. SLAVEN: Pat Slaven, Consumers Union. On a
10 number of washes, we have recently taken the care
11 cycles out between 20 and 50 for several, either
12 apparel or home furnishings.

13 And it's amazing. Things hold up very well.
14 We see problems with fading, but the garment still has
15 structural integrity.

16 MS. KOLISH: Okay. Why don't we move on then
17 to some discussion about environmental impact of the
18 proposed amendments.

19 As you know, one of things that was important
20 to us as we began this was the EPA actions regarding
21 PERC.

22 And do people believe that if we had required
23 home washing instructions that it would lead to a
24 significant or meaningful reduction in the use of
25 PERC, and does anyone have any information about

1 consumer concerns about PERC?

2 We noted that Eric's study doesn't go to that
3 point. It seemed to have elicited more concerns about
4 costs. But is there other research out there, or does
5 the EPA have any comments about consumer information
6 they might have?

7 MS. STROUP: This is Cindy Stroup with EPA.
8 And I don't have consumer information. And I see
9 Steve Rosoto, well, he was here anyway.

10 From the numbers that I have seen and that I
11 think have been shared probably with everyone here, it
12 would appear that the dry cleaners, the dry cleaning
13 industry has done an excellent job of reducing the use
14 of PERC over the last ten and twenty years.

15 I think it is about -- Steve knows the numbers
16 better than I do. But I think it's less than half of
17 what it was ten years ago. And that's the trend that
18 I would guess surpass any impact that consumers'
19 decisions about washing at home would have on the
20 overall use of PERC.

21 I don't know that. I'm just guessing. I read
22 the environmental assessment, and I guess the one
23 thing in there that I would agree with is that there
24 isn't any real data that I am aware of to predict what
25 the change in behavior is going to be and what the

1 incremental effect would be on PERC use, nor does it
2 really address the detergents and the water use of
3 increased washing at home and the environmental impact
4 of those things, as well as what kinds of detergents
5 and now with the first liquid carbon dioxide machine
6 going in place next week, what the impact of that is
7 going to be and the chemicals that are part of that
8 process.

9 So I think there's many more questions than
10 answers at this point.

11 MS. KOLISH: I remember, and maybe I remember
12 it incorrectly, but I thought it was in Consumer
13 Reports, reading an article about consumers reacting
14 to the smell of dry cleaning solvents, either having
15 allergies or not liking it occurring, you know, not
16 having that smell.

17 And I don't know whether that's something from
18 the solvent being used too often?

19 MS. STROUP: And why is the smell still there?

20 MS. KOLISH: Yes. And that there was some, I
21 remember reading some consumer reaction to that type
22 of thing and also some people not wanting to live near
23 dry cleaners because of health issues and stuff like
24 that.

25 Do people have issues about that? Dr. Riggs

1 has his hand up, and I'll let him go. And then maybe
2 Pat will answer some of those things, and then David.

3 DR. RIGGS: I think I can talk a long time.

4 I think in terms of consumer perception, it is
5 my experience in talking to consumers that most
6 consumers have no idea what dry cleaning is.

7 And in fact, I would guess if we went around in
8 this room we would probably find a lot of
9 misconceptions in this room.

10 Dry cleaning is not necessarily using PERC.
11 And using PERC and reducing exposure to PERC are not
12 necessarily the same issue. There are some dry
13 cleaning machines that use perchloroethylene and
14 recover amazingly high percentages of it, reuse it.

15 The soil that's removed and the detergents that
16 are used, and I think that is an issue that becomes an
17 environmental concern, is treated as a hazardous and
18 appropriately treated.

19 And that soil contains an unspecified
20 contaminant that comes in the wear, which becomes one
21 of my unknowns in terms of environmental issues if you
22 wet clean it or wash it, that soil is in the sewer.

23 Also, fugitive dyes that are released from the
24 fabric now go into the sewer when wet cleaning and
25 they're, I see them as hazardous waste in dry

1 cleaning.

2 There are also other solvents besides
3 perchloroethylene that could be indeed part of the
4 case.

5 The reduction of PERC is not so much a matter
6 of cleaners switching from PERC to other solvents as
7 it is higher recovery rates of PERC that is being
8 used.

9 So I'm not at this point willing to concede, in
10 fact, I honestly don't know what the most
11 environmental friendly cleaning technology is. I
12 would, you pick a side and I will argue the other
13 because I can see scenarios where dry cleaning could
14 be more environmentally and scenarios where wet
15 cleaning is more environmentally friendly.

16 I think the answer is really still unknown.
17 And in addition to that, it becomes a cleanability
18 issue that I think we haven't even mentioned. Soils
19 that are removed in dry cleaning easily are difficult
20 to remove in laundering and vice versa.

21 Things that are removed easily in wet cleaning
22 or laundering are sometimes very difficult to remove
23 in dry cleaning. And the professional cleaner uses
24 whatever technology is most appropriate.

25 A lot of the things that would come into a

1 professional cleaner saying dry clean only, if they
2 have a soil that requires water, they use water to
3 remove the soil.

4 So I think the environmental issue, I don't
5 know the answer. And I would challenge whoever claims
6 they know the answer to a debate.

7 MS. KOLISH: Are you going to take that
8 challenge, Pat?

9 MS. SLAVEN: No. Pat Slaven from Consumers
10 Union. In our February, '97 article, our policy group
11 did studies in apartments in New York City that were
12 above dry cleaners and found elevated, an elevated
13 amount of PERC in those apartments.

14 They also had staff members wear freshly dry
15 cleaned jackets and wear a PERC monitor. They found
16 that the emissions varied widely. I looked at the
17 report before this meeting. A lot of it depended on
18 whether it was new equipment.

19 There were different kinds, as I remember,
20 there were different kinds of dry cleaning equipment.
21 The older equipment had higher emissions than the
22 newer equipment.

23 There was also some indication that it was the
24 care taken in dry cleaning that depended on the amount
25 of PERC that was left in the jacket. And the

1 recommendation was to take the clothes out of the, the
2 garments that you have professionally dry cleaned,
3 take them out of the plastic bags and air them out.

4 There is a note here that you can get the full
5 report for \$5 from Consumers Union. I could get some
6 additional information on that. But again, that work
7 was done by our policy group rather than our textile
8 group.

9 MS. KOLISH: Thank you.

10 Sylvia.

11 MS. EWING: Getting back to I think the initial
12 question, as I understood it, what will having labels
13 that say that you can clean garments at home mean in
14 terms of pollution prevention.

15 I think that there's a different -- we'll do a
16 little logistics here. I think that there might be a
17 different market.

18 We do have research that said that people were
19 willing to go further or to come from several miles
20 away to take advantage of a fabricare professional
21 that wet cleaned.

22 And we have customer satisfaction surveys that,
23 you know, we'll hold our science up to anybody who
24 wants to question that. So we know that that is
25 preferable within that market sector.

1 But when it comes to home laundry, there may be
2 people who, in the Clorox study, they just, they don't
3 want to go to any fabricare professional. And that's
4 beyond our research.

5 I do know that I feel confident about the wet
6 cleaning detergents and products which we have tested
7 and which we are continuing to test more than I do
8 about the ph levels, about some of the home laundry
9 detergents and some of the really aggressive products
10 that are used in home laundry.

11 So I think that's a whole different area of
12 concern that is still open. But in terms of waste
13 water and products that come out of wet cleaning, we
14 are very confident that it is an environmentally
15 preferable way of doing things at this point and time,
16 and we will continue to research to make sure that we
17 can maintain that claim honestly.

18 MS. KOLISH: David.

19 MR. DeROSA: To speak to the, the point on the
20 agenda is first of all the proposals's impact on the
21 use of PERC, the proposal of course being to require a
22 washing instruction on items that can be washed at
23 home.

24 And beyond the fact that consumers want this,
25 and the second bullet point under there being that

1 home washing is more environmentally friendly, it may
2 be a debatable point.

3 Certainly wet cleaning where the chemical
4 inputs and outputs have been tested, there can't be
5 much question as to whether that's environmentally
6 sustainable.

7 But that doesn't get at the whole cost and
8 convenience issues that is part of the reason why
9 consumers wanted to avoid dry cleaners rather than
10 avoid PERC.

11 I do think that, from an environmental point of
12 view, the understanding that wet cleaning is in most
13 cases going to be very environmentally saliable, that
14 home washing might be next and that dry cleaning as it
15 currently is constituted with PERC and hydrocarbon
16 solvents would be the least, simply on an
17 environmental point of view, the least desirable.

18 And that's something that may change as some
19 new dry cleaning technologies come out, especially
20 carbon dioxide, which really can't be addressed yet.

21 The whole idea that PERC use is going down
22 simply because dry cleaners are investing sometimes
23 tens of thousands, tens of thousands of dollars in new
24 machines that are going to get higher mileage isn't
25 going to ameliorate some of the other concerns that

1 cleaners have in that their landlords and customers
2 have, whether they're co-located, as Pat brought up,
3 their superfund liabilities with any sort of an
4 accident, which any kind of machine can have.

5 They may be less likely in newer machines.
6 They may be less problematic if you have a spill pan
7 under your PERC machine.

8 But if you have got a toxic solvent in a dry
9 cleaning facility, and especially if people have just
10 bought a new one that they want to use for the next 15
11 to 20 years, then there is still that possibility for
12 contamination into the soil, into the groundwater.

13 And it creates issues for landlords who might
14 want to lease that space out later, sell the building,
15 whatever else.

16 So that's where I would really like to see this
17 environmental discussion move to and the problems that
18 some of the labeling issues would have.

19 Greenpeace would like to see, and we know most
20 of our members would. We only represent about 300,000
21 members in this country, but we do work on a global
22 basis.

23 We have millions of members in Europe and
24 around the world who are similarly affected by what
25 the U.S. does in its care labeling rules.

1 You know, we will put off the discussion for
2 where wet cleaning labeling is going to go until this
3 afternoon. But these things all interconnected.

4 We really think that the labeling requirement
5 should be that everything is tested for home wash
6 because it is what consumers want and it's more
7 environmentally preferable to most of the existing dry
8 cleaning methods today.

9 If that is not feasible and things do require
10 any sort of refurbishing or whatnot that would come
11 mostly from professionals with the right equipment and
12 right experience, wet cleaning would be the logical
13 thing to require testing next, especially if it's
14 something that you already know can be washed but
15 isn't finished ideally, and then dry cleaning would be
16 tested, would be tested last.

17 And I think most people assume that dry
18 cleaners can do just about everything, which doesn't
19 mean that the dry cleaners wouldn't use some help in
20 terms of what the labeling tells them about the
21 clothes and their care.

22 But that would be, from an environmental point
23 of view, that would be the logical way to work this.
24 And that's what the proposed amendment that we're
25 discussing this morning would lead to a decrease in

1 PERC use.

2 And it would lead to changes in the industry.
3 And the FTC can't ignore the fact that what it does in
4 labeling has a huge impact on what consumers know,
5 what cleaners do, and slowly, perhaps too slowly, what
6 the manufacturers are actually making.

7 And if certain trends or buttons or whatever
8 else are problematic, that the more things are labeled
9 for home wash, the more things that are labeled for
10 wet cleaning, these are going to have an impact on
11 fabric and garment design, as well.

12 MS. KOLISH: Does anybody else want to address
13 any environmental issues?

14 Dick.

15 MR. SELLEH: Yes. Hi. I'm Dick Selleh, from
16 the Mid-Atlantic Cleaners and Launderers Association.
17 One of the things that we as the dry cleaning industry
18 are facing is that the education and the promulgation
19 of the, what is dry cleaning?

20 As Dr. Riggs stated, the public generally
21 speaking, is not aware of that term. What does it
22 mean? Is it dry cleaning?

23 Dry cleaning is a wet process. We try at
24 Supreme Cleaners and throughout our organization to
25 educate consumers in that it is a wet process.

1 This is done on a very small basis. In
2 metropolitan areas throughout the United States, and I
3 will only speak to the United States, but in
4 metropolitan areas throughout the United States, 70
5 percent of the dry cleaners are of Asian descent or
6 that vernacular.

7 Many times there is a communication problem
8 within our servicing industry that creates a problem
9 for the consumer either by a language barrier or
10 otherwise.

11 We continue to profess consumer orientation and
12 consumer education, but that's from the industry's
13 perspective.

14 From the manufacturing and from the retailing,
15 it is indeed, and in educational facilities it is a
16 continuing and an ongoing process for the consumers to
17 understand what is dry cleaning, what is wet cleaning,
18 what is washing?

19 Now, dry clean is a washing process also. Do
20 we state that? It's an ongoing problem for consumer
21 education and manufacturing education, retailing
22 education, right down the line. It's up and down the
23 board.

24 Thank you.

25 MS. KOLISH: All right. Well, I thought -- oh,

1 yes, Ed.

2 MR. BOORSTEIN: Ed Boorstein, Prestige
3 Cleaners. I just want to be sure there is a
4 distinction between hydrocarbon cleaning and
5 perchloroethylene.

6 The modern hydrocarbon, the most prominent
7 solvent is DF2000, created by Exxon. We've had it for
8 two years. It is not at this point considered a
9 hazardous substance. Flammable, explosive, yes. But
10 not hazardous.

11 MS. KOLISH: Funny distinction.

12 MR. BOORSTEIN: There are safety features to
13 keep it from flaming up or exploding. But it is
14 different stuff. And it even smells good.

15 I used PERC for many, many years and it is a
16 terrible smell when it escapes. But petroleum,
17 particularly DF2000, is a different type of solvent.

18 And the public, of course, the general public
19 has no conception that there's more than one kind of
20 cleaning fluid.

21 Now, the people who come into my shop were well
22 informed when I went into the DF2000 and our wet
23 cleaning set-up. And they loved the hand of the
24 petroleum cleaning.

25 And I also have a program which we have been

1 working on for two years to try to do clothing care
2 for people with chemical sensitivities, petro chemical
3 sensitivities, sensitivity to perfumes.

4 And I invite them back into the back of the
5 plant where the machinery is, and a fair number of
6 them can tolerate it and find nothing bothers them
7 from being that close to the operation. Others will
8 start to get a flutter as soon as they get past the
9 counter.

10 But there has to be, if you want to understand
11 petroleum, understand the implications for the
12 environment, that there is a difference, liquid carbon
13 dioxide, as Cindy said, the first machine is just
14 going in for retail use. And it's going to take time
15 to see whether it is a viable cleaning fluid.

16 Thank you.

17 MS. KOLISH: Peter.

18 MR. SINSHEIMER: Peter Sinsheimer, the
19 Pollution Prevention Education and Research Center.
20 We carried out a comprehensive comparative analysis of
21 professional wet cleaning to dry cleaning, which
22 included a full environmental assessment.

23 And we did not include in that home laundry.
24 So to this particular point I'm not sure how much I
25 should address this to this morning or this afternoon,

1 but the results of our study indicated that PCE use
2 still is a considerable risk in dry cleaning.

3 It constitutes two percent of hazardous waste
4 production, which is a substantial percentage. That
5 it is a HAP, which is a hazardous air pollutant, which
6 at the introduction was discussed as a motivation for
7 this rule process to begin with.

8 And it is being now currently regulated by the
9 U.S. EPA as well as the state and regional air quality
10 agencies in the United States.

11 There is a substantial problem with compliance
12 with the national ANISHA as well as state and regional
13 ANISHAs. There was a study that was done in New York
14 of 200 dry cleaners, a spot-check, where three of the
15 200 dry cleaners were in compliance with the U.S.
16 ANISHA.

17 The State of Massachusetts did their study
18 where six percent were in compliance, which indicates
19 that there's real problems that dry cleaners have in
20 actually complying with the regulations, which have a
21 direct consequence of PCE exposure from dry cleaners.

22 So any rulemaking that the FTC does to reduce
23 the use of PCE either through home laundry as well as
24 for professional wet cleaning, which we will discuss
25 this afternoon, I think is an encouraging way to go.

1 MS. KOLISH: Thank you. I think having heard
2 all of this, I would like to move on to the last half
3 hour of our morning session to a discussion about if
4 the Commission were to decide that there was a factual
5 legal basis for amending the rule and adopting the
6 proposed amendment, and I have heard a lot this
7 morning that's been very interesting and helpful to us
8 in our decisionmaking process that we will go through,
9 if we were to do this, how could we do it to ensure
10 that consumers get the information they want and need
11 and at the same time minimize burdens on industry?

12 I mean after all, we don't want to sacrifice,
13 you know, make it so costly, so difficult to comply
14 that consumers are injured or it doesn't work or it's
15 just impossible.

16 So let's talk pragmatically about what's the
17 best way of executing this if we wanted to go there?
18 How could we implement this in the most effective way?
19 Do we need more criteria about evaluating whether a
20 garment is adequately refurbished through home
21 laundering versus dry cleaning?

22 It sounds like ASTM has procedures, their
23 manufacturers have procedures. There is still this
24 open question about ironing, but of course consumers
25 can probably tell when they're 100 percent cotton

1 shirts they are going to be difficult to iron and make
2 some decisions on their own. Maybe you can talk about
3 that.

4 Should manufacturers be encouraged, allowed,
5 required to state a preference between options? I
6 mean, one thing we already see in the marketplace that
7 some people have alluded to is it will say machine
8 wash, dry clean for best results. It's not required,
9 but people are doing it.

10 Would it be less burdensome for manufacturers
11 and more acceptable to manufacturers if the permanent
12 label had one care message but they could provide
13 options in another way through a hang tag or package
14 inserts, or it not a labeling issue cost?

15 I mean, we went through this whole symbols
16 thing to try to reduce the size of the label for
17 international exports and trilateral purposes. So I
18 hate to go towards saying make this label larger.

19 But maybe the benefits are greater here for
20 that purpose. So I'm open to ideas and suggestions
21 about if wanted to go this way, how do we do it so it
22 works best for everybody?

23 Dr. Riggs.

24 DR. RIGGS: Charles Riggs, Texas Woman's
25 University. I guess my first thought when you say

1 maybe we need some clarification from FTC, if we are
2 still going to have a definite switch to icons rather
3 than worded instructions, then some of these things we
4 are talking about in terms of recommended, things of
5 that sort become very difficult to portray on an icon.

6 Should we look to the icons, or are we still
7 dealing with worded instructions or? Can you bring us
8 up to date on that?

9 MS. KOLISH: Our amendment to, on care symbols
10 last year was to permit but not require them. So
11 manufacturers have the option of using those where
12 they were. They can always, and in fact probably need
13 to supplement icons with words in some instances
14 because the icons don't necessarily address every
15 single conceivable care issue that would come up.

16 So right now it is not a mandatory thing. It's
17 voluntary. I don't think I'd get seeing people
18 relying exclusively on symbols in the marketplace. I
19 hope that clarifies that.

20 Steve and then David.

21 MR. LAMAR: Elaine, Steve Lamar with AAMA. I
22 think one of the things, and I'm trying to figure out
23 how this might work, is because of the moving to the
24 icons, if you move to a mandatory wash instruction and
25 then if you want to put a dry clean instruction on

1 there, then you're going to have a situation -- and if
2 somebody wants to not put the icons on, I mean not put
3 any words on, if someone wants to put a dry clean
4 instruction and no words, then you are going to have a
5 situation where you're going to have the home wash
6 icon and a dry clean icon.

7 And I'm wondering if you are then forcing the
8 use of words to say an or, or recommended, which then
9 seems to go backwards in terms of doing the icons to
10 reduce the use of words.

11 And this is just, I mean, help me think this
12 through. I was trying to figure out are you going to
13 have the two of them up there together, and I don't
14 know the answer to that.

15 MS. KOLISH: Well, the two of them together,
16 and, JoAnne, correct me if I'm wrong about this, is
17 something that already existed in the European --

18 MR. LAMAR: It is involuntary, right.

19 MS. KOLISH: It is voluntary, but it is widely
20 used. Am I right?

21 MS. PULLEN: Right.

22 MS. KOLISH: And so they already, those
23 consumers already see that. And we expected that
24 would be, permitting symbols to be used that consumers
25 would need education about them anyway. And then we

1 took a lot of grief about allowing symbols, to tell
2 you the truth.

3 But we also thought that consumer education
4 could go a long way towards helping consumers adapt
5 and make the transition to symbols. And we did a
6 whole lot when we first announced this.

7 I think there's probably opportunities to do
8 more as an ongoing thing. In fact, the things I have
9 heard today lead me to believe that more consumer
10 education is going to be worthwhile.

11 And I thought maybe in our 4:00 end-of-the-day
12 session we might talk about some additional
13 initiatives that we might undertake for business
14 education, consumer education, enforcement, get your
15 ideas about that.

16 But I realize that maybe that would be
17 confusing, but maybe consumers would interpret it to
18 mean I can use one because it is not X'd out.

19 MR. LAMAR: Or would they interpret it to mean
20 both? I mean, just a question. It occurred to me
21 based on your conversation about some people that
22 might use, do part of it at home and then part at the
23 professional launderer and then they ruin the garment?

24 Would somebody interpret that to mean both
25 processes need to occur?

1 MS. KOLISH: I don't know. We would find out.
2 Gloria.

3 MS. FERRELL: Gloria Ferrell, Capital Mercury
4 Apparel, Limited. I find that the customers I am
5 doing the care symbols for also want the words. No
6 one has completely switched just to the symbols.

7 Even though we are legally allowed to do the
8 symbols now, they still want the words to go with it.
9 So we are doing it on the bags and we're doing it on
10 the labels.

11 And getting back to something else you posed
12 about maybe having it on additional item, a hang tag,
13 a sticker, something, that's just even more costly,
14 since I do the buying of them also, than putting it on
15 a label, or a printed label.

16 So I personally, my company would not like to
17 see an additional item. I would like to keep it all
18 together on one item.

19 MS. KOLISH: Okay.

20 MS. ANGLIN: Ellen Anglin, Kmart. We have also
21 found that while more information is good, once the
22 label gets to a certain size, it irritates people and
23 they just cut it out of the garment.

24 MS. KOLISH: I have heard that before.

25 Pat.

1 MS. SLAVEN: We actually recently saw a pair of
2 socks that had the GINETEX label complete with a wash
3 symbol and dry clean symbol, and it was strictly the
4 symbols. We brought it into the office just to show
5 everyone. No words.

6 MS. KOLISH: And was the dry clean X'd out?

7 MS. SLAVEN: No. No. It was a dry cleaning
8 permitted on a pair of wool socks.

9 MR. LAMAR: That's allowable.

10 MR. KOLISH: Does anybody have any other
11 concerns about the difficulty of implementing this and
12 how we could minimize any difficulty if we wanted to
13 go down this road?

14 Roy.

15 MR. ROSENTHAL: I'll make one quick comment, if
16 I may. Roy Rosenthal, RCG Marketing. One area we
17 haven't discussed because you factor in the costing
18 that you discussed, the cost for the tests to do this
19 is there is a clear present or people's preference for
20 washing, washable apparel.

21 We haven't factored the advantage to the
22 manufacturers for really looking at that advantage and
23 marketing from that advantage.

24 So when you factor the cost of doing all of
25 this and say, boy, they have to test or they have to

1 do this or do that, there's also benefit to the
2 manufacturer, which is, by the way, okay.
3 Manufacturers can benefit from things the FTC does.

4 MS. KOLISH: Yes, we would like to think so.

5 MR. ROSENTHAL: And as we know from the Clorox
6 studies and other textile care studies that that's
7 what consumers want. So by encouraging manufacturers
8 to do that, they are not benefitting not necessarily
9 suffering an additional cost for their efforts.

10 MS. KOLISH: Steve.

11 MR. LAMAR: Just a question. I would say that
12 that might, some of that might already be incorporated
13 in where manufacturers recognizing that and
14 recognizing this information about consumer
15 preferences may already want to have garments that are
16 washable and structure the garment in a way that's
17 washable so they can, you know, respond to that
18 preference.

19 And I would say that that's probably one of the
20 ways that we're looking at that.

21 MS. KOLISH: Well, that would make sense to me
22 because if, as you say, manufacturers want to satisfy
23 their customers they would provide this.

24 So if we required it where it is safe and
25 appropriate, it would seem that it should not be

1 really costly or burdensome.

2 MR. LAMAR: Unless you are in the dry clean
3 segment and you want to put out a dry clean
4 instruction and you believe that's the best way. And
5 that's the segment of the industry that I was
6 questioning about before.

7 MS. KOLISH: Right. Okay.

8 Mary.

9 MS. SCALCO: Mary Scalco, International
10 Fabricare Institute. I think when you weigh out the
11 cost and benefit of the particular proposal to have
12 home washing instructions, there might need to be a
13 cost analysis done on what would happen to the dry
14 cleaning industry and how would that affect that
15 particular segment of the marketplace if whatever
16 percentage garments we think would have a washing
17 label on it, what happens to the professional care
18 giver, that segment of the industry, as well as the
19 cost in loss of business to them as well.

20 MS. KOLISH: David and then Nancy.

21 MR. DeROSA: To follow up on Mary's point, I
22 think that there can be little doubt that the more we
23 increase labeling with clothes for home laundry the
24 more business is at least potentially taken away from
25 the entire professional fabricare segment.

1 I mean, that said, a lot of people take it to
2 them for convenience, for creasings, for quality, for
3 a lot of other things.

4 And as we saw in the Clorox survey, a lot of
5 people already know that at least some of these things
6 that say dry clean don't need to be.

7 And they're doing them at home very well for
8 the things that they think are obvious or for those
9 people who, whoever it was that said some people just
10 like taking risks.

11 For those that don't, which I think is a lot of
12 the public, depending on how much they depend on their
13 wardrobe, there are going to be some things where if
14 the manufacturer tested for washing, they say this is
15 perfectly feasible to wash, people might be actually
16 surprised by that as these labeling changes start
17 coming into place.

18 And, therefore, for those who aren't scared of
19 the big labels saying this is recommended, some
20 further care, I'm unclear under the -- as long as they
21 test, say they test for washing, something can be
22 washed but for whatever reason the manufacturer isn't
23 sure if it's ideally refurbished through home wash,
24 whether they could then say for best results use
25 professional fabricare and not have to identify wet

1 cleaning or dry cleaning or any particular process, if
2 it's something specifically that especially would look
3 better with pressing or however else the garment needs
4 to be finished in a way that any professional
5 fabricare could do it, do they have to then identify?

6 I'm just curious, because that also doesn't, I
7 mean, there isn't even an icon for wet cleaning yet,
8 which we're hoping will be set soon.

9 I'm not sure if in an instance like that where
10 if it can be washed then self-evidently it can be wet
11 cleaned because it is just going to be washing done by
12 a professional's best equipment.

13 And as long as it can be dry cleaned, too, they
14 might want to just say for best results wet clean,
15 especially if they're concerned about availability or
16 just do they already have a reasonable basis to
17 believe it can be dry cleaned, whether those two
18 things could be combined in a furthering of the worded
19 care label?

20 MS. KOLISH: Well, manufacturers would always
21 be free to add to one instruction with additional
22 stuff if it's truthful and accurate.

23 I forgot what I was going to say.

24 MR. DeROSA: Connie looks like she knows.

25 MS. VECELLIO: Well, I just was thinking, an

1 instruction that said wash and then for best results
2 professionally clean, something like that, is that
3 what you're saying?J.

4 MR. DeROSA: Yeah, I was just curious if
5 something like that.

6 MS. VECELLIO: That would be a little ambiguous
7 to the dry cleaner as to whether it could be dry
8 cleaned. That's my only reaction to it.

9 MS. KOLISH: Yes, I remember what I was going
10 to say how. You were saying that they might be
11 concerned that although it could be washed it might
12 not be ideally refurbished at home.

13 MR. DeROSA: Yes.

14 MS. KOLISH: I think we expressed in our notice
15 of proposed rulemaking that we would want to give
16 manufacturers leeway on making some of those
17 decisions.

18 I mean, if they think that this cotton but
19 pleated skirt is never going to look like it did again
20 if it's washed at home, even though it won't shrink or
21 fade, we would want to be deferential, I think, to
22 manufacturers there.

23 I mean, you can tell we're not out there like
24 in everybody's pocket right now trying to examine
25 everything they're doing minutely. We do try to be

1 somewhat respectful and deferential to manufacturers
2 to make informed judgments about what's going to work
3 best.

4 That to me is not, if someone said, you know,
5 professional clean there as opposed to machine wash
6 because it was pleated, I can't imagine us suing a
7 manufacturer saying, well, you should have said wash.

8 MR. DeROSA: Although, environmentally and
9 other ways, there are some problems with them giving
10 more information than is needed.

11 For instance, I know that you have gotten
12 comments in the past about the idea of putting every
13 icon on there and saying yes or no.

14 And in some ways that's a very appealing idea
15 to customers and retailers and cleaners, if not
16 necessarily to manufactures who then have the full
17 gamut of testing.

18 But that also means that a lot of people who
19 know full well that their clothes are washable and
20 that that's what their customers are usually going to
21 do with them would have to test for dry cleaning and
22 maybe have no reasonable basis for it, then that's
23 actually going to have an environmental, an adverse
24 environmental impact because they have to put in these
25 machines or contract out for more of that.

1 So insofar as more information is good, there
2 are certain obvious limits. And that's why I was
3 curious if there was an ability there in terms of
4 what's required.

5 MS. KOLISH: Well, there's two things there.
6 One is if it were mandated to provide all care
7 instructions, that would have those consequences you
8 described versus if we permitted it.

9 I mean, we don't want to stand in the way of
10 people providing additional truthful information, at
11 least not at this point in this environment do I see
12 that being the case.

13 Nancy, then JoAnne.

14 MS. HOBBS: Nancy Hobbs from Consumers Union.
15 With for best results dry clean has a confusing factor
16 as well because a number of people, to go with what
17 Roy was saying, will look at this and say for best
18 results dry clean.

19 I don't buy anything dry clean. I'm going to
20 put it back on the shelf. I don't buy it, I don't
21 support that particular apparel manufacturer.

22 On other hand, if the home laundering care
23 instruction for my silk blouse included, and I know
24 it's going to include pressing or ironing, and I don't
25 like to iron and it gives me the option of dry

1 cleaning, then I can look at the label and say, well,
2 I can either wash it and iron it or I can take to the
3 dry cleaner and let them iron it.

4 There I have an "or" but I don't have "for best
5 results." I have the option. And I think that's less
6 confusing and less restricting than saying for best
7 results.

8 Because I think that in the informal polls that
9 I have done, anything that indicates dry clean, dry
10 clean only, or for best results dry clean, it goes
11 back on the shelf; it's not touched.

12 And I think that the apparel manufacturers need
13 to be aware of that.

14 MS. KOLISH: Of course, that could be an
15 appropriate market response. Right, Randi? That
16 consumers are voting with their dollar saying we want
17 washable instructions.

18 But what we see is that consumers are taking
19 the risk and buying them anyway and then washing them.
20 At least the third season perhaps for blouses.

21 MS. HOBBS: If you do, though, do a labeling,
22 at least you are providing them the option. You are
23 telling them if you do this, if you do wash this, you
24 are going to have to refurbish, and here's what you
25 are going to have to do to properly refurbish.

1 Rhonda.

2 MR. MARTINEZ: In addition to Nancy's comments,
3 I agree with what you're saying. And could best or
4 better be interpreted as a claim, I wonder, by a lot
5 of consumers? Are we qualifying these results that
6 maybe we need --

7 MS. HOBBS: Oh, I washed it at home. It said
8 for best results. Am I going to be able to get my
9 money back?

10 MS. OAKES: What happens if you dry clean it
11 and then one day you're held in Washington an extra
12 day and you've got to do your blouse in the sink; does
13 that mean that the next time you have it dry cleaned
14 it's not going to be quite so nice?

15 I mean, so, you know, not warning them, does
16 that do them a disservice? Well, you can wash it or
17 you can dry clean it.

18 But if you do both then you're going to have
19 whatever incidental damage or wear is done in the
20 washing.

21 MS. HOBBS: If there's damage done in the
22 washing that you can't recover, then they shouldn't
23 put it in the washer.

24 MR. MILLS: Can we remember to use the
25 microphone, please?

1 MS. KOLISH: Actually, our stenographer is very
2 proud of us. You've all been saying your names and
3 speak very clearly. And she's actually gotten to know
4 who's speaking. So we're not quite so 100 percent --
5 oh, but I forgot, we're taping.

6 MR. MILLS: The soundtrack.

7 MS. KOLISH: The human is doing better than the
8 machine here.

9 It sounds like there are some issues about this
10 quality, the claims that people would take, better
11 results, what would that mean, concerns about what
12 will happen if I choose the alternate method next
13 time.

14 It does sound like there are uncertainties.
15 What we know is that people in the marketplace are
16 already doing that maybe without research or knowledge
17 of how it is impacting consumers, but traditionally we
18 would presume that manufacturers have a reason for
19 doing that, seeing it works well.

20 Although a lot of your discussion today has led
21 me to believe that we may be overly optimistic in that
22 regard.

23 JoAnne.

24 MS. PULLEN: JoAnne Pullen, ASTM. I wanted to
25 provide a few pieces of information about this washing

1 and dry cleaning problem, our experiences.

2 As you know, Europe does have a trademark
3 symbol, the GINETEX symbol, that is wash, bleach,
4 iron, dry clean, with an optional tumble dry.

5 There is no natural drying in their
6 symbolization system. When we were just working on
7 the development of the ASTM standards, we had the
8 National Extension Homemakers Council and four
9 extension agents, each representing 13 states, as well
10 as our academia representatives from textile colleges
11 and universities who clearly had the position, based
12 on not empirical research but information from their
13 constituents about the desire to both washing on it.

14 If it can be washed, the label must so state
15 rather than saying requiring both. Because there were
16 many household textile manufacturers who did not want
17 to test for dry cleaning.

18 And I know that they are in the, excluded from
19 the rule but would want to follow voluntary standard.
20 So in the ASTM system you may have a washing
21 instruction, which is required to have four symbols:
22 Wash, bleach, dry, and iron in consumer order.

23 They may put that instruction first or they may
24 put the dry clean instruction first. So that it
25 differs from the European system in that if the

1 manufacturers preferred information to the consumer is
2 they want the dry cleaning first, they can do that.

3 And I think the rule also allows that, dry
4 cleaning and then washing instructions. Again, it is
5 an assumption that consumers will interpret that as
6 the preferred cleaning method and all of the issues we
7 just discussed about that.

8 The other thing Europe does is they add an iron
9 instruction with the dry cleaning because people touch
10 up their dry cleaning things.

11 So that's where we stood on order of symbols
12 and which direction they go by allowing washing
13 instructions, dry cleaning instructions, or both.

14 We have made the request to ISO to have washing
15 instructions or both because they don't. And we have
16 used the reasoning of the protecting or reducing the
17 use of solvents as one of things they did request.

18 MS. KOLISH: Is there anyone in the observer
19 group who hasn't had an opportunity to speak who would
20 like to say something before we break for lunch?

21 (No response.)

22 MS. KOLISH: No. Well, thank you.

23 I think the discussion this morning was very,
24 very helpful. We very much appreciate it. Why don't
25 we go to lunch and come back at 1:30.

1 (A lunch recess was taken.)

2 A F T E R N O O N S E S S I O N

3 (1:40 p.m.)

4 MS. KOLISH: We're going to get started because
5 we know that everyone has lots of thoughts to share
6 about professional wet cleaning this afternoon.

7 We hope that this afternoon's discussion will
8 be just as productive and helpful and friendly as this
9 morning's was.

10 And it's not me. Mary is going to have to deal
11 with it.

12 MS. ENGLE: Hi. I'm Mary Engle. I am the
13 Assistant Director of the Enforcement Division here at
14 the FTC. As you know, this afternoons's discussion is
15 going to be about wet cleaning, and specifically, the
16 FTC's proposal to amend the care labeling rule to
17 establish a definition for a professional wet cleaning
18 and also to permit a professional wet cleaning
19 instruction on the care label.

20 One of the things that we did when we put out
21 the proposal was to set forth a specific definition of
22 wet cleaning. And we got a fair bit of comment about
23 that, most of it saying that we probably should do
24 something a little bit more general than what we
25 proposed.

1 And I was wondering whether it would be
2 worthwhile for me to read the definition that we
3 proposed, or are they familiar enough with it? Would
4 it be helpful to just sort of say what it is so we
5 know where we are?

6 Okay. We said professional wet cleaning means
7 a system of cleaning by means of equipment consisting
8 of a computer controlled washer and dryer, wet
9 cleaning software, and degradable chemicals
10 specifically formulated to safely wet clean wool,
11 silk, rayon, and other natural and manmade fibers.

12 The washer uses a frequency controlled motor
13 which allows the computer to control precisely the
14 degree of mechanical action imposed on the garments by
15 the wet cleaning process.

16 The computer also controls time, fluid levels,
17 temperatures, extraction, chemical injection, drum
18 rotation, and extraction parameters.

19 The dryer incorporates a residual moisture or
20 humidity control to prevent overdrying of delicate
21 garments. The wet cleaning chemicals are formulated
22 from constituent chemicals on the EPA Public Inventory
23 of Approved Chemicals Pursuant to the Toxic Substances
24 Control Act.

25 And we did, although we had heard some views

1 beforehand that we didn't really need a definition of
2 wet cleaning, that it could just mean washing by hand
3 by a professional or something, we thought it was
4 important to have a more detailed definition, although
5 not necessarily this specific definition, because of
6 the requirement that manufacturers have a reasonable
7 basis for their instruction.

8 We thought if the definition was too broad, it
9 might be hard for them to figure out whether they had
10 a reasonable basis for that instruction.

11 But we really just use it as a starting point
12 for discussions. Now, we are not wed to it at all.
13 So we're very happy to hear people's views on what
14 might be a better definition.

15 And the other issue for discussion this
16 afternoon is whether we permit a wet cleaning
17 instruction or in fact require it, whether it should
18 be permissible or mandatory.

19 And I know that a lot of people have views
20 about that. Several people have expressed a desire to
21 read a statement they had or make some remarks before
22 we begin this session.

23 First the Center for Neighborhood Technology.
24 I think, Sylvia, you had something.

25 MS. EWING: Yeah. Good afternoon again,

1 everybody. I'm Sylvia Ewing from the Center for
2 Neighborhood Technology. I guess we have got a
3 two-pronged statement.

4 And my portion is to talk a little bit about
5 the climate that we have anecdotally and in terms of
6 research ascertained is out there for wet cleaning and
7 some of the proactive things that we think are
8 required and that we are participating in to help make
9 it more functional and more possible.

10 And then Anthony has some more specific
11 research and update data that he can share with you.
12 We have got a pros and cons of wet cleaning fact sheet
13 that we can share with everybody for free that helps
14 to, helps the consumer better understand the
15 difference between professional wet cleaning and home
16 laundering.

17 We think that as was pointed out in many cases
18 earlier today, education and communication is really
19 key to transforming the fabricare industry into one
20 that embraces pollution prevention in all areas
21 possible.

22 And so helping people to understand why their
23 fabricare professional can do a wool jacket lined in
24 acetate in a way that they can't do at home we think
25 saves everybody costly mistakes and is a valuable

1 thing to know.

2 We also have worked on an ongoing basis to help
3 future designers, manufacturers, and others understand
4 what this new option is.

5 I mean, just this very day, if I can speak out
6 of school about them, I just met some folks from
7 London Fog who are interested in wet cleaning who
8 didn't know that much about it.

9 And we need to broaden that understanding to
10 make these rules valuable and viable. On other hand,
11 it is growing. And I think as the Procter & Gamble
12 research pointed out, people have a better
13 understanding of it.

14 And I think that if you were to land on a solid
15 definition of it, those numbers would increase. And
16 one of the things that we are doing to that end is
17 working with IFI on certification.

18 We're trying to provide a model for developing
19 and implementing education about wet cleaning that
20 will make it a level playing field and raise the
21 standards so that we will know what we are talking
22 about when we speak of doing traditionally dry cleaned
23 or other garments in water.

24 And I think that is an exciting development as
25 well. So with that, I will just let Anthony update

1 you a little more.

2 MR. STAR: Thanks. Anthony Star from Center
3 for Neighborhood Technology. I think one of the
4 things we find when we talk to cleaners when we do
5 workshops and all the other ways we come in contact
6 with them going around the country, the cleaners just
7 really often want clear answers.

8 So obviously, a clear definition of wet
9 cleaning is something that cleaners will really want
10 and need and it would help simplify what is wet
11 cleaning and what is not wet cleaning.

12 And the second thing that could then come out
13 of that, and this is somewhat of a call to the FTC,
14 that maybe I've missed it, is that in late June there
15 is a clean show, which is the biannual trade, main
16 trade show for the dry cleaning industry.

17 And this is a time when lots and lots of
18 cleaners make their major equipment purchases. And so
19 as this process of considering a wet cleaning care
20 label is considered, any sort of announcement or
21 clarity that could be available before the clean show
22 when many cleaners will be going and looking at
23 equipment and trying to decide what their major
24 expenses for the next two years will be and what
25 they're going to buy would be very useful.

1 So even if all the details aren't completely
2 fleshed out, if it does appear that this label will be
3 implemented, any sort of announcement prior to the
4 clean show will be of great assistance to cleaners in
5 being able to buy equipment they may not have.

6 Cleaners who already have equipment may be
7 buying more. Those cleaners who don't yet have wet
8 cleaning equipment can use this opportunity to their
9 advantage.

10 I wanted to talk about a few specific things.
11 One was the availability of wet cleaning, which has
12 obviously been a concern. What I have just suggested
13 obviously will spur further availability.

14 There are certain lists of wet cleaners that we
15 currently have that EPA and Greenpeace have
16 maintained. There are also the certifications that
17 Sylvia just described also.

18 Hopefully we will be able to sort of bring out
19 into the open some of the cleaners she often describes
20 as the closet wet cleaners. There are lots of
21 cleaners out there who currently are wet cleaning but
22 for a variety of reasons, partially, you know,
23 sometimes not having a definition and not yet knowing
24 how to articulate to their customers what it is,
25 haven't really promoted it.

1 A care label, a definition, certification, use,
2 all those bring out into the open a lot more cleaners
3 than I think we already know are out there in wet
4 cleaning.

5 So I think the estimates or the availability of
6 wet cleaning have really been somewhat underestimated.
7 And it is going to be difficult to get more accurate
8 numbers, but there are more out there.

9 One of the things we are currently researching
10 at CNT is some profiles. We mixed three wet cleaning
11 shops. The research we did at the Greener Cleaner did
12 about 100 percent wet cleaning, that Peter from PPERC
13 did with Deborah Davis at Cleaner by Nature --

14 MR. MILLS: Can you move the mike?

15 MR. STAR: Sure. Looked at hundred percent wet
16 cleaning shops in their first year of operation, and
17 it provided some very valuable data.

18 But we wanted to go back and look a little bit
19 at the cleaners who have been in operation for a few
20 years that hopefully have ironed out some of the
21 start-up difficulties.

22 So we're doing research at three shops. One is
23 a 100 percent wet cleaner in Massachusetts. It is a
24 cleaner who initially was going to open a cleaner
25 using PERC.

1 His town wouldn't allow him to so he was
2 forced, because of concerns about drinking water right
3 near the shops's location, he was forced to look to
4 another technology.

5 He bought wet cleaning equipment and
6 successfully operates a 100 percent wet cleaning
7 facility. That's obviously a challenge.

8 The other two shops are ones that are perhaps
9 more typical of what we see going on around the
10 country. A mixed-use shop in a suburb of Milwaukee
11 and one in Minneapolis.

12 The one in Milwaukee was an example of a shop
13 where the owner came to a workshop we held I think in
14 '95, maybe 1994, and got interested, bought a wet
15 cleaning machine, and has been sort of adding it in as
16 a service.

17 She's renamed the shop to be Natural Cleaners
18 and really promoting the environmental aspects of it,
19 while at the same time continuing to do dry cleaning
20 and finding very sort of happy mediums between how the
21 two can work.

22 The third shop is a shop in Minneapolis. They
23 began a mixed-use shop. They bought a machine. It is
24 a Korean couple that have been older. They have, sort
25 of most of their other equipment is a little bit

1 older.

2 But they saw it as something that could expand
3 their ranges of services. They haven't reformulated
4 themselves into an environmentally based cleaner but
5 have added it in as a service.

6 We will be describing these shops and providing
7 financial information to the cleaning industry about
8 them. And also we have been doing tracking data at
9 these shops about the garment types that they clean,
10 their care labels; at the mixed-use shops, which care
11 method they use.

12 I am in the process of entering that data and I
13 will, the fall tracking period, be sure to get it to
14 the FTC within 30 days. We will be doing a second
15 two-week tracking period this spring, which will come
16 after your comment period is over, but that will be
17 part of the final report that we publish.

18 Finally, I think I wanted to reiterate a
19 statement that a wet cleaner made at a round table we
20 held for wet cleaners last July.

21 He said that the traditional view in the dry
22 clean industry has often been that dry cleaning was a
23 primary process, it was the preferred process and wet
24 cleaning or whatever water-based processes would be
25 secondary.

1 And for him, he had found, once he implemented
2 wet cleaning into his shop, that that whole paradigm
3 had shifted and wet cleaning had become his primary
4 option. And he still dry cleans, but it had become
5 the secondary one.

6 But where, what he looked to for when things
7 weren't going to work, I think that's an attitude
8 shift that we're beginning to see in the industry that
9 some cleaners are doing and something we see more of.

10 And I think the adoption of a wet cleaning
11 label will continue to push the industry toward seeing
12 it as a primary first choice technology.

13 MS. ENGLE: Thank you. And Peter Sinsheimer
14 from PPERC would like to say a few things.

15 MR. SINSHEIMER: Yeah. Actually I, in
16 preparation for this workshop I prepared a statement.
17 And Amy is going to distribute it, this statement.

18 And I think it touches on a number of issues
19 that were raised this morning in terms of the issue of
20 requiring or allowing a professional looking label.

21 The Pollution Prevention Education and Research
22 Center applauds the FTC for recognizing the need to
23 create a professional wet clean care label.

24 However, the professional issue concerning the
25 proposed rule, whether to allow or require all

1 garments which or otherwise can not be home laundered
2 that can be professionally wet cleaned to carry a
3 professional wet cleaning label, is not adequately
4 addressed.

5 By establishing a rule that allows but does not
6 require a professional wet clean label, the FTC may
7 create significant problems that are addressed below.

8 The first problem is, it can be misleading to
9 customers. When there is only a dry clean label on a
10 garment but the garment can be professionally wet
11 cleaned, that provides incomplete information to the
12 customer and may serve to misinform the customer about
13 what can or can not be professionally wet cleaned.

14 Two, is that it establishes a comparative
15 disadvantage for professional wet cleaners. By
16 providing the garments may carry exclusively a dry
17 clean label even if the garment can be professionally
18 wet cleaned, an unfair comparative disadvantage is
19 created for professional wet cleaners who exclusively
20 use professional wet cleaning equipment to clean
21 garments.

22 Three. It limits the diffusion of wet
23 cleaning. While the number of wet cleaners using
24 professional wet clean equipment has grown steadily,
25 one of the greatest barriers to dry cleaners adding or

1 converting to wet cleaning technology remains the high
2 percentage of garments exclusively labeled dry clean
3 or dry clean only. The proposed rule is not likely to
4 significantly alter that barrier.

5 Number four is that it limits the reduction of
6 PCE use. The motivation for this rule is in part
7 associated with EPA's desire to reduce PCE use.

8 However, by enabling garments to be exclusively
9 labeled dry clean that can be professionally wet
10 cleaned, it is likely that such a garment will still
11 be sent to a cleaner using PCE.

12 This in turn contributes to the use of PCE in a
13 situation where the use may otherwise have been
14 reduced.

15 And finally, four, is that it inhibits the
16 development of a standardized test method for wet
17 cleaning. Requiring a professional wet cleaning care
18 label where appropriate would motivate garment
19 manufacturers to develop valid and reliable test clean
20 procedures which then could be used to develop a
21 standardized test method.

22 This motivation would be virtually eliminated
23 if manufacturers were not required to assess whether
24 the garment can be professionally wet cleaned.

25 Each of these problems would be overcome if the

1 FTC required a wet clean label for all garments that
2 can be wet cleaned which otherwise can not be home
3 laundered. And we urge you to consider that.

4 MS. ENGLE: Thank you. I think that provides a
5 nice launching off point for discussion of the first
6 issue as to whether to require or just to permit wet
7 cleaning instructions.

8 Does anyone else have any views on this?

9 MS. HUDDY: I just have one -- is this on?

10 MS. ENGLE: Can you identify yourself?

11 MS. HUDDY: I'm sorry. Kathleen Huddy, Good
12 Housekeeping Institute. "The New York Times" last
13 week ran an article about the eco. friendly wet
14 cleaning dry cleaners in Manhattan who are having
15 trouble and how, you know, obtaining business.

16 And do any of you have a comment about that?
17 The city has been subsidizing it because they want
18 this to go forward.

19 Does anybody at the table have a comment about
20 that article?

21 MS. EWING: I will comment about that.

22 MS. HUDDY: It's a public record, by the way.

23 MS. EWING: Okay. So the folks here maybe
24 have -- is this the article that ran in "The New York
25 Times"?

1 MS. HUDDY: Yes, last week.

2 MS. EWING: Let me just back up to say that
3 Ecomat was a company that was very brave and very
4 ahead of its time in trying to grow a hundred percent
5 wet cleaning I think even before some of the latest
6 research was in.

7 And they had challenges and they had
8 difficulty. I want to make sure that everybody here
9 understands the separation between one company with
10 franchise dreams and individual cleaners around the
11 country who have embraced a process.

12 And as people who give away information, you
13 know, that's all easy for me to say. But I think that
14 time has proven out that people who have been
15 cautious, gotten their craft up and their skills up,
16 are able to wet clean successfully.

17 Customers do need to know what's going on in
18 the back end of the shop. They do need to know the
19 process of dry cleaning and how clothes are ultimately
20 done in chemicals.

21 However, studies have shown on both sides the
22 level of concern varies depending on a number of
23 factors. In the end, I think the best marketers of
24 wet cleaning are people who talk about how it's
25 fresher.

1 We can get into arguments about this, but it's
2 generally fresh, soft, does some things beautifully.
3 And that sort of proactive thinking, discussing the
4 positives that this process offers is one of the best
5 way to get customers into the door, as well as the
6 fact that it can expand your business.

7 Things that you may send out, Deborah Davis
8 does wedding gowns. Other shops send them out at a
9 high cost. This is a profit margin in an industry
10 which I know the cleaners at the table can speak to.
11 It needs profit centers. It needs people to bring in
12 things that perhaps they hadn't thought of before,
13 like Dockers, for example.

14 So in terms of marketing, Ecomat was a setback
15 in some parts of the country. Other parts of the
16 country it is not an issue. Customers do like wet
17 cleaning when they know about it, but the consumer
18 education as well as consumer training has to continue
19 to grow.

20 And I just want to say for the record, our FTC
21 comments should be available with all of the others.
22 But we have them here if anyone is interested in where
23 we came down on these issues.

24 MS. ENGLE: Thank you.

25 MR. STAR: I had one small thing to add. Ed

1 Boorstein's shop here just outside Washington is an
2 excellent example of a shop that's added wet cleaning
3 services.

4 He has been specializing, as he mentioned, this
5 morning in working with customers with sensitivities
6 to chemicals. So it is a positive way to add in a new
7 service and to explore ways your garments can be
8 cleaned.

9 Ecomat perhaps made some errors by being more
10 aggressively stern in just how they portrayed their
11 service than, say, someone like Ed or some of the
12 other shops that have carefully thought through how to
13 add in the service.

14 MS. ENGLE: Yes, David.

15 MR. DeROSA: I just wanted to get back to the
16 general question. I was talking with Julianne Barnes,
17 who wrote the article. First of all, I wanted to
18 correct one misstatement. The city was not
19 subsidizing Ecomat at all.

20 MS. HUDDY: Are you sure?

21 MR. DeROSA: Yeah. They're a publicly traded
22 corporation so they had an initial stock offering.
23 The gist of the article was, the hook for the article
24 was the fact that the New York City Department of
25 Environmental Protection is now putting together a

1 program that's going to be giving grants directly to
2 cleaners to engage in purchasing equipment that's
3 non-PERC but that could be wet cleaning or other
4 technologies.

5 It's under an EPA grant, so it's actually
6 federal money going to the city with some matching
7 funds from the state and other parties.

8 As someone who was talking with Ecomat quite
9 early on, I can't really speak to exactly what
10 problems they have had except insofar as to say that I
11 think as an early example of a service industry they
12 weren't having that much problems with the cleaning
13 part. They had, I think, some more problems with the
14 service part.

15 And they, by the way, just in case anyone
16 noticed Sylvia was using the past tense, the company
17 does still exist. I don't know what they're going to
18 be doing in the coming year.

19 I do know one mistake they made early on, which
20 was not anyone's fault but their own but perhaps
21 understandable, which is that, from my conversations
22 with them early on, they really thought that a lot of
23 government action, not so much the care labeling
24 rules, but especially any refinements of EPA or OSHA
25 regulations that would convey to the public PERC used

1 in dry cleaning, because as Dr. Riggs said, you know,
2 most people don't even know that PERC is used in dry
3 cleaning or what it is, so one wouldn't necessarily
4 seek out an alternative.

5 And to get at, you know, the questions that we
6 are going to be talking about, obviously, a care label
7 would be a great way for people to find out and to
8 look further into this.

9 They were an early leader in the industry. And
10 of course mistakes they made can be as instructive as
11 other people's successes. Although insofar as the
12 fact that some of the people who had a bad experience
13 with them might have to be one back.

14 But even towards the end of that article it
15 talked about another wet cleaner in New York what
16 actually is one of their franchisees who has been
17 doing fine work and has been successful.

18 And certainly it doesn't speak to the success
19 of other wet cleaners around the country who I think
20 focused on what their customers wanted and benefitted
21 to some extent from some of the mistakes that had been
22 made earlier on.

23 I mean, any of the other new technology that is
24 coming into dry cleaning are going to face some of the
25 same problems. And that's one of the reasons why

1 cleaners are somewhat hesitant to change because there
2 is obviously a pragmatic aspect to waiting and letting
3 these technologies shake themselves out.

4 MS. ENGLE: I think this issue of this company
5 going out of business raises the question that some
6 people raised in their written comments about the
7 availability of wet cleaning and what happens if you
8 put a wet cleaning instruction on a label but there
9 aren't enough, or there isn't enough facility
10 available where the cleaner lives.

11 I mean, we don't have really hard figures, but
12 we have estimates of maybe 300 establishments or maybe
13 more that offer wet cleaning --

14 MR. DeROSA: I thought by an order of
15 magnitude, though.

16 MS. ENGLE: Well, the list referenced, say, on
17 your home page is just a few hundred. But yet we know
18 that De Wu has sold like 3,000 machines.

19 And I know from personal anecdotal experience
20 that my cleaners is not on that list but they offer
21 wet cleaning. So it's there but still not, I'm sure,
22 as prevalent as, say, the 30,000 or so dry cleaning
23 establishments.

24 And so some have raised the issue about if we
25 put it on the label and it's not available, what are

1 consumers going to do? Are they going to be
2 frustrated?

3 Is this like putting a recyclable label on a
4 package that isn't collected for recycling anywhere?
5 Or could that, others have said, well, that could be
6 solved if you had an alternate instruction on the
7 label.

8 But that might, that gets sort of into the
9 discussion we had this morning about having two
10 instructions and dual labeling.

11 Do people have views on this?

12 Ann.

13 MS. HARGROVE: Ann Hargrove. I am with the Wet
14 Cleaning Network, but I am also a wet cleaning
15 trainer. And I think that out of the 30-35,000
16 cleaners, there are very few who don't do some amount
17 of wet cleaning.

18 Some of them do ten percent, some of them do 30
19 percent, some do 50 percent. But, Mary, wouldn't you
20 agree that most cleaners do a certain degree of wet
21 cleaning?

22 MS. SCALCO: Oh, yeah. But by -- before I, let
23 me qualify that by saying that percentage of wet
24 cleaning may be done, but there's vast differences in
25 how they do that wet cleaning from shop to stop.

1 MS. HARGROVE: Yes, exactly.

2 MS. ENGLE: So it's a definition issue.

3 MS. SCALCO: Some use --

4 MS. STEPHENS: It does not necessarily fall
5 within that definition that you read earlier.

6 MS. SCALCO: Right.

7 MS. HARGROVE: In the seminars we're having, in
8 the training seminars and the outreach seminars, these
9 people, the cleaners that are coming to these seminars
10 are wanting to learn professional wet cleaning with
11 the new chemistry.

12 And some of them don't want to spend the money
13 for the equipment, but they're willing to try it in
14 their machines, to a certain point in their plans, and
15 then at a certain point they'll buy a professional wet
16 cleaning piece of equipment. But it's out there.

17 MS. ENGLE: Ed.

18 MR. BOORSTEIN: Yes. (Indicating) \$25. It's
19 not an umbrella. It is a method of stretching a pair
20 of pants that shrunk. And any cleaner can afford a
21 \$25 little stretcher.

22 I'm not saying that this is the answer to wet
23 cleaning. But it just gives you an idea of the
24 difference between what I spent, which was \$35,000 to
25 have really everything that you could possibly want,

1 and the \$25 I spent for this, which is also very
2 helpful.

3 Ann just addressed part of what I wanted to
4 address, that every cleaner that I have ever known
5 does some wet cleaning. And, Mary, you said that De
6 Wu has sold 3,000 units?

7 MS. ENGLE: That's unofficial figures we have,
8 yes.

9 MR. BOORSTEIN: All right. But there's a
10 thousand dollar washer that theoretically does a very
11 nice job. I don't have one; I got the more expensive
12 situation.

13 But here is a possibility that with training,
14 with understanding, that a lot more, let's say, wet
15 cleaning that would be okay, could be accomplished at
16 a lower cost of investment.

17 The other thing that I had was a prepared
18 statement. And we have gone into so much of it that I
19 don't think that it's necessary for me to read the
20 whole thing.

21 But I would like to just read the first two
22 paragraphs. And this is my view.

23 Above all other considerations, the Federal
24 Trade Commission care labeling regulation is a
25 consumer protection vehicle. As such, ethical

1 concerns demand that the consumer enjoys full
2 disclosure of care options.

3 To provide the concept of full disclosure with
4 its most supportive basis, revelation of care practice
5 alternatives can not be optional; it must be required
6 by law.

7 Full disclosure leads inevitably to reasonable
8 basis requirements for care instructions which in
9 importance stands alongside the need for care practice
10 education, tailored to the knowledge needs of the
11 least sophisticated of consumers.

12 The degree of consumer education I envision
13 precludes a symbols only approach to care labeling,
14 international trade concerns notwithstanding.

15 MS. ENGLE: Did anyone else -- Charles.

16 DR. RIGGS: I had a comment, I guess it may
17 have been more than one. I can't speak for Ed. And I
18 was hoping to say so, but my guess is that when Ed
19 went to NID in 1956 he learned to wet clean also.

20 So I think part of it really comes down to how
21 we define the term wet clean. As you mentioned today
22 a washer costs a thousand dollars. That's in roughly
23 the same price range as what's being marketed as home
24 use front loading washers.

25 And I think the intent here is to distinguish

1 between a home care method and a professional care
2 method. So I think, you know, the definition becomes
3 part and parcel of our discussion.

4 I guess I am changing hats this afternoon and
5 now speaking on behalf of the American Association of
6 Textile Chemists and Colorists, where I chair RA43
7 test methods committee, which used to be called the
8 dry cleaning test methods and is being changed to
9 professional care test methods.

10 And it would probably become the responsibility
11 of that committee to develop a test method for wet
12 cleaning which I think really has to come about before
13 you can expect a manufacturer to use the label.

14 How else can a manufacturer determine if the
15 label is appropriate unless they have a test method to
16 test the product to see if it's successful?

17 And part two is driven by our involvement with
18 the European wet cleaning group where the European
19 home washer looks very much like the wet clean
20 machine.

21 And they have set as their criteria, there is
22 an ISO standard for the home washer using rural
23 fabrics that their professional machine must produce
24 less than 60 percent of the shrinkage of the home test
25 method.

1 So I think there are a number of criteria we
2 should look at. But I think to talk about making it
3 voluntary or mandatory really needs to fall after we
4 know what the definition and test method is.

5 MS. ENGLE: I think you're right; these issues
6 are all interrelated. And we can talk about the
7 definition and the test methods now, if that would be
8 helpful to the discussion.

9 I was wondering, Dr. Riggs, I think you had
10 said in your written comment that, and just repeated
11 that there's work being done on a test method. Where
12 does that stand now? Are we close to having a test
13 method?

14 DR. RIGGS: The next meeting of the AATCC will
15 be in February. There is not currently a round-robin
16 test in place. And for AATCC to have a test method,
17 it must have a statistical precision and bias
18 statement that supports the accuracy of the test.

19 And that will involve some kind of an
20 interlaboratory round-robin testing once a test
21 procedure is proposed.

22 So I see an accepted test method being a
23 lengthy process in order to develop something that is
24 statistically viable. And of course developing the
25 test procedure comes somewhat based upon how we define

1 the term.

2 I can't imagine that wet cleaning could not
3 also be done by hand successfully, but I can not
4 imagine how we could ever develop a hand-based test
5 method.

6 So the test method will probably be some kind
7 of a machine with limitations. Very likely we'll try
8 to follow what the Europeans are doing where the
9 diameter and rotation speed are specified along with
10 the chemical additives.

11 But I would venture to say that under that
12 definition of wet cleaning, a cleaner who currently
13 practices hand wet cleaning would probably still be
14 successful.

15 MS. ENGLE: Have you, do you have more of a
16 definition that you're using for this testing?

17 DR. RIGGS: We have a definition that defines
18 the machine that's used in the test, but I don't think
19 it's appropriate for a definition of the procedure.

20 I think the test machine, or my opinion, and I
21 can't speak for the whole committee, but my opinion is
22 that the test procedure, to the benefit of the
23 manufacturer, probably needs to be the most aggressive
24 form of wet clean that would be practiced to ensure
25 that the garment is not damaged.

1 MS. ENGLE: Let me recognize some people in the
2 audience who have their hands up.

3 MS. EASTER: Elisabeth Easter. And I want to
4 continue on with Charles' comment. I think that it is
5 premature to even consider recommending or permitting
6 the use of wet cleaning until the textile field can
7 define the term and can develop the test method by
8 which the manufacturers can test the product to
9 determine if it can be wet cleaned.

10 And we could go back and take a look at other
11 industries, you know, how do you separate wet cleaning
12 from taking your shirts to the launderer or to the
13 institutional laundry industry?

14 I mean, we are mixing wet cleaning and talking
15 about hand cleaning versus having your shirts
16 laundered.

17 And we are trying to define wet cleaning based
18 on a particular technology for equipment and
19 chemistry, yet we haven't developed a test method or
20 procedure.

21 So I think we are very much premature. And
22 there were a number of responses to this call in which
23 it said that we are premature in considering
24 recommending or permitting the use of wet cleaning.

25 MS. ENGLE: Thank you.

1 Sylvia.

2 MS. EWING: I guess that there's two things
3 that I would like to share. One, we did say in our
4 statement that we recognize that training and
5 availability of wet cleaners was an ongoing issue,
6 that we saw it as a parallel drive perhaps.

7 Because since people were out there doing this,
8 if they could get the support of a label, we think
9 that's beneficial to the process.

10 Secondly, we had a definition of wet cleaning
11 that we wanted to allow to have people be able to use
12 the high tech equipment or to do more manual
13 processes.

14 I think that early in this process, the
15 definition did leave out shirt laundering. I guess it
16 depends on who you talk to but, you know, as one of
17 the first research groups to look at this, we left out
18 shirts. We left out hand wash.

19 Because for an industry to stay viable, a
20 cleaner needs to be able to get it done rather quickly
21 and comparably to dry cleaning.

22 So because of those considerations, production
23 considerations, we wanted to look at something that
24 could replace, at the time we thought a hundred
25 percent, now we will say a high percentage or a

1 hundred, if you're really willing to work, percent of
2 what comes across the shop traditionally that would be
3 considered to be dry clean only.

4 So let me just read a definition that we had
5 proposed which, you know, again is open to discussion.
6 We said that wet cleaning is the cleaning of clothes
7 in a commercial setting with a water base system that
8 utilizes specially formulated detergents and precise
9 controls, either manual or computerized, over the
10 mechanical action, water temperature, and level and
11 carefully regulated drying.

12 Wet cleaning spotting is done by using products
13 designed for the process that can be safely discharged
14 to sewer systems.

15 Pressing of wet cleaned garments may be done
16 either with conventional professional pressing
17 equipment or with tension and finishing equipment
18 and/or drying cabinets for greater productivity.

19 So for us, that was a jumping off start in
20 discussion that would allow people with some of the
21 more high tech top loaders and the right detergents,
22 wet cleaning with the latest equipment and the right
23 detergents, wet clean, but the trio of ingredients
24 still had to be there to be successful.

25 There is no way around it. It is a craft.

1 You need the knowledge of fibers and fabrics. You
2 need specially formulated detergents. And then a
3 little more flexible, you need the equipment.

4 So that is where we come down on the
5 definition.

6 MS. ENGLE: What do others think about CNT's
7 definition?

8 Peter.

9 MR. SINSHEIMER: Yes, just to follow up on
10 Sylvia's comment, as well as kind of sharing our
11 experience along with CNT's experience in evaluating
12 professional wet cleaning.

13 We both evaluated a hundred percent wet
14 cleaners that were dedicated to doing, only cleaning
15 it in professional wet cleaning.

16 And the CNT definition obviously encompasses
17 the full range of cleaners that actually do wet
18 cleaning. But I would like to get back to this issue
19 of standardized test method because I think that it is
20 a central concern for the FTC in order to signal to
21 what manufacturers really need to do.

22 And both PPERC's study and the CNT study looked
23 at cleaners that were able to do the broad range of
24 garments that are cleaned in dry cleaning.

25 Most of those garments were labeled dry clean

1 or dry clean only. So in the real world, in the
2 United States there are professional wet cleaners that
3 are cleaning garments that are labeled dry clean or
4 dry clean only.

5 This is obviously misinformation to a certain
6 extent to customers because it obviously can be
7 professionally wet cleaned.

8 I mean, so the issue becomes how do you create
9 some sort of a procedure for manufacturers to
10 standardize, have a standardize way of testing that?

11 One of the, the reality is that every
12 professional wet cleaner that's a dedicated wet
13 cleaner, such as Deborah Davis of Cleaner by Nature,
14 is a testing lab.

15 For every garment that comes in, she has to
16 make sure that that garment is going to be effectively
17 cleaned in wet cleaning. And the problem becomes how
18 do you codify exactly what's done in professional wet
19 cleaners in such a way that then it can be developed
20 into a testing procedure for manufacturers?

21 And that's, there needs to be a good amount of
22 communication between the professional wet cleaners
23 that are out there and the manufacturers to get
24 together to figure out, you know, how do we do this,
25 how do you do this effectively?

1 Because it is being done effectively now. And
2 that could be then used to help AATCC or ASTM create a
3 standardized test method.

4 But a reasonable basis is already there in the
5 real world. How do you then codify that, is I think
6 an important question, in order to educate
7 manufacturers to test the garments effectively?

8 MS. ENGLE: JoAnne.

9 MS. PULLEN: I was a little fascinated by then
10 how do you get ASTM and AATCC to develop the test
11 method. Because the people who develop the test
12 methods are the vested interest whose companies
13 volunteer their time.

14 And they are the companies that write the test
15 method, which is then round-robin. So I see a lot
16 of people here today who are very interested in wet
17 cleaning.

18 Have you even a draft test method ready yet to
19 be round-robin?

20 MR. SINSHEIMER: No.

21 MS. PULLEN: Then show up at the AATCC meeting,
22 write the test method, and get it off the ground.
23 That's what you do. And you should have a chairman
24 that calls you and says, you're going to write this
25 section, you're going to write this section, and

1 you're going to write this section.

2 And you can do just what we did with care
3 labeling. In nine years we went from zero symbols in
4 the USA to symbols adopted as a standard test method,
5 adopted and gone through the process in FTC, and NAFTA
6 harmonized in process you have to get a test method
7 started.

8 And the way you start it is by copying the dry
9 cleaning one and substituting the words, the cycles,
10 the solutions that you use, that you use in wet
11 cleaning.

12 And then throw it out to ballot. And all the
13 negatives will come back that will fix it. And you
14 can get it done in six months and round-robin in three
15 more months.

16 But, you know, it's got to be done because you
17 can't expect someone without a standard procedure to
18 put a label on a garment that then, when it is taken
19 to court, there is no test method to evaluate the
20 validity of the instruction. And that has to be
21 there, as well as the definition.

22 The thing that we use to define, and we worked
23 with AATCC on this to harmonize our definitions for
24 dry cleaning, as a unique thing is professionals
25 trained in the operation as well as your description.

1 And I couldn't remember if I heard that in
2 there, rather than just a commercial setting.
3 Because there's lot of commercial settings without
4 trained professionals.

5 MS. EWING: That's a valid point.

6 MS. PULLEN: And then, you know, the piece that
7 goes on with that. So I'm being a little bit harsh
8 here, but I was at the first meeting with EPA when we
9 said this exact same thing, and that was two to three
10 years ago. And it should have been done by now.

11 MS. ENGLE: The gentleman in the audience.

12 MR. JONES: Earl Jones at GE Appliances. Well,
13 actually I'm glad JoAnne just kicked us off I think
14 just at the right point. Because that really is a very
15 key point.

16 There is a lot of work to be done. I think
17 that's evident from the comments so far and the state
18 of this proposal. But that work is not to be done by
19 the FTC.

20 It is to be done by the proponents of this
21 system. And just if you look at some of the questions
22 here, at least from my point of view, I begin
23 wondering, well, what is professional wet cleaning
24 versus regular wet cleaning?

25 And my assumption is that the difference is,

1 assuming that we are focusing on the garment as
2 opposed to other considerations, that it must be what
3 the garment is supposed to be like. What's the
4 performance requirements of the garment.

5 And if that's the case, then you have to be in
6 a position to describe what is supposed to be the end
7 of that process in a way that distinguishes it if it
8 is professionally done than if it is done by people
9 who clean it at home or in some other environment.

10 Again, you go back to the question of having to
11 start with a test procedure, not in effect ending the
12 process inappropriately by defining the equipment to
13 be used.

14 That may be where you wind up once you know
15 exactly what you're looking to achieve. But first you
16 have to define what is the garment supposed to -- what
17 are the characteristics which you are trying to
18 achieve by putting it in a wet, a professional wet
19 environment versus some other one?

20 Unless you have done that, what you have gotten
21 yourself involved in is protecting a market or
22 destroying a market as opposed to promoting consumer
23 interests.

24 And I would suggest that unless you, unless and
25 until the proponents of this process develop the test

1 procedure that you as an agency will be engaged in
2 being captured by an interest which is not necessarily
3 promoting consumer interest.

4 MS. ENGLE: Anthony.

5 MR. STAR: To begin with, I would like to take
6 up JoAnne's challenge and happily accept it. For a
7 little bit of background, I believe it was last
8 spring, Connie came to the AATCC meeting to talk about
9 these proposed care label revisions.

10 And one thing that came out of that
11 conversation at that meeting was a lot of members of
12 the subcommittee really weren't clear about what wet
13 cleaning was, partly because it was still a new
14 process, there's not a definition, all these things we
15 have been talking about.

16 The response to that issue last November at the
17 last subcommittee meeting, Dr. Lance, who was at the
18 time the Chair of the committee, asked me to come and
19 give a presentation to talk about wet cleaning, what
20 it was, where it is today in the fabricare industry to
21 help educate the AATCC a little bit about what is wet
22 cleaning.

23 So I think that process is going smoothly and
24 people on that committee hopefully by now have a
25 better understanding of what wet cleaning is.

1 Elaine is correct, the next challenge will be
2 to develop a protocol. You need to obviously look at
3 GINETEX and some of the European research.

4 But we will take on this challenge of putting
5 together a draft of a protocol.

6 I would also like to ask, since there are a
7 number of manufacturers here, if we do accept a wet
8 cleaning care label and if there is going to be a time
9 lag before a test method is fully implemented, do any
10 of the manufacturers here see ways in which they could
11 use the wet cleaning label on garments in this interim
12 period before a test method is fully developed,
13 approved, and implemented?

14 MS. ENGLE: Gloria.

15 MS. FERRELL: Gloria Ferrell, Capital Mercury
16 Apparel, Limited. I don't see using, you know, a care
17 label that says wet cleaning if you can't prove it.
18 Because the one thing that we must do is prove our
19 care. So I don't see that feasible at all.

20 MS. ENGLE: Melinda.

21 MS. OAKES: If you could get a buy-in from a
22 specific manufacturer on a specific kind of a garment,
23 you might be able to do something like a hang tag
24 that's not part of the permanent care label but says
25 something about ask your clothing care professional

1 about wet cleaning this garment, professionally wet
2 cleaning this garment or something.

3 Get the conversation going. And maybe it's a
4 garment that this person doesn't think they could
5 handle, but it will just at least get the thing in
6 front of the consumer to ask the person at the
7 facility if they feel that they're trained to do this
8 particular garment that way.

9 If somebody was willing to take a shot at that,
10 a particular garment or a particular style.

11 MS. ENGLE: Jackie.

12 MS. STEPHENS: I'm just curious. Would you
13 supplement that information with a permanent care
14 label?

15 MS. OAKES: No. It would just be a hang tag.
16 It would something about this might be done; ask your
17 care professional about it. That goes up.

18 Anything that you do, we have discovered that
19 anything that you do that's on a package, I don't know
20 about you, but when I go to wash that table cloth,
21 that holiday table cloth that I take out once a year,
22 I have that package right there. Right.

23 I mean, it goes. It goes out the first time
24 you use it and it's never there. Maybe somebody will
25 keep it in the back of their mind. Maybe just the

1 idea that there's a wet cleaning process.

2 I'd say right offhand if you went outside and
3 asked 15 people on the street coming by, you know,
4 what's professional wet cleaning, they would either
5 tell you it's a laundry, or they'd be completely
6 blank.

7 You know, but I would be seriously willing to
8 bet that you wouldn't get one correct answer. So I
9 think one of the things that needs to get out there is
10 the fact that there is an alternative to it.

11 My guess is that a lot of people come in and
12 they say I want to have this garment dry cleaned. And
13 the cleaner says, sure, and takes it in. And maybe
14 they make a decision on their own about how to best
15 deal with this garment.

16 I know if you go to the cleaner and if you talk
17 to a cleaner, they have all had garments that have
18 come in where it says dry clean only and it is a
19 laminated fabric that the adhesive is going to
20 dissolve.

21 So what they'll do is they'll get it cleaned
22 and refurbished for you, but they're not going to put
23 it in the dry cleaning solution. And most people,
24 when they drop it off at the laundry, really basically
25 say I want my garment back clean. I want my garment

1 back looking nice.

2 I want my garment back wearable from the
3 instant I pay for it. I don't want it wrinkled. I
4 don't want it dirty. And do it however you do it;
5 you're the pro.

6 You know, it's not like going to a surgeon. I
7 mean, you know, you can trust your blazer to this
8 stranger or this neighborhood person.

9 And there are people that are doing wet
10 cleaning now. There's probably a lot of people that
11 are getting garments back that have been wet cleaned
12 and don't realize it.

13 MS. ENGLE: Steve.

14 MR. LAMAR: I would make the same point that
15 Gloria made about the, about the testing, that you
16 would need to have the testing in place because the
17 burden on the manufacturers is the reasonable basis.
18 And part of that is done through testing or sometimes
19 it's done through testing.

20 The point about the hang tags, I would
21 discourage that because there's a lot of times where
22 hang tags are being required for a lot of other
23 things. And many times those hang tags get thrown
24 away.

25 I would say the more effective way of getting

1 the word out about wet cleaning is to have the dry
2 cleaners themselves, who are apparently doing this, to
3 start promoting it themselves.

4 They have signs up all over the place that
5 say -- I have been in, I don't know, maybe two or
6 three dozen dry cleaners over the past couple of
7 weeks. I have never seen wet cleaning signs anywhere.

8 So going through that, I mean, that's where
9 you're going to make a decision about wet cleaning
10 versus dry cleaning is when you're in the store.

11 And that's probably where you should be given
12 the information. I mean, I would just encourage that,
13 the dry cleaner associations and whatnot to do that.

14 MS. ENGLE: Deborah.

15 MS. DAVIS: From my point of view, I don't
16 think we have a choice but to require a wet cleaning
17 label at this point in the development of this
18 process.

19 Wet cleaning is out there. It's being used in
20 a variety of different ways, sometimes as much as a
21 hundred percent like in our business, sometimes much
22 less than that.

23 But it is definitely being used. And it is
24 growing. It's being promoted by government agencies,
25 environmental groups, community organizations. So

1 it's only going to continue to grow.

2 I don't think we are being responsible if we
3 continue to ignore it. But I think it is something
4 that has to be included in FTC regulations from here
5 on out.

6 The genie is out of the bottle. I think
7 consumers deserve that kind of protection and
8 information, as do the cleaners themselves if they're
9 using it.

10 And we're not in agreement as to how many
11 people are using it, we don't really know, but
12 certainly there's hundreds or possibly thousands of
13 cleaners using wet cleaning of some sort.

14 They deserve that kind of help as well as
15 protection; and, of course, as I mentioned, the
16 consumers as well.

17 I do think it's time to come up with criteria
18 for testing, and I think that can be done now. This
19 is the time. Again, we have got cleaners doing it
20 now.

21 We have organizations with the expertise to
22 develop that, so this is the time to do it. I think
23 we can come up with those definitions and we can make
24 that a reality now.

25 And by the way, just sort of anecdotally, there

1 are some garments right now that say professional wet
2 clean. I don't know why -- I know why. I don't know
3 that fits in with the legalities of it, but I find
4 that kind of interesting. Generally it's formal wear,
5 wedding gowns and that kind of thing.

6 So somehow consumers have heard and cleaners
7 are dealing with that as it is. And the availability
8 issue is one other thing I want to mention about that.

9 And again, we are in kind of an awkward stage
10 of the development of this new process. And we have
11 kind of a chicken and egg problem. On the one hand
12 wet cleaning doesn't seem very available, at least in
13 some areas.

14 But on the other hand, one reason why it's not
15 is because dry cleaners are afraid to adopt it because
16 they're afraid of the liability. They're not quite
17 sure what they can wet clean and what they can't.

18 Having that label in again would help encourage
19 dry cleaners to adopt wet cleaning or switch to wet
20 cleaning. And that then would make it more available
21 and on and on and on.

22 So we're really kind of in an awkward stage
23 right now. But again, I think the trend is only that
24 there will be more wet cleaning. So I think this is
25 the time in the development of this process to adopt

1 the wet cleaning label.

2 MS. ENGLE: Did you have any comments on the
3 CNT's definition of wet cleaning?.

4 MS. DAVIS: I'm in agreement with the CNT's
5 definition in general. I think it's specific enough
6 that it differentiates professional wet cleaning from
7 home laundering but at the same time leaves some
8 flexibility for individual cleaners to use their
9 discretion, also trying to keep in mind that the
10 technology is changing and growing.

11 So what wet cleaning machines look like this
12 year may be different than what they look like five
13 years from now. So I think their definition in
14 general would work.

15 MS. ENGLE: Sylvia first.

16 MS. EWING: Mary, I just wanted to back up a
17 step because some of us see each other a lot in
18 different places around the country and some of us are
19 just meeting.

20 And sometimes it's hard to know what context
21 people have for discussions. And someone mentioned
22 earlier the promoters of the process.

23 I would like to be clear on behalf of CNT and
24 the work that we have done that the reason we are
25 encouraging people to look at wet cleaning is because

1 it is the most researched option to date that you can
2 use now to reduce the use of a solvent that has been
3 identified as problematic.

4 We are not here to debate PERC or go back and
5 forth about it. But it has been agreed by
6 stakeholders across sort of the realm that it was
7 desirable to reduce the use of solvents and reduce the
8 liability and regulatory burdens associated with them.

9 And that was one of the reasons why
10 alternatives were looked at. And some of those
11 alternatives are still, are very much emerging. I
12 guess that's really the best way of looking at it.

13 And hopefully they will all be put to the
14 stringent testing that wet cleaning went through,
15 starting with Environment Canada, actually starting
16 before that with NCA and IFI and others and little
17 swatches of fabrics, moving to Environment Canada with
18 bigger swatches, moving to Chicago and the Greener
19 Cleaner and CNT with 35,000 garments and other
20 comparison tests, and moving to UCLA with even more
21 in-depth studies on things like water and comparisons
22 directly with dry cleaning.

23 So that body of information does exist and can
24 be helpful in developing the protocols and moving
25 forward. And that is not to say that any other

1 emerging technology that has the pollution prevention
2 aspects that groups like ours think is important
3 shouldn't be embraced.

4 But right now there are people around the
5 country who because of their landlord or because of
6 health reasons or because of other liability concerns
7 need an alternative.

8 And for those who have embraced wet cleaning
9 sort of behooves us to try to maybe jump-start the
10 process a little bit more so that we can help to meet
11 their needs.

12 There are others, again you say you can go into
13 a shop and not see anything about wet cleaning. But I
14 think that that's changing. You can see the change in
15 the industry press.

16 You can see the change in the number of
17 companies selling wet cleaning products. You can see
18 the change in the number of companies selling wet
19 cleaning equipment. It is growing. And most people
20 know that the future is wet cleaning in something.
21 So --

22 MS. ENGLE: Dick.

23 MR. SELLEH: Yes. The term "cleaner," whether
24 it be dry cleaner or cleaner, does not necessarily
25 connote a fabricare professional. We are assuming

1 that it does, but it doesn't.

2 There are many dry cleaning, dry cleaners
3 throughout the United States and the world that are
4 not informed as to how to handle a garment.

5 I have had many occasions where I have had
6 Dockers come in to me, and I have used my own
7 prerogative to wet clean them as opposed to dry clean
8 them.

9 The consumer came in with those Dockers and
10 stated I wanted these dry cleaned or I want these
11 cleaned. Whichever way he presents it, I am going
12 to -- now don't come down with the FTC police and cite
13 me for this, but I clean them contrary to the care
14 label because I know, I know, or contrary to what the
15 consumer wants or is desirous of having performed on
16 his garment because I know what he is desirous of
17 having as the end product: the garment to be
18 serviceable, to be cleaned and pressed and cleaned by
19 whatever method, whether it be wet cleaning or
20 immersed in perchloroethylene or in petroleum or in
21 other solvents.

22 Whatever he wants done with them, he doesn't
23 see what goes on and how to process behind the
24 counter. But I as a professional assume that
25 responsibility and care for his garments so that he

1 can wear them and they're serviceable to him to wear
2 and to maintain.

3 The construction of the textile and the care
4 labeling is very important to us. But you can be, it
5 is so ambiguous now that it leaves a plethora of areas
6 that we are not addressing.

7 And it's all the way up the line. As I
8 mentioned earlier this morning, it is from the
9 consumer to the servicing organization to the retailer
10 to the manufacturer and down the list.

11 Thank you.

12 MS. ENGLE: Charles.

13 DR. RIGGS: I wanted to, actually Sylvia said
14 several things I wanted to respond to but I'll only
15 respond to one of those many points that Sylvia made.

16 I'm not sure that I would agree that wet
17 cleaning is the most researched alternative to the use
18 of PERC. The dry cleaning industry was using
19 petroleum long before PERC came into existence, and
20 that still exists as a viable alternative to PERC and
21 probably there's much more data on that than anything
22 else around.

23 MS. EWING: Solvent-free.

24 DR. RIGGS: Yeah. Well, and I don't know
25 whether solvent-free is really what EPA has stated as

1 its objective either. Exposure to PERC I think is the
2 stated objective.

3 But that aside, I wanted to turn to the
4 definition that CNT had presented. And I found it in
5 the handout material, in case any of you are having a
6 hard time remembering.

7 There is a document that's in our folder dated
8 December 15th. And on page nine, the CNT definition
9 is there following the FTC on page eight.

10 As I read the definition, I can't imagine
11 anything that it excludes. Hand wet cleaning in a tub
12 would still fall under that definition. I am not
13 opposed to that.

14 The last sentence regarding pressing is
15 somewhat redundant in that it says can be done
16 conventionally or by other means. I would not see the
17 need for the last sentence.

18 The only thing I would suggest as a point of
19 consideration is that the words "in a commercial
20 setting" be replaced by the words "by a trained
21 professional." And then I would delete the last
22 sentence.

23 MR. STAR: A quick follow-up to that. I think
24 the word, I heard that on the comment either manual or
25 computerized was not, what the drafters intended to

1 suggest, use of tubs but the use of older washing
2 machines that you manually controlled rather than
3 having a computer automatically say inject your
4 chemicals. And perhaps there's wording in there that
5 needs to be corrected.

6 DR. RIGGS: I don't know why you would want to
7 exclude tubs, frankly.

8 MS. EWING: Because you can't do a volume and
9 make money. I mean, to do the volume that you need,
10 how many can you do in a tub?

11 DR. RIGGS: You can, as a mixed operation where
12 you are using this as an alternative, some of the dry
13 cleaning. A hundred percent dry cleaning operation,
14 no, you could not do that. I mean, I'm sorry, a
15 hundred percent wet cleaning, you could not do tubs.

16 But, you know, as a mix that a professional
17 cleaner might use, in some cases solvents, in some
18 cases water --

19 MS. EWING: Well, Mary, let me just say that
20 the trained professional, that was what we were
21 getting at. So that makes sense.

22 MS. EWING: Connie has a question.

23 MS. VECELLIO: Yes, I had a question. Using
24 that definition, let's say a manufacturer had a
25 garment like a man's wool business suit that's lined

1 in acetate.

2 How could he be sure, given that definition of
3 wet cleaning, that it would survive the process?
4 Because under that definition it could be washed in a
5 tub by hand.

6 MS. EWING: Okay. This is the JoAnne Pullen of
7 this.

8 MS. PULLEN: Am I being added to this?

9 MS. EWING: Well, no. JoAnne, if you want to
10 tell them about the multi-layered labeling discussion
11 that we had earlier.

12 MS. PULLEN: Oh, okay. I'm sorry. I was
13 locating this instead of listening to the question
14 over here.

15 MS. EWING: Well, let me -- not to be glib
16 here, I will do my version and then JoAnne. I'm
17 saying that this is really the technical folks have
18 better expertise with this.

19 But what we envisioned was ultimately a wet
20 cleaning label that would have, say, four different --
21 and, you know, Charles, I am just thinking now -- four
22 different kind of scenarios.

23 So that one of those scenarios would be wet
24 cleaning using method number one. Method number one
25 is the Docker method that Dick is doing. And, you

1 know, you throw it in there and you go with it. And
2 you're still using a specially formulated detergent.

3 Wet cleaning method two might be something a
4 little gentler for silks and rayons and that kind of
5 thing.

6 Say wet cleaning method number three, as
7 defined in this ruling, would be for that highly
8 constructed jacket. That we would suggest you would
9 need this tensioning equipment that seems redundant,
10 but to really do that effectively, unless you're maybe
11 Ann and Deborah, the average cleaner benefits from
12 specialized pressing equipment.

13 So that you would have these, within the wet
14 cleaning label, you would have a coal to tell you
15 which process you could use best.

16 And maybe eventually Ed's stretching thing will
17 help as well. But that jacket, the manufacturer would
18 need to know that most likely for the average person
19 to do it using the technology that we have today,
20 being very honest about dimensional change and
21 problems, you really need the specialized pressing
22 equipment.

23 MS. VECELLIO: Okay. I think we need that kind
24 of precise definition if we are going to ask
25 manufacturers to put these labels on their garments.

1 MS. EWING: JoAnne is going to do it.

2 MS. PULLEN: I'm going to tell you what to do.
3 Because I chair the care labeling committee that works
4 on the symbols.

5 And I call people and say you do this, you do
6 that, you do the other thing and bring it to the
7 meeting and have it ready by such and such a day.

8 I'm very good at delegating, at being a
9 technical decisionmaker when I'm not the technical
10 person.

11 But at least I know my limitations on this and
12 know who to call. We just had a lunch meeting about
13 that.

14 What I would like to say, too, is I'm also good
15 at being able to utilize existing work. And I would
16 like to recommend and tell you a story first of all
17 that's semi-related to this in that one of my working
18 groups for ISO, for the ISO revision that was
19 established in April, '97 at the Porto meeting was on
20 bleaching.

21 And we had geared up with a detergent with an
22 oxygen bleach additive that was activated with a
23 chemical to be able to use in cold water. And Europe
24 was working very hard on this and had a test method
25 ready for ISO in draft, had done a fair amount of

1 research.

2 And U.S. had not moved into the ISO arena at
3 that point. But we brought all these people together
4 for our first working group meeting. So we had Lever,
5 Clorox, Procter & Gamble to deal with oxygen-based
6 bleaching symbols for the ISO standard.

7 Because, of course, we wanted the USA system
8 into the ISO so there is a worldwide oxygen symbol.
9 And I think that the industry had been so accustomed
10 to being careful about the laws and proprietary and so
11 forth that they hadn't been experienced at working in
12 voluntary technical standards development where you
13 can share technical information.

14 So I said to them, okay, Procter, you have got
15 NOBS; British, you have got TAED as your activator,
16 get together on this existing test method, figure out
17 something that works for both sides of the continent,
18 and get it put together.

19 And if you have to in that standard a part that
20 say for a detergent activated with this oxygen and
21 activator, do these steps for the test method.

22 For a detergent activated with NOBS as the
23 activator with the oxygen bleach, do this step. But
24 you have got to have one-stop shopping in a world
25 economy for test methods.

1 And I think we should not only be talking here
2 about USA professional wet cleaning; Europe has done
3 extensive work on professional wet cleaning.

4 They have had proposed symbols. They've got
5 test methods. And, yes, you do need to do parts A and
6 B for the simple machines versus the \$35,000 system,
7 for this system to do this, for this one to do this,
8 figure out how many cycles you have to run something
9 for a reasonable wear, like we do with the five
10 washings in the washing machine test, but let's get
11 hold of Helmut Cruzman and say, where's your test
12 method?

13 Let's see how it looks for USA. Let's put it
14 together. Let's communicate locally, not just locally
15 here, and then get Canada and Mexico involved in this
16 because I don't want to do this twice. I want to do
17 this once.

18 And I want to make it fit the world marketplace
19 and the different levels of technology for
20 affordability.

21 Because my neighborhood man is not going to
22 have \$35,000 when we only have 18,000 people in the
23 county. There's just not a cost return there.

24 So I would like to encourage that system,
25 because it did work for the bleaching process. And we

1 have it already going through ISO ready to go to the
2 test method.

3 MS. ENGLE: We are scheduled to take a break
4 soon, but I wanted to have a few more comments on this
5 definition of the wet cleaning process, if possible.

6 Earl, did you want to comment on the
7 definition?

8 MR. JONES: Yes, I did. I guess I also was
9 concerned, as we all should be, on the potential for
10 providing misinformation or not properly advising
11 consumers.

12 I guess my question I would ask is to Miss
13 Ewing, what -- if you remember in this morning's
14 discussion we were concerned that by saying dry clean
15 we were possibly steering consumers away from using,
16 from laundering stuff at home, if we say professional
17 wet clean, don't we run the same risk and is it always
18 going to be appropriate?

19 And I go back now to the example that somebody
20 mentioned of Dockers. Well, people wash Dockers at
21 home.

22 If we put a professional wet clean, does that
23 mean then that that garment is not supposed to be
24 laundered at home?

25 Is the consumer supposed to be put at risk of

1 the care of his garment if he or she were to do so?
2 And what point do you say, indeed, this is
3 professionally to be done and not at home?

4 And I think if you simply label the product
5 only with professional wet clean and there isn't
6 either a clear defined test method or standard, then
7 you are creating the same problem here that we're
8 trying to avoid for dry cleaning that we dealt with
9 this morning.

10 MS. ENGLE: If we do amend the rule as we
11 talked about this morning, then there would be a
12 requirement for labeling for home washing if that was
13 an appropriate care method.

14 So in the case of the Dockers, it would have to
15 be labeled for home laundering and then professional
16 wet cleaning or even dry cleaning could be an
17 alternative. But that would take precedence, the home
18 laundering instruction.

19 MR. JONES: So you would actually allow both in
20 that instance?

21 MS. ENGLE: Assuming that was, and I can't
22 imagine there would be any situation which a
23 professional wet cleaning would not be appropriate for
24 a home laundered garment, but sure, yeah.

25 And I think Eric, Rick, has had his hand up for

1 some time.

2 MR. ESSMA: Thank you. Rick Essma, the Clorox
3 Company. My comment does not address the proposed
4 definitions but rather the fact that they are proposed
5 definitions, that there is no definition for this
6 process.

7 No one seems to be able to agree on who does
8 it, where it's done, or how it is performed. And I
9 would suggest that rather than being ethically
10 compelled to adopt a symbol for the process, whatever
11 it may be and whoever may do it and however it may be
12 done, that we are legally refrained from doing it by
13 the, by the elements of the care label rule.

14 I don't know that much about wet cleaning. In
15 fact, I know probably less than anyone else in this
16 room. But I do have some experience with the rule and
17 the spirit of the rule that instigated its
18 development.

19 And that spirit of consumer protection and
20 information would be seriously jeopardized by the
21 adoption of a symbol for a process that we do not have
22 a definition for, we do not have a test protocol for,
23 so that the manufacturers who do use the symbol could
24 not possibly provide a reasonable basis for using the
25 symbol.

1 And we have no performance evaluation criteria,
2 to address Earl's point, that would let us know or let
3 a manufacturer know, rather, if they recommended a
4 process, was it a successful process or not.

5 So my suggestion is that we postpone the
6 adoption of a symbol until we have answered some of
7 these other questions about what the process is, how
8 it's performed, and what are the test protocols and
9 performance criteria that we want to apply to it.

10 Thank you.

11 MS. ENGLE: Okay. Well, we are not talking
12 about a symbol right now, actually just --

13 MR. ESSMA: Or instruction, whichever.

14 MS. ENGLE: -- allowing the instruction. And,
15 yes, I think having a definition is part and parcel of
16 the process. We see that as an integral part as well.
17 I'll just take one more comment from -- I'm not sure
18 which of you has had your hand up longer, but two
19 people in the audience.

20 MS. WRIGHT: Marina Wright with Levi Strauss &
21 Company, makers of Dockers. I would just like to
22 offer as an opinion that for your point about I can't
23 possibly imagine there being a circumstance where home
24 laundering would give you different results from
25 professional wet cleaning.

1 MS. ENGLE: Yeah. I meant that it would not,
2 that there would be something that would not be
3 successfully wet, professionally wet cleaned but would
4 be successfully done at home.

5 MS. WRIGHT: Yeah. I guess our point would be
6 that we don't, we have not seriously done any
7 evaluation of professional wet cleaning. So it may
8 well be done in dry cleaning establishments or
9 professional establishments, but we just don't know
10 what that difference is.

11 And I would echo the comments that have been
12 made earlier, that we would want to have a test method
13 that we could, we could look at that a little more
14 consistently so that we would know what the
15 performance is before we put any refurbishment
16 instructions on that.

17 MS. ENGLE: Okay. I'm sorry, I don't remember
18 your name.

19 MS. EASTER: Elizabeth Easter.

20 MS. ENGLE: Your affiliation?

21 MS. EASTER: University of Kentucky and G.E.,
22 I'm sorry.

23 As I said earlier, I think we are premature to
24 make this a recommendation or an option because we
25 have spent a long time talking about the definition.

1 But I don't know a lot about wet cleaning, but
2 I definitely know a lot about laundry and the cleaning
3 industry and have worked with them for over 20 years
4 now.

5 And I did not realize until Sylvia just
6 explained that their idea of proposing wet cleaning
7 would be to allow one wet cleaning technology for
8 certain products, a second one that would be more
9 delicate, for other types of products, and then maybe
10 even a third type of wet cleaning.

11 And so we are basically already talking about a
12 technology that needs a definition of what is regular
13 wet cleaning, what is delicate wet cleaning, and
14 whatever other type of wet cleaning that you come up
15 with.

16 And I have read a lot of the information that's
17 available on wet cleaning and didn't realize that we
18 were even talking about three possible options or
19 three possible types of wet cleaning.

20 So I am still going back to the statement that
21 we're very much premature.

22 MS. ENGLE: Okay. Jackie.

23 MS. STEPHENS: I'm sorry. Last one. I agree
24 with Elizabeth. Also, we have to be very careful in
25 our definition of wet cleaning to distinguish it from

1 commercial laundry.

2 Because as I read this definition, there's
3 nothing about this definition to me that would
4 distinguish it from a commercial laundering procedure.

5 So we have to be very specific in the
6 definition of professional wet cleaning process to
7 make sure that it does make that distinction,
8 otherwise the professional or the person that buys the
9 garment is going to think that commercial laundering
10 is going to be a viable option, as well.

11 MS. ENGLE: I assume you're talking about CNT's
12 definition, not the FTC's proposed definition.

13 MS. STEPHENS: Yes. On page nine; right.

14 MS. ENGLE: Okay. I think we will take a --
15 yes.

16 MS. PULLEN: I can say that I will take both
17 definitions and put them out at the March meeting for
18 ballot subcommittee review and I can get you a barrage
19 of responses that may be helpful for you.

20 And I think the AATCC can do the same.

21 MS. ENGLE: That would be very helpful.

22 DR. RIGGS: The AATCC meets the middle of
23 February.

24 MS. ENGLE: Okay. We'll take a 15-minute
25 break. But we'll try to start back promptly at 3:10

1 because we have a lot to still cover this afternoon.

2 Thank you.

3 (A break was taken.)

4 MS. ENGLE: I think we can spend a few more
5 minutes on the definition of wet cleaning because I
6 think this is an important area.

7 Just so we are all speaking from the same
8 notes, I mean, the Commission would not consider
9 permitting or requiring a wet cleaning instruction if
10 it didn't have a definition.

11 And so that would be, that's part of the
12 process. That's part of our starting point. So we
13 have had a few suggestions already on possible
14 amendments to the CNT definition by saying "by a
15 trained professional" and whatnot.

16 There is some discussion that right now it's
17 kind of even too general because it is not easily
18 distinguished from professional laundering.

19 Are there any more thoughts along those lines
20 or thoughts that the FTC's definition, which is more
21 precise, are there any elements of that that should be
22 incorporated?

23 I would like to hear if anyone has any more
24 thoughts on the definition.

25 MS. EWING: I would like to clarify something

1 else.

2 MS. ENGLE: Sure.

3 MS. EWING: Sylvia Ewing from CNT. One, we
4 would be very interested in marrying parts of our
5 definitions as appropriate.

6 I mean, I think all of these things are for
7 discussion based on experience that we all bring to
8 the table. So on behalf of CNT, we are open to that
9 discussion.

10 Two, I didn't mean to imply that there are
11 three definitions of wet cleaning. I meant to say
12 that within wet cleaning, speaking about our earlier
13 discussion, within wet cleaning there may be care
14 instructions that help you specifically deal with
15 problem garments or have a better understanding of
16 specific protocols for specific types of garments.
17 And I think that's just appropriate.

18 MS. ENGLE: It's sort of equivalent to with dry
19 cleaning now where it might say low moisture or
20 something like that.

21 MS. EWING: Right. Exactly.

22 MS. ENGLE: Any takers?

23 (No response.)

24 MS. ENGLE: Okay. Hearing none, I think we can
25 move along to another issue that's closely related,

1 which is whether fiber content would need to be on the
2 care label if we were to proceed with professional wet
3 cleaning instructions.

4 As it was mentioned this morning, fiber content
5 is, of course, to be required on garments. But it is
6 not required to be permanently attached, in contrast
7 to the care label.

8 So while often a manufacturer will put care
9 instructions and fiber content information on the same
10 label already, they are not required to do so.

11 So we are wondering whether we went forward
12 with the professional wet clean instruction whether it
13 would be possible to have that be successfully
14 implement without the fiber content.

15 Mary.

16 MS. SCALCO: Mary Scalco with the International
17 Fabricare Institute. If you moved forward with a
18 professionally wet clean label as of today or within
19 the next couple of months, I don't see how you could
20 do it without having fiber content information.

21 If you waited until there was a test protocol
22 that manufacturers could evaluate it to, then it is no
23 different than any other care procedure where the
24 manufacturer is responsible for giving care
25 instructions on there.

1 And it is not required now on the label where
2 you give dry clean instructions or washing
3 instructions. If we put professional wet cleaning in
4 the same category as that, then it wouldn't be
5 required.

6 But, believe me, it is always helpful if the
7 fiber content is on the label, even today looking at
8 professional dry cleaning or laundering.

9 But if you move forward with it today, I don't
10 see how you could do it without having fiber content
11 because there is nothing for the professional cleaner
12 to judge.

13 That is an integral part of judging whether he
14 can wet clean it or not, that is, the fiber that's in
15 the garment.

16 MS. STEPHENS: She said what I wanted to say.

17 MS. ENGLE: David.

18 MR. DeROSA: David DeRosa, with Greenpeace.
19 Just as the connection between these two parts of the
20 label, I mean, I think that the FTC proposed
21 definition with some changes would work.

22 And moving then into this -- if that speeds up
23 the ability to have this sort of process on the label,
24 I would second Mary that I think it would be helpful
25 to most cleaners to have the fiber content.

1 And as we wrote in our comments, I also think
2 it would very likely be helpful for most people
3 washing at home to have that.

4 It does create sort of an extra burden on those
5 labeling for wet cleaning to do this and make bigger
6 labels and other things that might be detrimental.

7 It seems to me that it would be really helpful
8 on any care label to simply include the fiber content,
9 if not some of the other information, country of
10 origin and whatnot, on all those labels.

11 And that way it wouldn't be disfavorable just
12 to simply one care method.

13 Rhonda.

14 MS. MARTINEZ: An additional comment to what
15 you both said, and I agree, but from a different
16 standpoint. For the consumer today so many fabrics
17 feel. Like, oh, that's a great silk; and it's not,
18 it's a polyester.

19 So I think for the consumer to know what
20 they're buying, it's information that they're
21 interested in.

22 MS. ENGLE: Anthony.

23 MR. STAR: It's nice to have all this consensus
24 in that we agree that to put fiber content on all care
25 labels would be very helpful, particularly in wet

1 cleaning where some of the classification of loads is
2 based on fiber content. That information is very
3 essential.

4 MS. ENGLE: Does anyone -- well, Gloria, yes.

5 MS. FERRELL: Gloria Ferrell, Capital Mercury.
6 I was just wondering. Now when we put care in the
7 tail of a shirt that we folded up and you can't see
8 that woven care, we put it on the back of the bag.

9 Do we also now, if going forward, will we need
10 the fiber content on the back of the bag with the wet
11 clean?

12 MS. ENGLE: No, there wouldn't be any
13 regulatory requirement for that. At least, that's not
14 what we are proposing or considering.

15 Jackie. Now you have a different point.

16 MS. STEPHENS: Now I have a different point.
17 The fiber content label is important in terms of
18 determining the best care procedure.

19 But also let's not forget finishing procedures
20 as well. Because in some cases, let's say for
21 instance if I have a microdynia polyester garment that
22 looks like silk, and obviously the most important
23 thing to me is going to be how that garment can or can
24 not be finished in terms of ironing temperatures.

25 So, you know, I definitely think it is a good

1 idea to include fiber content information.

2 MS. ENGLE: Does any of the representatives of
3 the manufacturers have any thoughts about the
4 additional cost of this?

5 Someone had raised that it would be, present a
6 competitive disadvantage for wet cleaning if we had
7 this requirement for permanent fiber content for wet
8 cleaning but not for dry cleaning or just home
9 washing.

10 And so there was a suggestion that if we do
11 require it, it should be required across the board so
12 that everyone has to have the same information, the
13 same bigger label. And we're wondering about what
14 cost that would impose on manufacturers. Steve.

15 MR. LAMAR: Well, I remember the point we made
16 earlier about having a bigger label. I think we want
17 to avoid a situation where we're selling labels that
18 have clothing attached to it as opposed to vice versa.

19 That's an extreme example. But it does seem to
20 me that it would be a lot easier in terms of both an
21 enforcement role as well as a compliance role if we
22 had the same rule that applies to, that applies to
23 fiber identification.

24 Keep in mind that if a garment is sold in the
25 U.S. and it's got to have the fiber content disclosed,

1 and in fact this book that is on the tables out there
2 talks all about that in a very plain English way, I
3 think what you want to do is avoid a situation where
4 somebody has to think to themselves, now wait a
5 minute, is this going to at some point have a wet
6 process on it, therefore we need to stitch this thing
7 in better, and this time it doesn't have a wet process
8 so we don't -- and if you have a couple of different
9 conflicting regimes it may make it harder to do
10 labeling and then that may create more cost.

11 That's one thing I wanted to bring up. Plus, a
12 lot of garment makers, I mean, they, the fiber content
13 label, the origin label, and the label where it's got
14 the name, it's usually on the same one, a lot of times
15 that stays in the garment anyway.

16 I mean, that's sewn in permanently even though
17 there is no requirement for that. So I wonder if
18 that's a significant problem. I mean, I'm not aware
19 of that being a significant problem now.

20 MS. ENGLE: Those points are well taken,
21 particularly about the difficulty for the manufacturer
22 to keep track of what's labeled how. And whether you
23 need to have a permanent label or not, someone
24 mentioned this morning that you may have a garment
25 that is labeled a certain way but then certain

1 finishes are added.

2 And that should actually change the care
3 instruction. Like if you are embellishing a T-shirt
4 and whatnot and that would create, if the fiber
5 content is being labeled at the initial step, that
6 could create more problems if it weren't uniform
7 across the board.

8 Karen.

9 MS. MUESER: Karen Mueser with Sears. We
10 require on all of our private labeled products that
11 the care instructions, fiber content are on, number,
12 country of origin, all be on the same tag anyhow.

13 And it is not that much larger than many other
14 tags. And I know there are other retailers and other
15 manufacturers that do that. So I really don't see
16 that it would be a terribly big expense issue at all.

17 MS. ENGLE: Okay. Nancy.

18 MS. HOBBS: We have just finished looking at
19 several hundred garments. And most, I would say most
20 if not all of the home laundryable care instruction
21 garments that we have been looking at have a
22 combination label where the country of original, RN
23 number, care instruction is on the underside of the
24 label, and fiber content and all the other information
25 is on the front of the label.

1 And they really aren't any larger than the ones
2 that have just the care instruction. Because it's the
3 same loop, it is the same distance. They save a
4 little bit of money on the weaving.

5 But where I do notice a lack of permanent fiber
6 content instructions is on the dry clean items that we
7 have been looking at where it just says dry clean or
8 dry clean only.

9 And that gets back to the discussion we had
10 this morning where if it says dry clean, it's supposed
11 to imply that I have an option.

12 But if it's a year later and I don't remember
13 what that is as a consumer and I am traveling and can
14 I rinse this out in the sink and it says dry clean,
15 not dry clean only, I have got a real question there.

16 And so that type of thing, the fiber content
17 there, I might say, oh, you know, I have been washing
18 my other polyester things, I think I will chance it.

19 That would allow me more options. And it would
20 allow professional cleaners information that they may
21 need as to whether or not they could steam press or
22 use other types of pressing and cleaning equipment
23 processes.

24 MS. ENGLE: Thanks. In the audience.

25 MS. HUDDY: Kathleen, Good Housekeeping

1 Institute. I was just going to say the same thing
2 Nancy said. We see a lot of garments in our lab, and
3 basically the same.

4 MS. ENGLE: Charles.

5 DR. RIGGS: Charles Riggs, Texas Woman's
6 University. I think what I have observed to be the
7 most common garment that has a fiber content label
8 that's removed would be tailored items, men's suits,
9 which is probably the kind of items that we would be
10 most concerned about in terms of the wet clean/dry
11 clean issue.

12 And I think indeed, like Mary said, if we are
13 going to try to wet clean these men's suits where the
14 fiber content is usually on the sleeve on a paper or
15 cardboard tag that comes off, that probably needs to
16 become a permanent part of the tag rather than a
17 temporary tag.

18 MS. ENGLE: Any other thoughts on the fiber
19 content?

20 MR. JONES: Yes. I think people who make the
21 machine to clean clothes at home would also support
22 the issue of the fiber and the labels period,
23 regardless of how it might be cleaned.

24 And again, the objective is to provide
25 information to consumers. This is helpful

1 information.

2 I don't know why we should guide them and
3 provide, mandate it only in the wet cleaning process
4 but not in others.

5 Just be consistent and consumers will behave
6 responsibly if they have the information.

7 MS. ENGLE: Thank you.

8 Melinda.

9 MS. OAKES: I am a little bit concerned about
10 the fact that -- and I don't have a solution for it;
11 I'm just stating another problem -- that if you put
12 that something like that men's tie, a hundred percent
13 polyester, and put it, you know, let's say, make it
14 mandatory that it stay permanently with the care, if
15 you are in a hotel room and you're looking at it and
16 you say, oh, this is a hundred percent polyester,
17 you're not required by law to list all the things that
18 are dry clean only in that garment.

19 So you could have a polyester blazer. You
20 don't have to list the acetate lining. You don't have
21 to list the interfacings that might not --

22 SEVERAL PARTICIPANTS: Yes, you do.

23 MS. OAKES: Not if it's a structural lining,
24 you don't. It's not for warmth. So that if it is
25 just a blazer, you would not have to --

1 UNIDENTIFIED PERSON: Interlinings you don't
2 have to identify.

3 MS. KOLISH: Well, we have an expert here.
4 We'll let Carol answer this.

5 MS. OAKES: No, but the point is that it might
6 be the rayon trim that's the exclusive of decoration;
7 that's the reason why you can't --

8 MS. KOLISH: Did you want to clarify?

9 MS. JENNINGS: You're right, that a lining that
10 is simply structural you don't have to state the fiber
11 content. If it's for warmth, you do.

12 MS. STEPHENS: I'm sorry, could you clarify
13 that? I'm not really sure if I understand what you're
14 saying. You mean, for instance, the lining in my
15 jacket does not have to be part of the fiber content
16 information?

17 MS. JENNINGS: That's right.

18 MS. STEPHENS: But if I can zip it out like
19 it's part of outerwear, then it would have to be
20 listed.

21 MS. JENNINGS: Yes. Any lining that's for more
22 than just maintaining the structure, but if it adds
23 warmth.

24 MS. STEPHENS: Okay.

25 MS. KOLISH: So what if it does both? Like is

1 the lining in our wool jackets considered warmth or
2 just structure?

3 MS. JENNINGS: Structure.

4 MS. KOLISH: It may be voluntarily.

5 MS. OAKES: Voluntarily it's usually listed for
6 the consumer's benefit, especially if it is not
7 compatible with the cleaning process.

8 So the fact of the matter is, it doesn't have
9 to be -- like I said, even getting away from that one,
10 just an incidental finding could render the whole
11 thing -- you know, any, anything that you put in a
12 garment, you have to base the care on that whole
13 garment.

14 So even if you have a hundred percent
15 polyester, you got a little rayon trim that just
16 bleeds like a trauma case, we've all done it, it has
17 got to be dry cleaned.

18 So that could be some of the, you know, be
19 walking down a road, that path on that one.

20 MS. ENGLE: I know, personal experience seems
21 like the lining is usually, content is usually
22 labeled.

23 MS. OAKES: If we have a choice, it's in.
24 Sometimes it isn't. And sometimes you just have to
25 live with it, especially if delivery is in ten

1 minutes.

2 MR. DeROSA: Can I ask how it's helpful that
3 it's not in the current care label rule?

4 MS. JENNINGS: It's the textile.

5 MR. DeROSA: In the textile rule?

6 MS. JENNINGS: What was the question?

7 MR. DeROSA: Why linings, especially if they're
8 often in labels, but why -- I can't even think of what
9 cases it would be helpful to the manufacturer if the
10 consumer did not put that in unless they -- it could
11 affect the care.

12 MR. MARTINEZ: They're just simply choosing to
13 abide by the rule to the letter. They're not required
14 and therefore choose not to label it. That's all.
15 Right? I'm not a manufacturer, but I'm speaking --
16 that's been my experience. Someone decides not to do
17 something.

18 MS. OAKES: And they're just cheesy linings. I
19 mean, some people with really nice linings choose not
20 to identify them either.

21 MS. ENGLE: Steve.

22 MR. LAMAR: I am going to try and speak loudly
23 as my microphone is over there.

24 I would take exception to that remark. I mean,
25 manufacturers will often respond to what the consumer

1 wants or the consumer has expressed to the retailer.

2 Very often, as we have heard in a number of
3 examples before, retailers will say, here is the
4 letter of the law, here is the way we want you to do
5 it.

6 The letter of the law provides the framework.
7 Many times that is exceeded because you're trying to
8 establish a competitive advantage, you're trying to
9 meet a retailer's requirement.

10 I mean, there's a lot of reasons why you would
11 go through that. I mean, I think what this is doing
12 is establishing a minimum.

13 I don't know the specific reason why. And also
14 on page 13, I think I found it, but I would just make
15 that comment.

16 MS. ENGLE: Thanks.

17 Gloria.

18 MS. FERRELL: Gloria Ferrell, Capital Mercury.
19 The only thing that concerns me about adding content
20 to all types of care, we have certain customers that
21 we're putting this care label on the top center of the
22 shirt.

23 We've got like an inch and an eighth leeway to
24 put this label in. And I just did one for a customer
25 who wanted the symbols and the words. And because we

1 couldn't get the words on a full line any longer, the
2 label has grown.

3 Now if we have got to put content on there, it
4 becomes a different form of manufacturing, we will
5 have to change the way we put the care label on
6 because we will not fit it in that space. So that's
7 just a thought that we can think about, putting on all
8 kinds of care.

9 MS. ENGLE: Thank you. During the break Elaine
10 and I, the two of us had some discussions about the
11 definition and the test procedures that we talked
12 about earlier.

13 And we had thought that perhaps it might make
14 sense to leave the record open here for whatever tests
15 and whatever round-robinning or balloting ASTM and
16 AATCC will be doing, and leave the record open for
17 submission of information maybe for another nine
18 months or something like that before we make any final
19 decision as to what the definition or test method
20 might be.

21 So we're thinking about doing that. Does
22 anyone have any particular objection?

23 MR. SINSHEIMER: I just had -- Peter
24 Sinsheimer. I had just one thought in that regard in
25 that I don't think that people are as far apart now as

1 the beginning of that discussion.

2 In fact, I think that there's some movement
3 towards maybe something along the lines of the FTC
4 definition with some modification, especially if there
5 is no discussion of tensioning, of finishing equipment
6 in that definition.

7 But I don't see, I don't think that nine months
8 would be necessary at all to come to kind of a
9 resolution around this.

10 But one of the things we were discussing at
11 break in fact was that there's, that it seems as if at
12 this point and time where it's ripe to actually move,
13 you can move actually pretty quickly towards
14 developing a standardized test method if there is a
15 workshop that's developed with the professional wet
16 cleaners that are out there, such as Deborah and other
17 professional wet cleaners that are really doing this
18 effectively, with a definition that is a more
19 machine-based definition, bringing together the
20 apparel manufacturers into that kind of a workshop,
21 and you could very quickly get to the point of
22 developing a standardized test method working with
23 AATCC and ASTM in that process.

24 I don't see the need for that kind of delay.
25 I mean, one of the concerns that we have in delay is

1 that there are professional wet cleaners that are out
2 there that are actually doing this in the real world.

3 And the longer you delay, the more you kind of
4 delay movement towards professional wet cleaning. I
5 don't see, I don't see the necessity of that kind of
6 delay.

7 I do think that there maybe needs to be a short
8 period in resolving the definition and then kind of
9 moving forward with what JoAnne had said as a
10 challenge, that actually this won't take very long at
11 all.

12 And both AATCC and ASTM are working on this.
13 So I would say no to nine months. And I think that
14 one can just kind of work within the existing
15 institution such as the Professional Wet Cleaning
16 Network to help organize that kind of a workshop.

17 MS. ENGLE: Earl.

18 MR. JONES: Again, I was just noting that
19 Elaine, when she began this workshop, talked about the
20 need for empirical data.

21 And I thought that we all did very well with
22 the fact that some of the visitors provided very
23 useful things this morning.

24 In the second half of this meeting, I have had
25 very little data. And I really can't imagine that the

1 FTC could proceed to resolve this portion of this
2 rulemaking with the state of the record.

3 And nine months, it seems to me, would be the
4 minimum. The only piece of data I have heard, and
5 maybe this is subject to challenge, is that there are
6 about 300 wet cleaners in this country.

7 And if we are talking about the interest of
8 promoting the 300 wet cleaners versus 250 million
9 consumers, I mean, the balance is quite clearly on the
10 side of the consumers.

11 And the least that they should ask for or be
12 given is the time for this process to get through a
13 better conclusion than I think you certainly are going
14 to get as of the close of the record today.

15 Nine months is the minimum. I would suggest it
16 will take you actually a lot more than that. If
17 there's anybody here who has been involved in
18 standards making, voluntary standards making who has
19 ever seen one delivered in nine months, I would like
20 to know what that standard was. It must have been for
21 something like sand.

22 MS. OAKES: That took 11 months.

23 MR. JONES: Okay. Look at the interests
24 represented in this room, the conflicts around this
25 issue. For us to believe that this can be resolved

1 inside of nine months, I'm afraid is rather
2 Pollyannish.

3 And I think that the process ought to be
4 outboarded from the rulemaking part, frankly. Maybe
5 the record should be left open indefinitely until the
6 people who have the expertise in this area get
7 together with those who understand how standards are
8 set, pull it off and do it professionally on their
9 own, not have the government dictate it.

10 And I think that would be the most effective
11 process, and I really suggest that you consider that.
12 Because otherwise I just think you will be asking for
13 trouble. The rulemaking will lack integrity and will
14 be subject to challenge.

15 MS. ENGLE: JoAnne.

16 MS. PULLEN: I want to say when I said we could
17 do it quickly, but nine months was a threshold of a
18 very speedy process with very committed people doing
19 it.

20 And simply because you have to have a time for
21 mail to go. When you are sending samples out to labs
22 to do it, they have got to go snail mail, not e-mail.

23 So I can say that if those who are expert in
24 this area look at other test methods and bring a draft
25 to the February AATCC meeting, you're at least able to

1 have some substantive discussion at a meeting rather
2 than spending one more meeting saying what should be
3 in the test method, and then you lose three more
4 months.

5 So, you know, it's doable to get substantially
6 started in nine months, not finished. It is doable to
7 say, okay, we have a draft, we need you working on
8 each section, and we are going to meet between the
9 meetings as well. And pick places for that that
10 concur with other meetings.

11 Then you could get your test method finished.
12 But the test method has to be voted and approved at
13 the AATCC level before you can round-robin it.

14 Because you don't round-robin and then change
15 the parameters because then your round-robin is not
16 reliable and valid.

17 So there is a certain amount of due process.
18 We were able to get the thermal transmission test for
19 measuring the transmission through multi-layer systems
20 and single layer systems for blankets through in six
21 months.

22 But we had a standard test method, we just had
23 not updated it for ten years. So we had to move to
24 electronics, this is the D1518 that we use with
25 insulate and all of those.

1 But in one day at AATCC I got five labs
2 together, got a volunteer to do the data, got a
3 volunteer to the samples, and between March and
4 October we had it finished.

5 You're not even at that stage. So I would
6 guess five months for a round-robin. But you could
7 probably get the standard done in two months, but it
8 takes time for balloting through the due process. And
9 you can't miss that.

10 Because you may have someone who hasn't been at
11 any of these meetings who has the technical expertise
12 to say, did you think about? And that's how you solve
13 the problem.

14 So, yes, I think it can be done. I think it
15 can be done reasonably fast. I question nine months.
16 But I agree with the delay. And I think that you need
17 to set a deadline that is on or about in that it says
18 wake-up call, it's time for you to get your job done.

19 Because we have spent since September, 1996.
20 And I think the wake-up call is today.

21 MS. KOLISH: Here is what I see as sort of our
22 regulatory options in front of us. One is that we
23 could on the basis of the entire record make a
24 decision to go forward, somehow create a definition or
25 craft it based on comments today and postworkshop

1 comments.

2 Another option would be to say we don't have
3 enough information, we think it's premature, we're not
4 going to do it, we're ending the lawmaking on this
5 topic.

6 The third option we were trying to say is
7 available to us would be to say it sounds like there
8 is at least some movement towards developing a
9 consensus based or near consensus based definition and
10 test standard and to not have to stop the rulemaking,
11 shut down the rulemaking, then begin a new one with a
12 whole ANPR and then an NPR.

13 One possibility is to say we will keep the
14 momentum going by leaving the record open as opposed
15 to closing it and come back and revisit this at the
16 end of that extended comment period, perhaps meeting
17 again, if that would be useful, to talk about
18 everything and then decide.

19 It doesn't need to be nine months. It could be
20 three months. It could be 12 months. It could be the
21 end of December, '99. We were thinking about that as
22 a possibility to maybe address some of the questions
23 and concerns we had heard expressed today.

24 At the same time, we also know that there is a
25 lot of sentiment towards getting the ball rolling.

1 And we thought maybe this is one way of maintaining
2 momentum but not acting prematurely.

3 MS. PULLEN: I think it's a good idea.

4 MS. EWING: I think that's an excellent idea.

5 And I also want to commend the FTC for discussing
6 this. Yes, we did talk about these issues in '96 and
7 '95. But the discourse was so clouded by other types
8 of debates that it was difficult to move forward.

9 And we are reaching consensus. There's things
10 like fiber content. You go around the table, people
11 feel comfortable about it. And that's what it takes
12 to get the process done.

13 And some of the delay can be attributed to
14 defense of the status quo. But beyond getting into
15 that kind of thing, I also want to say that putting
16 this into context is very important.

17 In terms of not having data this afternoon,
18 there's data here that are in this room that, perhaps
19 I made a mistake in the assumption of thinking I
20 didn't need to bring, you know, my full report,
21 overhead slides.

22 But I'm curious; how many people have seen a
23 wet cleaning machine, today's wet cleaning machines?
24 Could you just raise your hand if you have seen one?

25 I mean, it's very easy to think this is

1 laundry, this is what's the difference between my G.E.
2 washer or Maytag, or name another one so I won't get
3 in trouble.

4 But I think that one of the things that we'd
5 like to see in this very reasonable period of further
6 discussion would be anyone who wants to see a video of
7 what today's wet cleaning looks like, we will give it
8 to you. Postage and handling, I'm not sure about.

9 But we have got that. Look on our website.
10 There are photos. It makes it a lot more
11 understandable and a lot less like why is the FTC
12 coming out of left field with this process.

13 Because that's not the way it's been. There's
14 been lots of research done both on challenges and on
15 the promises.

16 And IFI and CNT wouldn't be going forward with
17 trying to get certification if we didn't think that
18 there would be wet cleaners out there who are going to
19 need it. So I think that's another factor.

20 And finally for JoAnne and for Charles, as we
21 go forward with a protocol, which is something, we
22 heard that very much from Manford and others who are
23 on your committees, as we go forward with trying to
24 develop that, are we going to be able to go forward on
25 an American timetable to meet the needs of people like

1 Deborah, or are we going to have to wait for ISO
2 stuff?

3 MS. PULLEN: No. We develop our own test
4 methods. But why not make them harmonized? And if
5 they can introduce it into the DN's SEM committee at
6 the same time, that's great.

7 DR. RIGGS: If I could respond to that on wet
8 cleaning in particular, the Europeans are actually
9 ahead of us in terms of ISO standard in wet cleaning.

10 So our approach has been to partner with them.
11 And I have been involved with an EPA-supported project
12 for three years now. And we have been involved as
13 part of that and trying to participate in the European
14 round-robin test.

15 And they have been at this standardization
16 process for in excess of three years and have not yet
17 standardized the method because the variability
18 between laboratories is not yet resolved.

19 And so even if we had data that was not in
20 conflict, it would take a long time, I think, to
21 ballot this, nine months being a pretty amazing
22 number.

23 I would have to ask Jerry to tell me, but I
24 think we have been under the process for changing the
25 name of RA43 from dry cleaning test methods to

1 professional fabricare test methods for longer than
2 three months. Just the name change.

3 But it highlights the problems. When we
4 proposed the name change, it goes up for ballot. And
5 the ballot and authorized to vote are people who may
6 have not been present in the discussions.

7 And people who may not be present in this room
8 will be balloting also. And there was considerable
9 concern and comment and negative votes regarding the
10 overlap of responsibility of that committee with the
11 name change and the home washing test methods
12 committee.

13 You know, they could not see the difference
14 between washing procedures under this committee versus
15 the home washing test committee.

16 So I think we finally have it resolved, Jerry,
17 I hope. I hope it was resolved and we'll get the name
18 change. But, you know, that's true. You know, we had
19 the meetings, we discussed the issues, we proposed
20 something, it's balloted.

21 And if there is a negative ballot, even one
22 negative ballot, we have to resolve that. And that
23 takes time.

24 MS. ENGLE: Karen.

25 MS. MUESER: On behalf of my membership in ASTM

1 and AATCC I would like to explain a little bit more
2 about the process.

3 I heard somebody say, well, in relationship to
4 those two organizations that they are working on it.
5 Whenever you are involved in standards organizations,
6 "they" is you. If you don't get involved and do it,
7 it ain't going to happen, folks.

8 So you can not sit back and say they're working
9 on it. Because if you aren't part of it and helping
10 do that test development and round-robin, that's it.
11 It's not going to go. So you have really got to work
12 on it.

13 MS. ENGLE: Peter.

14 MR. SINSHEIMER: Yeah. Another issue that
15 Charles brought up about the variability of the, in
16 the European, in the European research on trying to
17 create a standardized test method.

18 That one of the problems that I am envisioning
19 is going to happen is the difficulty in bringing what
20 happens in the real world, in a real wet cleaner in
21 cleaning these range of garments and trying to
22 standardize it.

23 And that's always the difficult thing, that you
24 are going from real world laboratories to
25 laboratory-laboratories. And there is, there very

1 well may be a good amount of variability.

2 There's different soaps, there's different
3 machines out there. Even if they conform to the
4 particular equipment standards that you developed in
5 your definition.

6 So there is a good amount of variability. And
7 it may take time to actually create those kinds of
8 standards.

9 But in the meantime, you know, what do you do?
10 Do you only use testing as a basis for reasonable
11 basis, while in fact the reasonable basis standard
12 that you have developed also includes experience.

13 And there is real experience in the real world
14 that is demonstrating the capacity to do professional
15 wet cleaning for the full range of garments that are
16 otherwise dry clean.

17 So I think that that is a challenge, I think,
18 for the FTC in moving forward within the
19 standardization process while at the same time maybe
20 using other criteria in a reasonable basis to move
21 forward with a professional wet clean label.

22 MS. ENGLE: Well, that's right. I mean, as you
23 know, the care labeling rule doesn't require testing
24 necessarily. Experience can be used when appropriate.

25 Of course there is more limited experience now

1 with wet cleaning because it is so new. So we don't
2 know how that will shake out.

3 But I wanted you all to try to use your
4 imagination now and imagine we are sometime in the
5 future and we do have a definition that people more or
6 less agree on.

7 And imagine that the definition is sufficiently
8 distinguishable from professional laundering, that
9 it's different. It's something that, you know, it's
10 probably going to be appropriate for stuff that is now
11 labeled dry clean only. It's not -- so it's going to
12 be a little bit more sophisticated than professional
13 laundering.

14 And imagine we have some test procedures so
15 that we can move forward with, at a minimum, an
16 amendment to permit this instruction on the care
17 label.

18 I want to go back now to the issue that we had
19 actually started at the beginning but decided was
20 premature, and that is, is a permissive label okay or
21 does it need to be required? Or what about alternate
22 instructions?

23 If it just says assuming a garment that can't
24 be home laundered, okay, but it can be professionally
25 wet cleaned or it can be dry cleaned, what would

1 happen if it just said professionally wet cleaned?

2 Is that enough information for consumers,
3 especially at this level of availability of wet
4 cleaning, or would there have to also be a dry clean
5 instruction on there?

6 Mary.

7 MS. SCALCO: Mary Scalco, International
8 Fabricare Institute. I think the answer we give you
9 today is going to be so different from the answer in
10 the future when we have all of those things.

11 I mean, if you said to me now, as somebody else
12 pointed out, you're out on the street, people don't
13 know what professionally wet cleaning is.

14 That all may change with education and the
15 development of test methods, the level of comfort with
16 textile manufacturers that start to use that.

17 So I think if you did it today, I think you
18 would be doing a disservice to consumers because they
19 could not readily find professional wet cleaning.
20 They can find it, but it's not as accessible to them.

21 They don't know what it is. And it may be to a
22 manufacturer point of purchase. Somebody sees it on
23 the label, they're like, what the heck is this? What
24 am I supposed to do with it?

25 MS. ENGLE: Do we have information on how fast

1 wet cleaning is growing? I know when people submitted
2 their comments, it seemed to indicate that it is
3 growing pretty quickly.

4 Do you expect that to continue to happen, or
5 does this get to your whole chicken and egg problem?

6 MS. SCALCO: Well, again, if I can address
7 that. I think the dry cleaning industry or the
8 fabricare industry is very much at a crossroads right
9 now.

10 There is new technology that's to be introduced
11 to the industry next Friday. Wet cleaning, that
12 emerging technology has taken off in this industry
13 relatively quickly.

14 I can remember sitting around the table not too
15 long ago and nobody from the dry cleaning industry
16 thought it was a viable technology.

17 And that's not so today. Many dry cleaners
18 feel that it's a very viable technology. But there's
19 so many things happening. DS2000. Petroleum
20 solvents.

21 So, I mean, it is difficult to say because the
22 industry is changing. The face of the industry is
23 changing. So what I would answer you today may not be
24 the same answer in three months.

25 MS. ENGLE: Nancy.

1 MS. HOBBS: Nancy Hobbs, with Consumers Union.
2 I also think in terms of your scenario question that
3 you have to think about the article of clothing. I
4 think Pat mentioned earlier that we got a pair of wool
5 socks from Germany that had not only the ISO symbols
6 for machine washing but also had a dry cleaning symbol
7 on there.

8 And the general consensus among the people who
9 saw it and weren't even familiar with the rule was
10 that was absolutely absurd to dry clean a pair of
11 socks.

12 And I can see that happening with a pair of
13 men's shorts or a T-shirt. You know, if you have
14 something where you have a dual labeling regulation
15 where, yeah, I could take that men's T-shirt out and
16 have it professionally wet cleaned, but it is an
17 absurd kind of thing.

18 So there has got to be some rationale and some
19 reasonableness in the dual care labeling aspect of it.

20 MS. ENGLE: But, remember, if we go ahead with
21 what we talked about this morning in something like a
22 men's shirt or underwear could be home laundered, it
23 would have to have that instruction anyway.

24 I was thinking more of garments that couldn't
25 be safely washed at home but would need to be handled

1 professionally.

2 MS. HOBBS: In that case I could see a dual
3 care label because people may not have a dry cleaning
4 or a wet cleaning facility available anywhere near
5 them. They might have to go a couple hundred miles
6 before finding one.

7 At the moment, people in the community where my
8 mother lives have to go 30 miles to a dry cleaner. So
9 they think twice about it.

10 MS. ENGLE: Charles.

11 DR. RIGGS: I think in the future, following
12 your scenario that all of the information that the
13 manufacturer could give to the consumer or a
14 professional fabricare specialist would be nothing but
15 beneficial.

16 I will go back to the comment I made this
17 morning about problems caused by certain types of
18 soils. Depending on how it is soiled, you may have a
19 preferred cleaning method for removing that soil.

20 And if the label has only one, you might assume
21 that you can't remove that particular soil because you
22 are limited by the care method.

23 If you had the other care procedures that were
24 allowed for that garment on there, you could then
25 begin to consider not just the garment procedure but

1 also what is it soiled with and what's best in
2 removing that soil, which is I hope why consumers are
3 interested in cleaning to begin with.

4 MS. ENGLE: Deborah.

5 MS. DAVIS: Deborah Davis, Cleaner by Nature.
6 I would have to agree at least at this sort of interim
7 transitional time that it may be better to allow
8 both, allow or possibly require both.

9 I want to introduce another topic, though, that
10 ties into this that we haven't really discussed yet,
11 and that is the environmental implications of this.

12 The EPA does have a stated goal of reducing
13 public exposure to dry cleaning solvents. And the FTC
14 then has some obligation also to work in tandem with
15 the stated goals of other aspects of the Federal
16 Government, other branches of the Federal Government
17 and has then a mandate here to want to promote the
18 most environmentally friendly processes of cleaning
19 both in the home cleaning arena as well as
20 professional care arena.

21 And I think that's something else we have to
22 keep in mind here. We're meeting another goal in
23 requiring that manufacturers test and label for
24 alternative cleaning methods for environmentally
25 sensitive alternative cleaning methods.

1 Right now it's wet cleaning. In the future it
2 will be others, as well. So I think the issue will be
3 revisited over the years. And I welcome that. I
4 think that's a good thing.

5 As we are going through these transitions,
6 though, we may then have this period of time where we
7 have both on there. I still think we should be
8 testing for the least damaging, that's environmentally
9 harmful method, the wet cleaning.

10 But understanding that we are still in the
11 process of disseminating these technologies and we're
12 not necessarily available to everyone. Give the
13 consumers additional information so that if
14 professional wet cleaning isn't available in your
15 community, you know what else to do with it.

16 And for other reasons as well. As Dr. Riggs
17 pointed out, too, it's still helpful to the cleaner.
18 There are times when even we want to dry clean
19 something even if it's wet cleanable because there's
20 some kind of a stain that we think would come out
21 better and therefore we're better serving the consumer
22 that way.

23 More information is better. But I did want to
24 inject the argument about meeting the goal of reducing
25 the public's exposure to dry cleaning solvents.

1 MS. ENGLE: Thank you.

2 Ellen.

3 MS. ANGLIN: Technology is still changing so
4 much, it might be wise just to sort of leave the door
5 open with still upcoming technologies that, you know,
6 are still in the realm of science fiction to be
7 developed, to have a phrase that leaves the door open
8 to the professionals to pick the most appropriate, to
9 say -- I can't say the precise wording, but something
10 along the lines of professionally clean only, and then
11 only if there is a particular technique that is
12 inappropriate, to have a symbol or something saying,
13 well, don't use this particular solvent on it.

14 MS. ENGLE: Earl.

15 MR. JONES: Just very briefly again. If the
16 goal is to reduce the use of chemicals, if that is
17 what we want to focus on, my take away from this
18 morning's presentation was that already today 53
19 percent of consumers when confronted with a dry
20 cleaning label, if I understood what Rick said, they
21 already wash it at home.

22 And of those, 16 percent are satisfied. If you
23 take the step which is being contemplated and simply
24 provide that folks have the option of dry cleaning or
25 if it's in fact washable at home, tell them how to do

1 that, I would suggest you have a more, a quicker
2 impact on that, on the environmental concerns than you
3 would by pulling an industry which at this point is
4 still required.

5 You would have more consumers able to wash more
6 garments at home without the use of dry cleaning
7 chemicals. You could do that very quickly and simply.

8 MS. ENGLE: I think Sylvia is next.

9 MS. EWING: One of the things that informed our
10 comments to the FTC was the input that we got from
11 cleaners around the country and the whole thing, in
12 talking with other stakeholders that have more
13 environmental concerns.

14 Again, we care about the economic and the
15 sustainability aspects as well. And the feedback we
16 got back from cleaners, other issues aside, was coming
17 back to something Dick said.

18 They wanted the option to choose where possible
19 the process that they used. It is something that
20 Deborah mentioned as well. And to that end, one of
21 the things that we had suggested was considering, we
22 suggested that the FTC consider a professionally clean
23 label.

24 Maybe that's trained professional. But what we
25 had written before was that the fabricare professional

1 of the future will likely have to be trained and
2 certified in order to do business or to be in
3 business. That's something that we thought was coming
4 along.

5 And we urged that the FTC consider a label of
6 broader scope that would leave the solvent or the
7 aquas process choice to the cleaner. That label would
8 be most effective if it included the fiber type.

9 And if a particular garment would not be
10 serviceable in a specific solvent, this label could
11 have an exclusion for that solvent.

12 So we are trying to consider some of the
13 concerns that might come up. But in the end, the more
14 the consumer knows, I'm sure that's beneficial and the
15 more freedom the cleaner has. We feel that that's
16 also beneficial, to make sure that both are satisfied.

17 MS. ENGLE: Melinda.

18 MS. OAKES: Melinda Oakes, QVC. I still have
19 this horrible feeling about the fact that not enough
20 people really know what professional wet cleaning is.

21 To tell you the truth, I have this vision of
22 the lady who is doing her laundry and saying, yeah, I
23 need a professional to do the laundry, and throwing it
24 in the warning machine.

25 I just don't think that there's enough people

1 that understand that it is a whole new technology,
2 it's a whole new process. And just professionally wet
3 clean, it sounds like somebody from the laundresses
4 lobby got together and gave something to somebody to
5 put something on a label.

6 A lot of people don't understand that the
7 wording on labels and that the way labels are set up
8 is dictated by law, that there is a reason for it. I
9 mean, for the low-end people, you know, maybe it is
10 that there is not the highest reason for doing that.

11 Maybe somebody got together and said, well, we
12 will get people jobs, you know, we will have them do
13 laundry. It is going to be one of those reactions
14 until people actually understand really what it is,
15 where it is available, and what you can do with it.

16 And if it says can be professionally wet
17 cleaned or dry cleaned and they don't know what the
18 wet cleaning is and that it is a specialized
19 technology, our washing machines are going to be full
20 with a lot of dust rags and beanie baby clothes.

21 MS. DAVIS: Can I just ask a quick follow-up
22 question? Melinda, would you feel more comfortable
23 if we just called it something else?

24 MS. OAKES: I'm not sure. I think that if you
25 kind of went out and talked to a lot of, just a lot of

1 ladies who do laundry because it's an occupational
2 hazard and not because they're dedicated to textiles,
3 that they come in, they look at the -- if they look at
4 the thing at all.

5 And I have to admit, I look at a lot of labels
6 when I'm doing my laundry. And my daughter thinks
7 that I am obsessed. I seem to be the only mom that
8 can't figure out that this one goes in the laundry and
9 this one has to be hand washed.

10 But I just feel like there is a lot of people
11 that are, you know, they don't get USA Today, they
12 don't watch C-SPAN, they don't listen to NPR, and they
13 don't know about this technology who are going to say,
14 hey, you know something, if I had to go out and get a
15 job, I would do laundry. I am qualified to do
16 laundry.

17 I personally have been doing laundry for more
18 years than there's been color television around. I
19 mean, yeah. So if somebody says to me I have to have
20 it professionally done, I'm, yeah, yeah, yeah, yeah.

21 You're just sort of off and running. I think
22 we run the risk, until there is more real knowledge of
23 what it is, of somebody misunderstanding what we're
24 saying.

25 Dry cleaning is such a specialized thing. Not

1 only that, but there was a, I think you had a Martha
2 Stewart article about dry cleaning. When people go in
3 and they take their dry cleaning in, they think in the
4 back of their mind that maybe there's like fairy dust
5 that they sprinkle on it and it gathers up all the
6 germs and lands on the floor.

7 They don't understand that it's chemicals.
8 They don't understand that there's a machine involved.
9 They have no clue what it is. They don't particularly
10 care as long as it comes back and is clean and they
11 can wear it when they pick it up.

12 But with the little understanding as the
13 average person has about dry cleaning, I'm afraid when
14 it says professionally wet clean, they're just not
15 going to get it.

16 MS. ENGLE: Roy.

17 MR. ROSENTHAL: Roy Rosenthal, RCG Marketing.
18 This is a marketing question. Are there marketing
19 plans, resources that the industry has set aside to
20 let the consumer know about wet processing?

21 MS. EWING: Well, I had my hand raised. I
22 would love to answer that question. Not as an
23 industry person; I need to be clear about that.

24 But it's not a mistake or it didn't just happen
25 that consumer education was set aside for later in

1 this process to bring pollution prevention to the
2 fabricare industry.

3 When CNT first got into this, there was a
4 question, do we go out and talk to people about
5 concerns and problems that we have related to the
6 solvent that most dry cleaners use in the country?

7 And we figured that that was wrong because
8 there wasn't a critical mass of options available to
9 them.

10 And so I think the first few years since this
11 technology has been transferred from Europe, as
12 Charles said, this is further ahead than us, the first
13 few years have really been in helping cleaners to
14 understand how wet cleaning is both something old and
15 something new.

16 Something old in that good cleaners have always
17 used water or had a washer, but something new in that
18 the new technology and detergents and understanding
19 the fibers and fabrics let them do more than they ever
20 did.

21 So consumer education is very far behind. And
22 one of our goals is to in positive ways try to raise
23 the profile of options such as wet cleaning. And we
24 hope that other people plan to do that as well.

25 But you didn't want to have it be, it was a

1 chicken and the egg, Catch-22 that was referred to
2 earlier. You know, if you tell people, if you scare
3 people away from their fabricare professional and the
4 entire industry before there is even an option for
5 them to use, that serves no one.

6 MR. ROSENTHAL: There is currently no
7 literature. If I go into a dry cleaner, there is
8 currently no literature to explain the process.

9 MS. EWING: That's -- In some states, in some
10 states there's incentive programs, there are
11 brochures; Wisconsin, Illinois, Indiana.

12 New York has a different way of approaching it,
13 which is more the regulatory problems and concerns
14 with PERC. But in other areas it's very proactive
15 information.

16 We have a wet cleaning pros and cons fact sheet
17 that cleaners are allowed to modify and change, do
18 whatever they want with it to help them understand. So
19 it is lacking. It is coming. We plan to do more of
20 it. But the time seems not to have been right in the
21 past.

22 MR. STAR: I would like to follow up on that.
23 Maybe one of the disadvantages is that no one has a
24 patent on water. If this was a solvent that one
25 company owned and used, it could develop literature.

1 Many states have gone out and developed things
2 for wet cleaning. We developed some stuff.
3 Individual cleaners around the country have written
4 their own brochures. Some of them have better writers
5 than others, obviously.

6 So there is no one, standard, agreed upon
7 thing. But there are lots and lots of little examples
8 out there of people doing education, but it is really
9 at a small grass roots level and may not be as visible
10 as a national standard. But it is happening out
11 there.

12 MS. ENGLE: Peter.

13 MR. SINSHEIMER: Yeah, just to respond and add.
14 If in fact the FTC does go ahead and require
15 professionally wet clean labeling for garments that
16 can't be home laundered and a substantial number of
17 garments in that cat- -- that can't be home laundered
18 would be labeled professionally wet clean, you would
19 have a very quick educational process.

20 I mean, people are going to go, what's
21 professional wet clean if they don't know what it is.
22 You're going to have local news stations, you know,
23 educating people.

24 I don't think that that's much of a barrier or
25 a problem if in fact that happened because it would

1 be, there would be so many garments with a label that
2 it would be a very rapid educational process at which
3 I think, you know, it's part of the barrier to
4 education in a lot of ways.

5 MS. ENGLE: Steve.

6 MR. LAMAR: I still think that the place for
7 the education needs to be done -- Steve Lamar with
8 American Apparel -- is in the dry clean establishment.
9 That's the place where people are making the decision.
10 That's the place where they, where the wet cleaning
11 technology is being introduced.

12 And quite frankly, if what I hear is true, that
13 you're taking garments in and the dry cleaner is
14 saying, well, I've got this great new wet cleaning
15 process and that's probably really what they want to
16 have done, why doesn't that dry cleaner say we have
17 got this new wet cleaning technology, would you prefer
18 I do this?

19 I have had many times when a dry cleaner has
20 said, I am going to do this to it or this to it. And
21 they have actually explained a little bit about the
22 dry cleaning process. And I would suggest that there
23 be some encouragement there.

24 Number two, I think this is more something in
25 the jurisdiction of EPA rather than FTC whose primary

1 mandate is consumer protection, consumer safety
2 through truth and whatnot.

3 And EPA, a question. Do you have -- You're
4 with EPA; right?

5 MS. STROUP: Yes.

6 MR. LAMAR: Is there, in the PERC reduction
7 campaign is there literature that the EPA has
8 developed to send out to all of the dry cleaners on
9 stuff you can do to promote wet processing or wet
10 cleaning. Do you have that done yet?

11 MS. STROUP: Cindy Stroup with EPA. We have
12 had, I guess, been -- first of all, let me explain. I
13 am in the part of the agency that is a voluntary
14 program.

15 We work in partnership with various industry
16 sectors. And dry cleaning was the first industrial
17 sector in this environmental program that started, I
18 guess, in about '92.

19 There's actually been a lot done; well, I mean,
20 everything is relative. But there have been a number
21 of publications on issues concerning traditional dry
22 cleaning, primarily PERC, and alternatives as they
23 have grown and become more sophisticated.

24 At least wet cleaning. And hopefully there are
25 some others on the horizon. We published the, what,

1 the CTSA, the Cleaner Technology Substitute Assessment
2 document. I don't know if you had the pleasure of
3 receiving all ten pounds of that document.

4 The CTSA is the first step in an environment
5 project where we tried to lay out side by side all the
6 information that's available for a particular
7 industrial process, in this case dry cleaning.

8 We compare the existing methods with the newer
9 so-called cleaner technologies and try to compare them
10 by risk, by performance, by cost to the extent there
11 is information available.

12 That went out in September. There have been a
13 number of other documents that are, that either have
14 been recently revised, being revised. There are
15 probably about five or six on Steve's plate to get
16 done in the next few months, plain English, what we
17 call case studies, one on liquid carbon dioxide, one
18 on wet cleaning, one on -- what else is there?

19 We've got hydrocarbons, which actually the
20 hydrocarbon people volunteered to draft for us. And a
21 few other torts, much more user-friendly documents
22 than the CTSA.

23 And then a shorter version of the CTSA itself,
24 which I hope will be out soon. So we are in the
25 business then, and I think, personally I think it's

1 very important that the public be educated on all of
2 this.

3 I really feel torn about all of this discussion
4 because we are, our goal is to reduce exposures to
5 certain chemicals. And PERC is on our radar screen in
6 this particular industry, yet there aren't that many
7 alternatives.

8 I mean, wet cleaning is really the only new kid
9 on the block. There is a new synthetic petroleum
10 solvent. We are struck with the lack of testing, top
11 testing data on various aspects of both of those new
12 technologies. And that's reflected in the CTSA
13 document.

14 I think that, I personally think that it is
15 premature to come out with a wet cleaning label,
16 although I would like to see folks get educated about
17 wet cleaning and learn more about it.

18 And maybe there's some efforts that could be
19 bolstered in that area while the test data and the
20 test protocol are being developed.

21 MR. LAMAR: I would actually -- the publication
22 that you're doing on that, are any of those the kind
23 of things that if I'm a dry cleaner I can call you up
24 and order a couple hundred brochures so I could have
25 it in my thing?

1 How about one little sign that says ask me
2 about wet cleaning, or something like that? I think
3 that would be a great idea.

4 MS. STROUP: Yes, I totally agree. And I know
5 that there are a number of cleaners who have taken it
6 upon themselves to do that, to develop their own
7 material.

8 Some of them use ours, some of them use others
9 that are available. To the extent that our printing
10 budget allows it, we are happy to comply. And that
11 leaves me with supplying a clean camera-ready copy for
12 your printer to use.

13 But, sure. And all of our publications are
14 available for free. There are two sources I think
15 that provide those. I don't know them off the top of
16 my head.

17 MR. LAMAR: So you've got like downloadable
18 artwork from your --

19 MS. STROUP: It's all on our website, all the
20 information, the list of publications as well as what
21 numbers to call to get free copies.

22 We at this point just don't have the funds to
23 supply everybody with 100 or 500 copies for their
24 training classes and stuff like that. But we try to
25 meet the needs as best we can.

1 MR. LAMAR: I was just going to say, I mean, we
2 just went to a thing over the last couple of years on
3 children's sleepwear and plenability issues and stuff
4 like that.

5 And we worked with retailers and a number of
6 other people to put into place where parents make
7 decisions about clothes some information about a new
8 regulation that had come out as part of an effort to
9 educate the public.

10 And I'm just saying, because people are making
11 decisions about dry cleaning in the dry clean
12 establishment, is that sort of the first area where
13 you need to really put those efforts?

14 And then others may become apparent and they
15 follow. But that's what we are looking at.

16 MS. STROUP: The audience, as far as EPA, is
17 the dry cleaners. It's meant to be a one-stop shop
18 for information for dry cleaners to use when they are
19 considering upgrading or replacing equipment.

20 The more user-friendly plain English versions
21 are more public oriented. But absolutely, that's an
22 excellent use for them.

23 MS. ENGLE: David.

24 MR. DeROSA: Well, first of all I had a
25 question for Cindy. You said you felt it was

1 premature to -- when you said it was premature to have
2 wet cleaning label, were you referring to required
3 label or simply to permitted?

4 I mean, even in the CTSA the EPA refers to
5 three existing technologies for cleaning clothes. Two
6 of them are currently under the dry cleaning care
7 label and the third is wet cleaning, which the CTSA
8 says has arrived and has been shown to work.

9 MS. STROUP: With some caveats, yes. I think,
10 my feeling and what I hear FTC say is that they can
11 not require a label that they don't have a defined, a
12 definition for as well as a designed test protocol.

13 Is that correct?

14 MS. KOLISH: We think it wouldn't be
15 appropriate. Now, we could but in our better
16 judgment --

17 MS. STROUP: Maybe you're not saying that. So
18 I'm saying that we don't have that. And if they don't
19 feel like they can require a label without that and we
20 can't get it for a year, then I think it's premature
21 to --

22 MR. DeROSA: And the requirement for it is
23 something that certainly will likely have to wait
24 until people -- manufacturers would have to test for
25 it in in order to say it went from home washing to wet

1 cleaning to dry cleaning.

2 There would have to be a test that garments
3 would be failing in order to move to a dry cleaning
4 technology. In terms of permitting it simply on a
5 reasonable basis technology and the fact that there
6 are already companies doing it who haven't been
7 enforced by the FTC as yet, I mean, it's hard to say
8 what the problem is.

9 Speaking for Greenpeace, which I have to admit
10 I think is the one that started pushing the term wet
11 cleaning. And we didn't focus group it and we didn't
12 do a lot of work on it, so perhaps when we started
13 pushing it people wanted to know what the difference
14 was between that and laundry, so the term turned into
15 professional wet cleaning.

16 And going to Melinda's point about people may
17 think they're professionals after a lifetime of
18 laundry, you know, the term professional is supposed
19 to show that you take it somewhere.

20 And Sylvia's plan to do, working on
21 certification work with IFI will, I think, really help
22 people define who are professionals and who aren't.

23 I think currently people understand that
24 professionals are the ones that might have
25 professional equipment. And most of the stuff we have

1 at home doesn't really cut it.

2 I guess that said, it just seems to me that the
3 way forward for wet cleaning, you know, people were
4 asking again, going back three or four years, to this
5 idea of professional cleaning and leaving out the
6 solvent, which doesn't give the cleaners much help,
7 and I know that's one reason why they really came to
8 see, you know, wet cleaning defined and tested, as
9 many of us are.

10 It is a way to get out of liability, which is
11 another issue that's mentioned throughout the CTSA,
12 and another impediment to a lot of these shops, which
13 wet cleaning is available all over the country shops
14 in these shops that are doing 20, 30, 40 percent.

15 One reason why they're not going to push it to
16 the majority, the 50, 60, 70 percent, is in part
17 because they are going to face increased liability if
18 they don't follow these labels. There's not much we
19 can do about all the clothes that have already been
20 made that have those labels.

21 But as quickly as possible to move toward some
22 sort of label where manufacturers can on a good
23 governmental basis say that we think you can wet clean
24 this is something that -- at least if that can come
25 out of this process on a ready format.

1 I see Earl's hand up, by the way. As long as
2 I'm thinking of him, the one piece of empirical data
3 he referred to before was misquoted. People had been
4 referring to the Greenpeace website, which is simply a
5 list of wet cleaners that have told us of their
6 existence and wanted it put out.

7 It has never been -- our biggest fear in
8 putting that out there, we wanted to give a boost to
9 the industry, including the industry who might only be
10 doing ten or 15 percent of wet cleaning, as well as to
11 get people to go to really state-of-the-art folks like
12 Ed and like Deborah.

13 It was designed to really help the industry.
14 But we never wanted that to be viewed as, well, look,
15 Greenpeace only says there's 300 of them. And, you
16 know, I meet cleaners every day.

17 I read the trade press. And I found out about
18 30 more the other day. We're not going to put them on
19 our list until we talk to them and find out if they
20 want to be on it.

21 Because some of them, especially if they're
22 mixed-use shops and they're using PERC and we're
23 saying terrible if often true things about PERC, then
24 they may want to not have their customers ask them the
25 questions.

1 And that's the problem going back to why those
2 cleaners aren't pushing wet cleaning. Well, they
3 haven't got a real clear distinction in the public's
4 mind between wet cleaning and laundry.

5 They're not going to, it's not their job as
6 small businesses to have customers come in and then
7 say something to them that sort of gives people the
8 impression, well, I can do this at home.

9 Maybe the cleaners are very clear on it, and
10 the cleaners are the ones that make these decisions,
11 like Dick was saying before.

12 But it also goes to the counter staff. And the
13 counter staff, as I think a lot of the cleaners will
14 say, need to be educated as well and need to be really
15 clear.

16 They aren't the ones that are doing the
17 cleaning; they are the ones that are interfacing with
18 the customers. And even a couple of the wet cleaning
19 shops in Chicago, there's a hundred percent wet
20 cleaning shop in Chicago that I know at least one
21 counter person when I went in there once didn't seem
22 clear what they were doing, what the shop was doing.

23 They were brand new. And I said, you know, I'm
24 really glad you all are doing here the wet cleaning.
25 And she said, really, we are?

1 You know, that's just the trickle down effect
2 on counter staff. And that's exactly what
3 certification and further outreach will do and why any
4 labeling that's further permitted will get people
5 going to the professional saying what is professional
6 wet cleaning?

7 And that's, I think, when the cleaners are
8 really going to be glad to answer, even if they aren't
9 going to just jump forward with the input.

10 MS. STROUP: I would just like to add, I am not
11 a marketer. Certainly that's not my field and neither
12 is the time to predict what the impact of a wet
13 cleaning care label would be on the market.

14 It occurs to me that one possible scenario that
15 might not help wet cleaning is if the people with the
16 tubs at home say, oh, I can do this myself. And that
17 idea gets ingrained.

18 And I think we need to get the right people in
19 the room -- and I don't think this is the right group
20 entirely, at any rate -- to think through what is done
21 and when.

22 And I do think that the comments made today
23 about the test protocols and the need to do that in an
24 appropriate manner with the right people and the right
25 process is critical to having a credible method.

1 In terms of EPA, we are not, our interest is
2 not pushing wet cleaning, per say. Our interest is in
3 seeing cleaner technology come on-line. We're very
4 excited about the liquid carbon dioxide machine
5 opening next week.

6 We also recognize, you know, we don't have a
7 crystal ball. We don't know how that's going to go.
8 They're very expensive at 150K. That's my
9 understanding of the current sales price.

10 I think that will go down hopefully. How
11 successful that's going to be? Who knows. But if we
12 are going to be here a year from now with the liquid
13 carbon dioxide people around the table saying, okay,
14 we now have care labels that say dry clean or wet
15 clean, what about us, that would be a concern of EPA's
16 as well, that we keep the doors open to promoting
17 cleaner technology and reducing PERC exposures.

18 That's certainly happening as new technologies
19 are coming on-line. I just wouldn't want to see us
20 act precipitously for a number of all of those reasons
21 that have been discussed all day long.

22 MS. ENGLE: We need to wrap this up. As Elaine
23 mentioned earlier, the record will be kept open for 30
24 days after today. And I think James figured out
25 that's March 1st; is that right?

1 MR. MILLS: Monday.

2 MS. ENGLE: Monday, March 1st. So that if
3 people wanted to put in comments about how much longer
4 we should keep this rulemaking record open, if you
5 have a better idea after the mid-February meeting
6 about how long the process may take, send us that
7 information. Feel free to do that.

8 And was there anything else?

9 MS. KOLISH: No. I think we'll just take a few
10 more comments and just wrap up here. You can use your
11 72 hour period to supplement.

12 All right. We'll take Gloria and then Earl.
13 Does anybody else want to get a last comment in?

14 JoAnne. That's it, okay? Last three.

15 MS. ENGLE: Then we have our other issues.

16 MS. KOLISH: Right. So let's do it very
17 quickly. And if you said it before, don't repeat it,
18 okay?

19 MS. FERRELL: Gloria Ferrell, Capital Mercury.
20 I just want to clarify something you said. When he
21 said you couldn't put it on, wet clean on a label
22 because we had no test yet, that's the way I
23 understand the law.

24 But you said, well, we wouldn't promote it.
25 But isn't it also forbidden at this point when there

1 is no test for the manufacturer to prove the care? I
2 thought we were not allowed to.

3 MS. KOLISH: As Mary explained, the care
4 labeling rule says you have to have a reasonable basis
5 for your instruction.

6 And it does not necessarily have to be test
7 data, although test data often is the best form of
8 reasonable basis. So people may have experience.

9 Obviously there's some risk. If by using it
10 then it may mean different things to different people.
11 Deborah mentioned she's seen some labels like that on
12 prom dresses and stuff like that.

13 So, you know, it theoretically probably is not
14 advisable to do it because who knows what it is going
15 to mean in the hands of the person who's actually
16 cleaning it. At the same time, cleaners aren't
17 required to follow the care instruction.

18 Manufacturers are required to put it on.
19 Cleaners can do something else. They do it at their
20 peril, of course. As David was mentioning, they face
21 liability. If the method they choose is different
22 than the care label method, they're responsible if the
23 garment is damaged.

24 And that in fact deters dry cleaners from using
25 alternative methods. But based on their experience in

1 the industry and fiber information, Deborah apparently
2 is doing this basically as are other wet cleaning
3 operations.

4 You know, so it's not like this would say you
5 can never use it or dry cleaners couldn't talk to
6 their customers about it or do it on their own.
7 That's the state of that.

8 MS. FERRELL: Okay. Thank you.

9 MS. KOLISH: Okay. And then Earl and then
10 JoAnne.

11 MR. JONES: Earl Jones, G.E. I just wanted to
12 get back to a couple of things. One, of course this
13 is a legal proceeding. And it's a legal proceeding in
14 part I guess because the law requires it to be, but
15 the law recognizes that there are economic interests
16 at stake here and someone is going to lose in this
17 process.

18 And that's why I think it needs to be as
19 rigorous as it is. For example, I haven't heard
20 anybody here who represents the commercial laundry.
21 And they have, I would assume, a huge stake in this
22 issue.

23 On what basis would the record be able to knock
24 those folks out of business in effect by saying that
25 they are not professional cleaners? And the way this

1 rulemaking is proceeding at the moment, the state of
2 the record and the advocates I heard around the table
3 would say that those people are not professional
4 cleaners and, therefore, when a garment comes in that
5 says professional clean, they could not clean that
6 garment lawfully.

7 Before the government becomes a party in taking
8 away somebody's livelihood, I would suggest that the
9 record has got to be a lot more further developed than
10 it is today.

11 And it is evident that before we jump to the
12 question of simply defining this as using a certain
13 machine, which of course is not in the folks's side of
14 business, there has to be a substantial basis for
15 doing so which relates to the FTC's jurisdiction as
16 opposed to the EPA's.

17 And the only thing I have heard is that we are
18 talking about something which is more related to the
19 environment as opposed to garment care. And I think
20 that is a very substantial problem.

21 And I would expect that the commercial
22 laundries would actually oppose and maybe take action
23 against any rulemaking which would knock them out of
24 business, because certainly I would if I were them.

25 MS. KOLISH: We are, of course, well aware of

1 our legal responsibilities and obligation here and
2 what we need to do to establish a record.

3 We are having a discussion here to elicit
4 information that are a wide range of issues that are
5 important. At the same time Earl is right, that this
6 is not a Congressional mandate that says, you know, go
7 and accomplish this goal.

8 We are operating under our legal jurisdiction,
9 meaning unfair and deceptive practices, and trying to
10 accomplish that in the most efficient and cost
11 effective way.

12 Anyway, JoAnne, quickly, and then we will move
13 on.

14 MS. PULLEN: I would just like to say I think
15 you've done an outstanding job today of identifying
16 the various factors we are dealing with.

17 We are dealing, for example, with apples that
18 are the apparel manufacturers who have to validate a
19 new instruction through their testing programs, which
20 most everyone that I work with uses testing.

21 They don't use experience. And so they would
22 encourage the development of something new that
23 benefits them because there is a market segment that
24 wants environmentally -- protecting the environment,
25 develop clothes for them to purchase.

1 They will look at that as a purchase point. I
2 think that the oranges in this situation is the other
3 industry that is trying to clean these clothes and
4 wants to be environmentally conscious and wants those
5 late instructions before the technology is ready. But
6 I think we got enough information out today that we
7 are ready to move ahead.

8 MS. KOLISH: Thank you.

9 We thought we would save a new minutes to let
10 people have comments on other things that we haven't
11 talked about today. I specifically said that we were
12 not going to talk about the reasonable basis for
13 requirement changes that are being proposed, nor the
14 temperature things.

15 And I frankly think we have actually heard a
16 lot of information today that goes to both of those
17 topics. But if anybody had one or two short comments
18 on that, we would be willing to hear that.

19 Did you want to talk about that?

20 MS. FERRELL: Not on that. On care symbols.

21 MS. KOLISH: On care symbols. All right.

22 Well, let's see if anybody wants to talk about
23 those other two things that we didn't spend time on,
24 reasonable basis and temperature.

25 (No response.)

1 MS. KOLISH: No. Okay. Then we can talk for a
2 few minutes about things you want to talk about. And
3 then I would like to close with a discussion of things
4 that I heard today, maybe a greater need for industry
5 education, some consumer education, and some thoughts
6 about law enforcement.

7 But, Gloria, you can go first with your --

8 MS. FERRELL: Gloria Ferrell, Capital Mercury.
9 This is geared to the ASTM. In 1994, I received this
10 I believe at the bobbin show. And we had a steam iron
11 symbol.

12 And now with the new ones that the FTC endorses
13 we don't have the steam iron symbol as allowed, but we
14 have it as no steam. And I would like to have the
15 steam iron symbol reinstated, please.

16 MS. PULLEN: I think the definition for iron
17 with that international iron symbol says iron dry or
18 steam. If you look at the FTC --

19 MS. FERRELL: Without the little steam warning,
20 I think we just need that extra symbol. As long as we
21 have no steam, we need a steam iron. I don't think
22 people looking at just the symbol will see it as steam
23 also.

24 MS. PULLEN: The definitions for iron in the
25 ISO documents and in the ASTM documents say iron dry

1 or steam. And I hear what you're saying about the
2 fact that what the symbol says that goes with that,
3 where it says, it shows a warning, is that the person
4 must be warned if they can not use steam.

5 And I think that's the way it was done to
6 harmonize with the Canadians, the Japanese, the
7 European, and the U.S. system and yet meet the rule,
8 we are warning about no steam.

9 In Europe, they also define iron low as no
10 steam because the claim is that the temperature, 110
11 Celsius, is so variable that it may end up running
12 water on the item.

13 So I don't know as you would get a whole lot of
14 support for adding that steam symbol back. We are at
15 the stage in the process of development of the
16 standard that was voted a change on it as they were
17 developing it.

18 MS. KOLISH: What you saw is probably an
19 earlier draft disseminated at the bobbin show. And
20 that was finally adopted by the ASTM.

21 MS. FERRELL: This is that. I just feel that
22 we have a need for it. And maybe we ought to ask
23 them, other manufacturers what they think.

24 MS. KOLISH: Well, you know, we revisit our
25 rules every ten years whether they need it or not.

1 MS. FERRELL: How long has it been?

2 MS. KOLISH: It's only been like 18 months.
3 It's important we can do that, but we went through a
4 great effort to do as much international harmonization
5 as possible. And we are still trying to harmonize
6 with ISO, let alone with the NAFTA countries.

7 So I don't think we're going to be able to
8 solve that issue in the very near future. But raise
9 it again at another point.

10 MS. EWING: Madam Chair, we have to leave to
11 catch a flight. I just wanted to get in a final other
12 issue since we won't be here for that time period.
13 Our appreciation of your doing this.

14 Seeing government move quickly where people are
15 saying maybe you're moving too quickly is different,
16 and it is refreshing that you had this dialogue for
17 discussion to see where we are and where we want to
18 go. And I think that a lot was accomplished.

19 And I do want to leave a plug. We are at
20 www.cnt.org.wetcleaning, so you could look at some of
21 the data that is available, ours, UCLA's, others is on
22 our website.

23 And finally, we don't want to do laundry. We
24 do want to separate out wet cleaning. I'm sure
25 launderers are very professional. Dick represents a

1 laundry association. So laundry is good.

2 But we are talking about clothes that are
3 traditionally considered to be dry clean only. So
4 thanks.

5 MS. KOLISH: Any other parting shots, comments?

6 MR. SELLEH: To that end, we are considering
7 dropping that because the name launderers has become
8 passe. We are considering dropping that. But other
9 acronyms would engender our name to be such as MACA or
10 something like that.

11 MS. KOLISH: Great. Well, I would like -- Some
12 of the discussion today earlier about how large and
13 maybe fragmented the industry is suggested to me, and
14 other comments Melinda and other people made suggested
15 to me that not all manufacturers yet understand the
16 responsibilities under the care labeling rule.

17 And as you know, we have business education
18 materials out there. We try to promote and
19 disseminate them. But maybe the message isn't being
20 disseminated extensively enough. Do people have ideas
21 or suggestions about what we could do further?

22 Are people interested in doing partnerships to
23 get more information out to these manufacturers? How
24 can we target them?

25 I heard, we have gone to the bobbin show a

1 number of years in a row and we have been asked to
2 speak. I don't know whether those manufacturers go
3 there. Are there other forums, meetings, associations
4 we should reach out to?

5 Nancy.

6 MS. HOBBS: Nancy Hobbs with Consumers Union.
7 CPSC and ASTM have been doing a very good job with
8 educating and having educational seminars educating
9 retailers and manufacturers on the plenability law, I
10 think something set up very similar.

11 It wasn't a freebie, but it was a joint effort
12 between ASTM. It was basically organized by ASTM,
13 attended by folks from CPSC with a consultant leading
14 the seminars, and was a one-day shot.

15 It was very informative and well attended. The
16 one that Pat and I went to in New York was extremely
17 well attended. So I think something similar if you
18 talk with Bodie Buckley.

19 MS. VECELLIO: But don't you think that the
20 people who come to that are the people who are already
21 somewhat aware of the regulation?

22 MS. HOBBS: Some of them were not. I mean,
23 they were aware that there was a regulation. But they
24 were kind of new to what those regulations were.

25 MS. VECELLIO: Oh, okay.

1 MR. ESSMA: Rick Essma, Clorox. I would like
2 to suggest that when you hold the seminars and offer
3 business information and those types of activities
4 that, as Connie suggested, you are in effect preaching
5 to the choir. You're talking to the Levis and the
6 Sears and the Penneys of the world who either are or
7 really want to seriously do a good job about care
8 labeling.

9 That does not address the other 90 percent of
10 the industry. And the question then becomes how do
11 you get the message to those people? Every one of
12 them that I am aware of reads Women's Wear Daily. And
13 the things that make news catch their attention.

14 Nothing makes news like an enforcement action
15 from the FTC. They're not hard to find. And as an
16 example, I just wanted to share something with you.
17 That paragraph 423.6, subsection A of the care label
18 rule says, manufacturers and importers must attach
19 care labels so that they can be seen or easily found
20 when the product is offered for sale to the consumer.

21 If the product is packaged, displayed, or
22 folded so that the customers can not see or easily
23 find a label, the care information must also appear on
24 the outside of the package or on a hang tag fastened
25 to the product.

1 Using that as a basis, I asked four of my
2 representative to spend one hour each in stores
3 looking for products that they could not find the care
4 label on without taking the pins out, taking the
5 product out of the package, taking a wrapper off, or
6 doing something else that would destroy the display in
7 the store.

8 I didn't ask them to go into a store and tear
9 up a display to find care labels, just to record it.
10 In one hour those four reps found 72 instances in Los
11 Angeles, Charlotte, Dallas, and New York City where
12 they could not find the care label on a product
13 without destroying the display, opening the package,
14 taking the pins out, unfolding it.

15 These are the types of instances where a simple
16 even minor enforcement activity on the part of the
17 Commission would heighten the industry's awareness to
18 the requirements of the rule and to the fact that it
19 is a rule, it is not a suggestion.

20 And I will shut up now. I get excited about
21 this. I think it's something that needs to be done.

22 MS. OAKES: We would like to volunteer any
23 manufacturer not represented here.

24 MS. KOLISH: That's a very excellent idea. And
25 in fact, we are actually pursuing a strategy of

1 contacting manufacturers we don't think are complying
2 in, I will say, the wedding gown area.

3 There's been a lot of media reports about that.
4 And we are going to bridal trade shows this spring and
5 summer, and we are going to have booths. And it is
6 going to be, our information is going to be
7 disseminated as part of the registration materials.

8 We have a new brochure that we will be
9 disseminating then that has tentatively been titled
10 "Unveiling the Label." Is that good?

11 MR. ESSMA: May I suggest just one thing more?

12 MS. KOLISH: Yes.

13 MR. ESSMA: I have to, I'm sorry.

14 MS. KOLISH: It's okay.

15 MR. ESSMA: If you decide to do something to
16 draw attention to the rule, that it involve something
17 other than dry cleaning.

18 MS. KOLISH: Okay.

19 MR. ESSMA: Anything other than dry cleaning.

20 MS. KOLISH: Like bleach?

21 MR. ESSMA: Okay.

22 MS. KOLISH: We take all suggestions.

23 Yes, sir.

24 MR. TEW: Jerry Tew with ACC. And there is one
25 segment. We have been talking about manufacturers.

1 There is one segment of manufacturers that are
2 probably not represented here, and that's the fabric
3 manufacturers and the dyer.

4 And they're a key link to this whole process.
5 Because if you don't get the proper dye on the fabric,
6 you're probably not going to end up with a quality
7 item.

8 But anyway, my main purpose is we also have a
9 very large conference of about 3,000 people in which
10 those people are representative. And we are currently
11 accepting abstracts for that program, which will be
12 next October in Charlotte, North Carolina, in the
13 heart of the textile industry.

14 MS. KOLISH: Do we need to submit an abstract
15 or can you invite us to attend?

16 MR. TEW: Well, the normal process is to submit
17 an abstract.

18 MS. KOLISH: We will get some information from
19 you about that. We are always happy to go to
20 conferences and other events to get our message out.

21 MS. KOLISH: Yes, Elaine.

22 MS. HARVEY: Hi. I'm Elaine Harvey from
23 Prestige Cleaners. I have a question. I have
24 listened to a lot of the information today.

25 And as a dry cleaner, I'm just wondering, are

1 there any manufacturers that contact dry cleaners to
2 do some of their testing? I mean, after all, we're
3 the ones who get the end product. I mean --

4 MS. KOLISH: Deborah Davis said that they did,
5 to her surprise. She was flattered but surprised.

6 MS. HARVEY: Yeah. But, you know, as wet
7 cleaning, a new thing that we have in our plant, we
8 have the equipment, the washers and the finishing
9 equipment.

10 I'm sure, I'm sticking my neck out now,
11 Mr. Boorstein would welcome some interest in that
12 area. You know, we are going to get these finished
13 products.

14 And testing in a laboratory is fine. I mean,
15 you can test the kids's blue jeans with him running
16 around, you know, or test it in a store or in a
17 laboratory.

18 But when you put those jeans on a kid and then
19 roll around, that's something different. And for dry
20 cleaning, I think if it's tested in the plant where
21 it's going to eventually end up, I think they might
22 show some interest there, you know.

23 MS. MUESER: I can respond partially to that
24 because in our lab we are not allowed to have that
25 equipment anymore because we don't have the

1 maintenance, the personnel, et cetera, to work on it.

2 We send ours to the local dry cleaner. So it
3 is done by our neighborhood cleaner. And I would
4 suspect that's the case with many others.

5 MS. KOLISH: Go ahead, JoAnne.

6 MS. PULLEN: I think Charles already has your
7 name on the list for the round-robin. And what I
8 would like to say is that Melinda raised a problem.
9 When we are looking at the future, I think we need to
10 look not only at this wet cleaning and the need for
11 the test method and the round-robin, but the very big
12 problem we have with the Textile Fiber Identification
13 Act is that structural linings need not be labeled.

14 Now, when you are looking at a cleaning
15 process, you need to know all of the fiber contents.
16 So I would recommend that that regulation be opened up
17 and questioned to see what is missing from that that
18 needs to be known, not only for the wet cleaning but
19 also because we're looking at down the road a
20 worldwide fiber content care labeling manufacturer
21 number and sizing. And is there one more? Country of
22 origin label that is harmonized.

23 And so if we want something that matches our
24 refurbishing for United States and it requires the
25 fiber content, then we need to look at that thing in

1 the rules so that damage doesn't occur.

2 Nancy was speaking about her red jacket that
3 did not have a label for the acetate lining. She
4 thought it was polyester and she ruined a silk blouse
5 in the rain.

6 So that that kind of information, because it
7 wasn't legally required, resulted in damage, some
8 permanent damage to something. And, you know, the dry
9 cleaner doesn't want to pay for permanent damage due
10 to lack of information.

11 MS. KOLISH: We think that actually the lining
12 issue may be an exemption provided by the textile Act.
13 But we're not certain about our discretion to change
14 that. But we will look into that. We just, frankly,
15 don't remember offhand.

16 But we think -- I know there is a laundry list
17 of what's in and what's out. And not all of it is in
18 our discretion.

19 MS. PULLEN: I knew that for care labeling we
20 had to officially make a request to the Federal Trade
21 Commission so that you had a request to examine the
22 bill. And we didn't know, I didn't know if you needed
23 an official request to study that.

24 MS. KOLISH: No, we can study it on our own.

25 MS. PULLEN: Okay.

1 MS. KOLISH: You had a comment over here.

2 MS. JELENOVIC: I'm Donna Jelenovic from
3 Talbots. And I just had an answer for Elaine from
4 Prestige.

5 We do use commercial dry cleaners, somebody in
6 the neighborhood around Talbots to do our testing. We
7 have moved away from controlled laboratory studies.
8 In the end our consumer is not dry cleaning her
9 garments in a controlled environment with four pounds
10 of apparel.

11 It's getting mixed up with other apparel. It's
12 not in there on its own. And we are moving more and
13 more towards that. And we've been doing that for
14 years, and it has been very helpful.

15 We have developed really good relationships
16 with some of our local experts. So in answer to your
17 question, yes, there are retailers and manufacturers
18 doing that.

19 MS. KOLISH: Melinda and then Ed. Those will
20 be it. I think we will conclude after that.

21 MS. OAKES: Thanks. Melinda. We also have a
22 local dry cleaner who has a rather sophisticated
23 operation. It includes a lot of different types of
24 cleaning and stuff like that.

25 Basically, what we do is we hand him a couple

1 of garments and we say kill it. And if it comes back
2 and the buttons are dissolved or there's big spots or
3 there's no shoulder pads anymore because they have
4 just melted, we know we have a problem.

5 The one time that we did send something in and
6 he did kill it, they almost lost a technician because
7 she broke down into tears. Look what I've done.

8 But it was a real -- I knew it wasn't going to
9 survive. And I was making a point to the manufacturer
10 that all you have to do is take this in and do exactly
11 what you said it does and it will be ruined.

12 And sure enough, it was. So, yeah, I think
13 you're right that the average consumer does just take
14 it in and they do, you know, whoever gets it at the
15 other side of the counter, that's what you get back.

16 MS. KOLISH: Ed, and then we will wrap up.

17 MR. BOORSTEIN: Well, some random thoughts.
18 Recognize, and I guess it's been spoken of a little
19 but I just want to be sure it's understood that if a
20 normally dry cleanable article comes into the
21 professional and it's filled with water soluble
22 stains, dry cleaning is not going to get these water
23 soluble stains out.

24 Here the intelligent dry cleaner will have an
25 understanding, either written or verbal, with his

1 customer, or her customer, that there is a risk
2 involved and what are your choices?

3 You can't wear it with all that vomit all over
4 it. So we have to go into water. There's just no way
5 that I attempt to rescue that garment otherwise. One
6 random thought.

7 Another, to my knowledge, despite all the
8 television commercials showing kids' overalls full of
9 grease and tar and they put it in a washing machine
10 with whatever miracle product it is, we haven't found
11 one that seems to work that way.

12 So we find when something is full of oily type
13 stains we have to end up in the dry cleaning machine.
14 If somebody has got a better answer, I would love to
15 hear it.

16 The other last random thought is that Dick
17 remembers when our local dry cleaners's association
18 had a series of seminars where we invited retailers,
19 consumer agency people, dry cleaners, and we all had
20 heart-to-hearts.

21 It was kind of an extended therapy session,
22 getting together to talk about how we felt about our
23 industries and how we felt about one another. And
24 they really were very effective.

25 From that grew an idea, which is still a dream

1 of mine, and that is a fashion meets fabricare summit
2 in New York.

3 Going with Rick's thinking somewhat, involving
4 the fashion media and getting a whole room full of
5 designers, people from FIT and the other schools, and
6 of course involving FTC or the EPA, Design for Living,
7 whoever has some input, and trying to get some real
8 understanding between all the people and by all the
9 industries of people involved in these issues.

10 Thank you.

11 MS. KOLISH: All right, Gloria. I told you
12 that you would be last, so make it --

13 MS. FERRELL: I just want to clarify something.
14 Going back to what Rick said about not finding care
15 instructions on a package where the care is tucked in
16 the shirt, we as the manufacturer complied with the
17 regulation, as far as I understand, that if we shipped
18 the shirt then in a poly bag and the care is on the
19 poly bag, we comply with the rule.

20 What happens when that retailer takes that bag
21 off to display the shirt, and then with the FTC walks
22 in and sees that RN number is Capital Mercury Apparel,
23 Limited, are we liable because they have taken off the
24 bag?

25 MS. KOLISH: You're in deep trouble.

1 MR. SELLEH: The FTC police are going to be
2 after you, too.

3 MS. KOLISH: No, no, no, no. Because I think
4 you have complied with your responsibility there to do
5 it. And if the retailer -- we sued a retailer once
6 for removing -- not in that situation. This retailer
7 cut out the tags in all the garments because she
8 didn't want people to know who was the designer so
9 they wouldn't shop comparatively for them elsewhere.

10 But we're reasonable people, we like to think.
11 We would look into the facts, like what happened? Why
12 wasn't this displayed? And if we found out that you
13 shipped them that way and the retailer took them off,
14 we'd have a little chat with the retailer. So not to
15 worry. We can always talk about these things.

16 I would like to conclude by saying we think
17 this has been a really, really productive day. And we
18 very much appreciate all the time and energy that you
19 gave to this.

20 And I want to remind you that the record will
21 be open through Monday. If you have any last thoughts
22 you didn't get in today and you want everybody else to
23 think about them as they do any additional comments,
24 the close of business Monday for getting with this
25 transcript and then 30 days overall for any additional

1 or rebuttal comments that you might have.

2 We especially encourage you to submit any
3 empirical data or research that you might have. It's
4 not something -- the Commission can forward in the
5 absence of it using other information, evidence before
6 it.

7 But it's very helpful and useful. And if you
8 have it, we'd love for you to share it with us. We
9 have put up all the comments to date on our website.
10 We'll set up additional comments on our website, as
11 well. And I think the transcript will be there?

12 MR. MILLS: I'm not sure about that.

13 MS. KOLISH: Okay. I'm not certain about that.
14 But it will be on the public record, so obtainable.
15 And we'll tell you about how to get it.

16 So that comment period, postworkshop comment
17 period ends close of business Monday, March 1st. So
18 there's time for people to have intermediary meetings
19 and think about strategies and maybe put joint
20 proposals together if they wish.

21 As I said, we have lots of options on this wet
22 cleaning topic. One option is to decide based on the
23 record that will exist at the end of the 30 days to go
24 forward, to say we're not going to decide this now and
25 this rulemaking is over, or if people recommend it and

1 we think it's the right thing to do, to hold the
2 record open and revisit this issue some period of time
3 from now.

4 And, you know, give us suggestions if you think
5 that's a good idea or what that period of time should
6 be. And it sounds like from this morning's discussion
7 that there was far less concern or controversy over
8 the proposal to require a washing instruction if that
9 would be safe and appropriate for garments.

10 That's the message I came away with. Subject
11 to people, of course, wanting to look at cost stuff
12 and give us some more data about that, we haven't made
13 a decision -- I am just trying to summarize what I
14 thought I heard from the discussion this morning.

15 So please keep giving us your comments. We
16 like reading them. And I guess I will call us
17 adjourned at 5:00 on the dot.

18 (Applause.)

19 (The hearing adjourned at 5:00 p.m.)

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1 C E R T I F I C A T I O N O F R E P O R T E R

2

3 DOCKET/FILE NUMBER:

4 CASE TITLE: Care Labeling Rule Workshop

5 HEARING DATE: Friday, January 29, 1999

6

7 I HEREBY CERTIFY that the transcript contained
8 herein is a full and accurate transcript of the notes
9 taken by me at the hearing on the above cause before
10 the FEDERAL TRADE COMMISSION to the best of my
11 knowledge and belief.

12

13 DATED:

14

15

16 JAYNE M. TOERING

17

18 C E R T I F I C A T E O F P R O O F R E A D E R

19

20 I HEREBY CERTIFY that I proofread the transcript
21 for accuracy in spelling, hyphenation, punctuation and
22 format.

23

24

25 Sara J. Vance