



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20580

Division of Enforcement
Bureau of Consumer Protection

December 12, 2000

Mr. Ben Berookhim
Lavan Fashion, Inc.
498 Seventh Avenue
New York, NY 10018

Dear Mr. Berookhim:

The Division of Enforcement staff has conducted an investigation of Lavan Fashion, Inc., with respect to the fiber contents of certain coats labeled as containing 60% wool, 20% nylon, and 20% cashmere. We have now closed that investigation. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

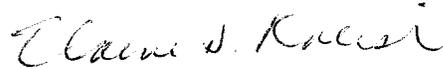
The Wool Products Labeling Act, 15 U.S.C. § 68 *et seq.*, does not provide any tolerance for the fiber content labeling of wool products. The Textile Fiber Products Identification Act, 15 U.S.C. § 70 *et seq.*, provides for a 3% tolerance to allow for small, unintended inconsistencies in the manufacturing process. As a practical matter, we generally also apply the 3% tolerance to products containing wool. We believe that manufacturers exercising due care in their manufacturing processes should have no difficulty in producing fabric that is accurately labeled within the 3% tolerance. Of course, no tolerance is afforded for intentional mislabeling.

Our experts in fiber content analysis tell us that although some wool fibers have been bred to be ultra fine – with the same diameter as some cashmere fibers – the difference between wool and cashmere can be readily discerned by a qualified expert using a microscope, based on differences in the structure, appearance, and height of the scales on the fiber. I want to emphasize that we place great importance on regular testing, by qualified and independent labs, to ensure accurate fiber content labeling. It is not adequate to rely solely on a fabric manufacturer's invoice stating that the fabric has a given fiber content. Garment manufacturers, importers, and distributors are responsible for ensuring the accuracy of fiber content labels on their garments.

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Please be advised that under separate cover, I will be sending to you a Synopsis of Federal Trade Commission Decisions Concerning Textile Fiber Products and a Synopsis of Federal Trade Commission Decisions Concerning Wool Products. Pursuant to Section 5(m)(1)(B) of the FTC Act, 15 U.S.C. 45(m)(1)(B), civil penalties, up to \$11,000 per violation, may be imposed upon a business that engages in practices found to be unfair or deceptive in a prior litigated decision, when such business has received notice of the prior determination.

Sincerely yours,



Elaine D. Kolish
Associate Director
Division of Enforcement