

Rules and Regulations Under the Textile Fiber Products Identification Act

[Textile Rules, 16 CFR Part 303, Project No. P948404]

To: - Robert M. Frisby, Attorney, and Edwin Rodriguez, Attorney,
Division of Enforcement, Bureau of Consumer Protection, Federal Trade
Commission (FTC)

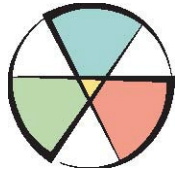
From: - Stacey Bowers, MILS, Global Regulatory Specialist, Compliance & Risks, Ltd.,

CC: - Damien McGovern, Founder/ CEO, Compliance & Risks, Ltd.
Paul McGovern, CEO, Database Republic

Date: - 3 January 2012

On behalf of Compliance & Risks, Ltd. (C&R), a leading provider of innovative online tools that deliver timely and accurate global regulatory intelligence, I am writing in response to the Federal Trade Commission's (FTC) request for comments on Rules and Regulations Under the Textile Fiber Products Identification Act (Textile Rules, 16 CFR Part 303, Project No. P948404).

As a regulatory compliance services and solutions provider, C&R monitors international requirements for consumer products including, but not limited to, apparel, nightwear, footwear, jewelry, appliances, consumer electronics, and toys. Additionally, C&R provides its consumer products clients – retailers, manufacturers, and their supply chain partners, such as industry associations – with consultation regarding applicability of regulations and standards, including assessments and comparisons of requirements for labeling, restricted substances, and safety globally.



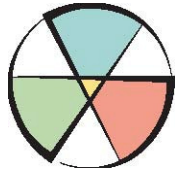
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These responses address *selected* questions associated with the costs, benefits, necessity, and regulatory and economic impact of the FTC’s Rules and Regulations pursuant to the Textile Fiber Products Identification Act. Specifically, they address questions 1, 3, 4, 5, and 7, relating to references to international standards; the use of multiple languages in labeling; clarifying disclosure requirements; clarifying exclusions; and modifying and printing FTC education materials.

C&R appreciates the opportunity to provide feedback on the Rule. Please don’t hesitate to contact us with any questions or concerns related to these responses.

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1. [Should the FTC] modify the provision addressing generic fiber names so that the reference to the international standard for manufactured fibers reflects the updated standard?

Yes, the FTC should modify the 16 CFR 303.7, to incorporate a reference to the latest version of ISO 2076:2010, Textiles – Man-made fibres – Generic Names.

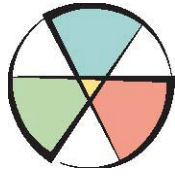
The affirmative response owes to C&R's frequently-received questions from retailers, manufacturers, and brands regarding whether FTC *requires* compliance with the 1999 edition of the standard, due to the language in 16 CFR 303.7.

3. [Should the FTC] address the use of multiple languages in making required disclosures?

Yes, the FTC should modify 16 CFR 303.4 and 303.16(c) to clarify whether inclusion of multiple languages is permitted and, if so, how such inclusion(s) may be made.

The affirmative response owes to C&R's frequently-received questions from retailers, manufacturers, and brands, hoping to expand their scope into jurisdictions such as Canada, China, the European Union (and its 28 Member States), etc., who seek clarification regarding the *practical* application of 16 CFR 303.4 and 303.16(c), particularly as they consider whether/ when/ how to label for all of their jurisdictions of distribution.

It is important to note, these questions arise even for companies distributing only in the US and its territories, given Puerto Rico's Textile Products Labeling Act, which allows for the use of Spanish and/ or English disclosures on textile products.



4. [Should the FTC] clarify disclosure requirements applicable to written advertising, including Internet advertising?

Yes, the FTC should modify 16 CFR 303.41 and 303.42 to clarify the requirements for disclosure of fiber content percentages in advertising.

Further, as many in the industry rely heavily on *Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts*, perhaps the FTC could revise this guidance to provide clarification and examples of preferred disclosure formats in advertising and Internet advertising?

5. [Should the FTC] clarify or revise the list of exclusions from the Textile Fiber Products Identification Act?

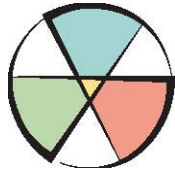
No, the FTC should not modify 16 CFR 303.45 revise the list of exclusions. The list, as written in 16 CFR 303.45, is lengthy and explicit. Additionally, the exemptions are repeated in *Threading Your Way*.

However, with regard to clarity, the verbiage in 303.45(a)(1), which is expressed as a double-negative, *may* be confusing to those who are new to the Rule.

Perhaps a re-statement of the title of 303.45 as “Applicability of the act,” with a new part (a), reading, “The following textile fiber products are subject to the requirements of the act,” would be simpler and easier to understand?

7. [Should the FTC] modify its consumer and business education materials and continue printing paper copies of these materials?

Yes, the FTC should modify its consumer and business education materials as the Rule evolves. The industry relies heavily on the FTC’s guidance documents, including the aforementioned *Threading Your Way* (see questions 4 and 5), *Clothes Captioning: Complying with the Care Labeling Rule*, *Down...But Not Out: Advertising and Labeling of Feather Down*, *How to Avoid Bamboozling Your Customers*, and *In-FUR-mation Alert: How to Comply with the Fur Products Labeling Act* (among others!).



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It is not necessary to print paper copies of these guidance documents any longer; however, making them available in both PDF and HTML formats on the web is terrific, both for ease of reading (in PDF) and for ease of searching (in HTML).

Additionally, it would be helpful for the FTC to notify the industry when these documents are revised via both traditional and new channels, such as press releases, the FTC website, Twitter, and the FTC Business Center Blog.