



we wearSM our mission

July 23, 2013

Secretary Donald S. Clark
Federal Trade Commission
Office of the Secretary
Room H-113
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Supplemental Notice of Proposed Rulemaking: Rules and Regulations Under the Fur Products Labeling Act (16 CFR Part 301, Project No. P074201) (Federal Register Vol. 78, No. 118, June 19, 2013).

Dear Secretary Clark,

On behalf of the American Apparel & Footwear Association (AAFA), I am submitting the following comments in response to the notice of proposed rulemaking and request for public comment in regards to the Federal Trade Commission's (FTC) *Rules and Regulations Under the Fur Products Labeling Act* (16 CFR Part 301), as posted in the *Federal Register* June 19, 2013.

AAFA is the national trade association representing apparel, footwear, and other sewn products companies, and their suppliers, which compete in the global market. Our membership consists of 425 American companies which represent one of the largest consumer segments in the United States. Our mission is to promote and enhance our members' competitiveness, productivity and profitability in the global market by minimizing regulatory, legal, commercial, political, and trade restraints.

We appreciate this opportunity to comment of the Commission's proposal. In ideology, we strongly agree with the Commission's goal to promote consistency between the guaranty provisions in its Rules and Regulations under the Fur Products Labeling Act and those governing textile products. When the regarding different products are contradictory, compliance becomes very difficult. However, the Commission's proposal to require guarantors to renew continuing guaranties annually is unrealistic and unnecessarily burdensome for both textile and fur products and is not something that should be implemented in either case.

I will repeat the comments we submitted July 8 regarding this topic as it relates to textile products:

While we agree with the Commission's desire to provide consumers with reliable information, we strongly disagree with the proposal to require continuing guaranties be renewed annually. The Commission is correct in stating the form is relatively simple to fill out. However, filling out the form is actually a minor part of the problem companies have faced in relation to continuing guaranties. The process of filing the continuing guaranty and exchanging the continuing guaranty from each vendor to the Commission then to the buyers and the retailers is often a very difficult process lacking communication.

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Not only are vendors faced with the clerical nightmare of keeping up with the guaranties which have been filed, but buyers struggle with obtaining the guaranties from the Commission. Some AAFA member companies have received a continuing guaranty within one week of requesting it, while others have waited three months. In one instance, a company called AAFA for assistance in getting a copy of the continuing guaranty it had filed less than one year prior. It took two weeks' worth of phone calls to numerous Commission staff members to finally find the correct person to aid in retrieving a copy of the guaranty. While the Commission staff was exceptionally courteous, it was a frustrating experience.

The Commission claims requiring continuing guaranty certifications to be renewed annually will impose minimal additional costs on businesses. We believe these costs will actually be extensive considering the time and effort needed to complete the task. One AAFA member company estimates spending 5-8 hours on each continuing guaranty it files. Most companies file dozens of continuing guaranties, with many filing hundreds. Requiring annual renewals may become unmanageable for companies who need to file continuing guaranties for a large number of products.

Thank you for your time and consideration on this important matter. If you need any additional information, please feel free to contact me or Marie D'Avignon at mdavignon@wewear.org or 703-797-9038.

Sincerely,

Kevin Burke
President & CEO
American Apparel & Footwear Association