



Australian Government

Comments from the Australian Government on the United States’ ‘Rules and Regulations Under the Wool Products Labeling Act of 1939’ as notified in G/TBT/N/USA/859 published on 1 October 2013

The Australian Government welcomes the opportunity to provide comments on the United States’ (US) proposed amendments to the *Rules and Regulations Under the Wool Products Labeling Act of 1939*.

General comments

Australia supports some of the definitions and classifications in the proposed amendments to the *Rules and Regulations Under the Wool Products Labeling Act of 1939*. However, Australia is concerned with regulations that allow Super S labelling to be used on products formed by blending wool with other fibres (natural and synthetic).

Australia has no concerns with the specific rules for hang tags disclosing fibre content or performance provided labelling rules require the complete fibre content to be disclosed in some form of labelling on the product.

Specific comments

New definitions for cashmere and very fine wools

There are three issues in the proposal concerning definitions of cashmere and very fine wool; the definition of ‘wool’, the definition of ‘cashmere’, and the classification of very fine wools.

On the definition of wool, Australia notes that the US definition, which includes mixtures of sheep’s wool and fine animal hair, is consistent with other international definitions. Australia supports all moves that improve global consistency in the definition of “wool”. Consistency in the definition will assist all sectors of the wool trade and will help to avoid any potential confusion in the processing of international contracts.

On the definition of cashmere, Australia notes the distinction made between guard hairs on a cashmere goat and the hair from the undercoat and the proposed requirements for fibres to be labelled ‘cashmere’. Australia sees no objection to the proposed change.

On the definition or classification of very fine wool, Australia notes that the Super S number used in the US Act, based on the mean fibre diameter of the wool, is consistent with the International Wool and Textiles Organisation (IWTO) Code of Practice for Super S. This classification of wool fibre based on mean fibre diameter

has a measure of international acceptance. This classification was developed by IWTO in 2003 and incorporated in US legislation and regulation in 2006. It appears to be the only classification in current use worldwide. Any state may adopt this classification and it is the model under current consideration by the European Committee for Standardization for use in the European Union and by the International Organization for Standardization for use world-wide.

Australia also notes that US regulations allow Super S labelling to be used on products that are formed by blending wool with other fibres (natural and synthetic). However, in the IWTO Code of Practice, Super S labelling is only used on products composed of pure sheep's wool. In practice, Super S labelling is often found on products derived from a blend of sheep's wool and fine animal fibre and the word 'Super' is rarely used (and should not be used) on products from a blend of wool and non-wool fibres. Australia is concerned that these inconsistencies will cause confusion in the market to the detriment of the very fine wool trade which is important in the context of the Australian wool growing industry.

Australia recommends that the US regulations be modified as necessary to ensure products that contain non-wool fibres cannot carry a Super S label. This would align US legislation more closely with the IWTO Code of Practice.

Clarification of products containing virgin or new wool

Australia sees no objection to this change

Revisions to the rules to allow certain hang-tags disclosing fiber trademarks and performance, even when they do not disclose the product's full fiber content.

Provided that labelling rules require that the complete fibre content of a product is disclosed in some form of labelling on the product, the specific rules for hang tags disclosing fibre content (such as the Woolmark logo) or performance (such as machine washable) are a matter for the US regulators and consumers and do not appear to impact on the Australian wool industry.

Statement that an imported product's country of origin as determined under the laws and regulations of U.S. Customs and Border Protection, will be the country where the product was processed or manufactured

Australia sees no objection to this change as it does not appear to affect the Australian wool growing and processing industries.

Amendment to the law to incorporate the revised ISO standard for generic fiber names.

Australia agrees with the changes concerning the ISO standard for generic fibre names made to ensure the wool rules will incorporate changes to the ISO nomenclature automatically.

Conclusion

Australia would welcome consideration of the points raised in this submission and looks forward to a response from the US.