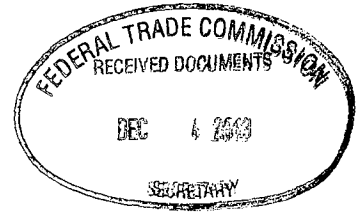


Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/woolrulesnprm>, by following the instruction on the web-based form. If this Notice appears at <http://www.regulations.gov>, you also may file a comment through that Web site.



If you file your comment on paper, write "Wool Rules, 16 CFR Part 300, Project No. P124201" on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex Q), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

"Wool Rules, 16 CFR Part 300,
Project No. P124201"

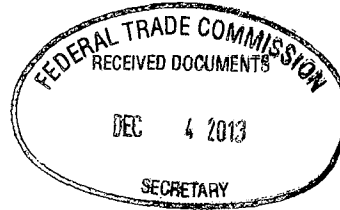
Federal Trade Commission
Office of the Secretary,
Room H-113 (Annex Q),
600 Pennsylvania Avenue NW.,
Washington, DC 20580.

Brussels, 02 December 2013



ORIGINAL

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex Q)
600 Pennsylvania Avenue NW.
Washington, DC 20580
USA



Leopold L'Industrie 4, 1000 Brussels, Belgium

P +32-2 505 40 10

F +32-2 503 47 85

www.iwto.org

VAT: BE 0851 208 157

WOOL RULES, 16, CFR PART 300, PROJECT NO. P124201

FEDERAL TRADE COMMISSION

Rules and Regulations Under the Wool Products Labeling Act of 1939

ACTION: Notice of Proposed Rulemaking.

Dear Sir or Madam:

The International Wool Textile Organisation (IWTO), based in Brussels and established in 1927, is the custodian of the rules and regulations of the global wool textile industry. IWTO would like to submit the following comments at the request of the FTC as noted in the document/project listed above.

IWTO agree completely with the Commission's decision that there is a continuing need for the Wool Rules. We agree that the Rules need updating to implement the Wool Suit Fabric Labelling Fairness and International Standards Conforming Act and need to be modified to reflect some changes in business practices. Our member CCMI has already written to you on 19 November 2013 on behalf of its members and other wool and apparel industry partners. Their letter has our full support. However, given the importance of some of the proposals to the conduct of the very fine wool and cashmere trades, IWTO and its members feel it appropriate to make comment directly to FTC on behalf of its member countries and organisations.

The practice of weaving a "Super" number into the selvedge of wool fabrics to indicate the quality of the wool used in the fabric is a long-standing practice of the wool weaving industry. However, for many years, although the "Super" number used was nominally related to the "Quality number" of the wool, the practice was unregulated and subject to misinterpretation and abuse. There may have been up to 4 sets of practice for the Super nomenclature. In 2001, IWTO commenced a program to regulate the nomenclature used in the description of Super S fabrics. By 2003, our advisers and technical committees had established the Super S Code of practice, which is a key element of quality assurance and standardization for the worsted industry. The key elements of this Code of Practice were:

- The Super S nomenclature applied to "Pure New Wool" fabrics, the definitions of Pure, New and Wool accorded with those used by the FTC.
- The Super S number was determined by the mean fibre diameter of the wool measured in the final product.



The 2003 version of the IWTO Code of Practice also allowed the use of S number but not the word "Super" for blends of wool and non-wool fibres. The provision of an "S" number for blends with non-wool fibres has since been removed from the IWTO Code of Practice.

IWTO notes that many of the elements of the 2003 version of the IWTO Code of Practice were taken up in the US legislation and regulations (2006) concerning very fine wools.

With this background, IWTO would like to make the following comments on the specific questions raised by the FTC in the document listed above.

A. Fiber Content Disclosures

1. Cashmere and Wool Products Made from Very Fine Wool

a. Cashmere

IWTO raises no objection to the proposed definition of Cashmere.

b. Very Fine Wools [Super S and S numbers – Question 2A-2D]

IWTO would request the FTC to reconsider the following:

- That the use of the word "Super" may only be used on products that are pure new wool.
- That the use of the word "Super" on fabrics and garments manufactured from blends of wool and a non-wool fibre be disallowed.
- That fabrics containing no wool, as defined by the Wool Act, but rather 100% natural non-wool &/or man-made fibre, should not be permitted to be labeled with any form of S number. It is our understanding this is a violation of the Conforming Act.

The usage of the word "Super" for pure wool fabrics is long standing and precedes even the IWTO Code of Practice. In this instance the word "wool" is defined by the legislation of the relevant countries (eg US and EU). Prior to the development of the IWTO Code of Practice, blend fabrics were often described as "containing Super 120s (etc) wool" but were not labelled with only the words "Super 120s (etc)" by reputable weavers. The limitation of the Super nomenclature to pure wool products is now well accepted within the weaving industry. Evidence of this is provided by the conformity to this usage by reputable weavers in the 19 member countries and 21 associate members of IWTO. The characteristics of wool differ significantly from those of other fibres (silk, cotton, and other vegetable fibres or man-made fibres) independent of any consideration of fibre diameter. Thus the use of the nomenclature "Super 120s (etc) on non-wool fabrics will mislead consumers as to their properties and performance.

The IWTO notes that "the Joint Comment recommended that the Commission conduct a thorough study of this issue, including opening an additional comment period and possibly a workshop, before amending the Rules to address the use of "S" numbers to describe blends." IWTO commits to contributing to any workshop or formal and informal discussion that may assist the FTC in resolving the issues outlined and distinguish product for which the "Super" nomenclature can be applied as well as that for which an "S" number is appropriate

Tolerances in determining the Super S number

IWTO notes the comments of the FTC but considers that the limits imposed by the classification number (eg Super 120s) effectively determine tolerances for the product. IWTO notes the differences between the IWTO Code of Practice, which imposes an absolute maximum for the mean fibre diameter of the wool, and the US practice which imposes a mean and limits. We feel that there is little commercial significance to this difference nor does it lead to misunderstanding of the Super S nomenclature.

Measurement techniques for Determining Super S values

The IWTO uses its own Test Method IWTO-08 to measure the mean fibre diameter of wool in wool products. This method was recently modified to ensure that the precision of the measurement was adequate to separate the products into their appropriate classifications (Super 80s, Super 90s etc). We note the comments of FTC that *the Joint Comment also stated that ASTM D 2130 (corresponding to ISO 137 --- projection microscope) is the correct method for testing wool fiber*. IWTO recognizes the similarity of the various international test methods using projection microscopy and, provided it has been demonstrated that the nominated method(s) give the precision necessary to separate the wool into its various "Super" classifications, IWTO offers no objection regarding the choice of method.

On the issue of Consumer perception

IWTO note the following: *The Commission, however, seeks comment on consumer perception of "Super" or "S" numbers in these circumstances, and whether the Rules should address this issue*. IWTO would like to point out that the Super S nomenclature is used in both business-to-business (B2B) communication as well as in garment labelling and communication between business and consumer (B2C). In B2B communication, the Super S nomenclature is generally well understood. Spinners, weavers and garment makers normally recognise the combined meaning of the fibre content labelling and the Super S nomenclature as indicators of the quality of the fabric and the raw materials from which it is made.

Moreover, the nomenclature is sufficiently well understood by the consumers of high quality wool suits that the garment makers often attach (temporarily or permanently) the selvedge of the woven fabric bearing the Super S number to the final garment so that the "consumer" is informed of the quality of the fabric. Given that the very fine wool is used in high quality fabrics which are purchased by a limited sector of the community, it may be inappropriate to judge consumer knowledge and acceptance of the Super S nomenclature from the 'general consumer'. We would anticipate that surveys of those consumers of high quality goods would reveal that they also have specific knowledge of the attributes of the products and Super S nomenclature used for woven wool products.

2. Clarification of § 300.20 on "Virgin" or "New" Wool

The IWTO have no comment on this proposal.

3. Disclosure Requirements Applicable To Hang-Tags [Question 3A-3C]

The IWTO agrees with the FTC's proposal in this area. We note the current use by the wool trade of hang-tags with fiber trademarks and performance information, which do not disclose the product's full fiber content. These hang tags are normally backed by labels with fibre content description to meet legislative requirements of the country.

B. Additional Proposed Amendments to Align Wool and Textile Rules

IWTO raise no comment to the proposals in this section.

4. Other Proposed Amendments to Textile Rules Incorporated by the Wool Rules

IWTO concurs with the FTC's proposal concerning the use of generic names for textile fibres as given by the ISO.

Finally IWTO would like to address Questions 1A-1D and 5A-5C

1. General Questions on Amendments:

(A) What benefits would each proposed change confer and on whom? The Commission in particular seeks any information on the benefits each change would confer on consumers of wool products.

(B) What costs or burdens would each proposed change impose and on whom? The Commission in particular seeks any information on any burden each change would impose on small businesses.

(C) What regulatory alternatives to the proposed changes are available that would reduce the burdens of the proposed changes while providing the same benefits?

(D) What evidence supports your answers?

Uniformity in nomenclature for any aspects of textiles is normally of considerable benefit to manufacturers in the global environment within which the wool industry works. We feel that uniformity on fibre definition and fabric classification using the Super S scheme will reduce burdens on manufacturers and reduce the complexities of operating in a number of jurisdictions. IWTO notes that the regularisation of this long-standing 'classification' of wool fabrics by development of this Code of Practice was requested and promoted by wool weavers and has been of benefit to the fine wool industry. Provided global uniformity can be achieved in the use of the SuperS classification, IWTO are of the opinion that no other regulatory mechanism is required for this particular aspect of the Wool rules.

5. Conformity to the Textile Rules:

(A) Are there any differences between wool products and other textile fiber products suggesting that the Commission should not conform the Wool Rules to the Textile Rules as proposed?

(B) Are there any differences between wool products and other textile fiber products suggesting that the Commission should amend provisions of the Wool Rules incorporating provisions of the Textile Rules so that the Commission's proposed amendments to the Textile Rules do not modify these provisions of Wool Rules?

(C) What evidence supports your answers?



Wool fabrics are traded in a global environment in the same way as other textiles. While IWTO has an interest in regularising the global trade in wool, from raw material to final product, we see no reason that the rules affecting wool textiles should differ from those of other textiles except where the specific fibre-related characteristics of the products are at issue.

We thank you for considering our comments.

Yours sincerely,

Peter Ackroyd
President

Elisabeth van Delden
Secretary General

f.