



UNITED STATES OF AMERICA  
**FEDERAL TRADE COMMISSION**  
WASHINGTON, D.C. 20580

Division of Enforcement  
Bureau of Consumer Protection

January 27, 2010

VIA EXPRESS MAIL

[COMPANY NAME]  
ATTN: [NAME], CEO  
[ADDRESS]

Re: Unlawful practices relating to textile fiber products

Dear [NAME]:

Your company sells or recently has sold textile products that are labeled or advertised as “bamboo.” The Federal Trade Commission, which enforces the Textile Act and Rules, recently took action against several businesses that sold textiles labeled or advertised as bamboo even though the products were made of rayon. Commission staff is concerned that textile products your company is or recently has been selling as “bamboo” are made from rayon, as well. I want to make you aware of these concerns so that you can take corrective steps to avoid Commission action.

When your company sells textile products, you must attach a label that describes the type of fiber used to make the product. This label must use the fiber name recognized by the FTC under its Textile Rules if the fiber is manufactured or use the fiber’s common name if it is natural. *See* 16 C.F.R. §§ 303.6 - 303.7. You also must use these names in advertising when your company describes or implies the fiber content of a textile product. *See* 16 C.F.R. § 303.40. The term “bamboo,” therefore, may be used in labeling or advertising a textile product (*e.g.*, “bamboo shirt”) only to describe textile fibers taken directly from the bamboo plant without the type of chemical processing necessary to make rayon. Rayon, even if manufactured using cellulose from bamboo, must be described by an appropriate term recognized under the FTC Textile Rules. If rayon is manufactured using bamboo as the cellulose source, then you also may include that information in the textile label, for example, by describing the fiber as “rayon made from bamboo.” Failing to properly label and advertise textiles misleads consumers and runs afoul of both the Textile Rules and the FTC Act.

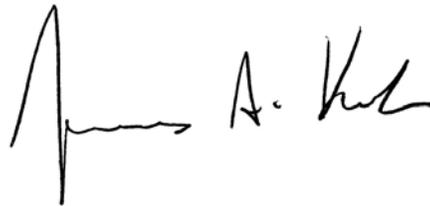
Please review the labeling and advertising for the textile products sold by your company and remove or correct any improper “bamboo” labeling or advertising. To assist you in this process, I am enclosing a copy of the Commission’s recent Business Alert: *How to Avoid Bamboozling Your Customers*.

I also am enclosing a synopsis of Commission decisions holding that the failure to use proper fiber names in labeling and advertising textile products constitutes a deceptive act or practice and violates the FTC Act. With this synopsis, we are putting [COMPANY NAME], on notice that the failure to correct improper labeling or advertising of textile products could subject the company to civil penalties of up to \$16,000 per violation. Copies of the decisions discussed in the synopsis are on the Commission's website at [www.ftc.gov/bamboo](http://www.ftc.gov/bamboo). Other materials on the website further clarify your responsibilities under the FTC Act, the Textile Fiber Products Identification Act, 15 U.S.C. § 70 *et seq.*, and the Textile Rules issued thereunder, 16 C.F.R. Part 303.

In its recent "bamboo" cases, the Commission challenged claims that "bamboo" textiles have a variety of environmental benefits, including that they are manufactured using an environmentally-friendly process, that they retain inherent antimicrobial properties of the bamboo plant, and that they are biodegradable. While the enclosed synopsis does not relate to these claims – and our staff has not determined that your company is making such claims – you may find our Environmental Marketing Guides, as well as our publication, *Complying with the Environmental Marketing Guides* ([www.ftc.gov/energy](http://www.ftc.gov/energy)) helpful going forward.

If you have any questions about this letter or the enclosed materials, please contact Korin Ewing at [kewing@ftc.gov](mailto:kewing@ftc.gov) or at 202-326-3556.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James A. Kohm". The signature is fluid and cursive, with a prominent vertical stroke on the left side.

James A. Kohm  
Associate Director

Enclosures