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Electronic Submission

Project Number P948404

Federal Trade Commission
Office of The Secretary
Room H-113 (Annex G)
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

December 30, 2011

Re: Proposed Amendments To Textile Fiber Product Identification Act Regulations

Dear Sir or Madam:

These comments are submitted on behalf of McNeese Customs & Commerce, srl (“McNeese”) in response to a notice published by the Federal Trade Commission (“FTC”) in the November 7, 2011 issue of the Federal Register (76 Fed. Reg. 24860) regarding proposed amendments to the regulations implementing the Textile Fiber Products Identification Act (“TFPIA”). McNeese is a corporation organized under the laws of Italy, and advises high-end fashion companies regarding European and US laws applicable to textile products. McNeese’s comments are directed to Point 3 in the FTC’s notice regarding multiple language information on labels and hangtags affixed to garments. For the following reasons, McNeese respectfully requests that the FTC allow multiple language disclosure of information so that the same garment may be marketed in more than one jurisdiction.

Multiple Language Labels Are Consistent With The International Trade Administration's Notice For Regulatory Cooperation Between The United States And The European Union

On May 3, 2011, the International Trade Administration (“ITA”) published a notice in the Federal Register (76 Fed. Reg.68691) seeking comments concerning regulatory cooperation between the United States and the European Union to eliminate or reduce unnecessary diverges in regulatory standards. Labeling is a regulatory standard.

Both the United States and the European Union have regulations that require the disclosure of fiber content information of textile products.¹ With respect to garments sold in the EU market, fiber content information must be set forth in a number of different languages so that consumers located in various countries are properly advised of the fibers used in the construction of the garment the consumer contemplates purchasing. US garment manufacturers who wish to sell their garments in the EU must label their garments in accordance with EU law. Allowing multiple language fiber content information to appear on garments will assist US garment manufacturers to create single label that will allow their merchandise to be sold either in the United States or the European Union markets.

FTC should allow for multiple language disclosure of information on textile products and not place further restrictions on US manufacturers, and the unnecessary expense of labeling the same garment differently depending upon its ultimate destination.

The FTC Already Allows For Foreign Language Disclosure With Respect to Canada

The FTC regulations already allow for the disclosure of fiber content information in a foreign language. 16 CFR §303.4. The regulations implementing the Wool Products Labeling Act also provide that if a foreign language appears on a label, all of the required information shall be set forth in such other language. 16 CFR §300.7. The FTC routinely allows for the sale

¹ The current textile labeling regulations in effect in the European Union are Regulation (EU) No. 1007/2011.

of garments in the US that are labeled with a CA identification number (a numeric system comparable to the FTC's RN numbering system). CA numbers are issued by the Canadian Competition Bureau. Garments intended to be sold in the US and Canadian market bear labels indicating fiber content information in French and English.

The FTC should not discriminate between EU member states and Canada. The FTC should allow for the free movement of regulated textile products among the United States, Canada and the EU members. This goal can only be accomplished by allowing fiber content information to be set forth in languages in addition to English and French.

The US Consumer Is Not Confused By Multiple Languages Appearing On Labels

Many consumer products sold in the US are labeled in more than one language. Food products routinely set forth information required by the National Labeling Education Act in both English and Spanish, and there is no indication that the consumer is confused by this multiple language disclosure. The Food & Drug Administration specifically allows that cosmetics and perfumes to be labeled in more than one language. 21 CFR §701.2(b) (2) (3). In a similar vein, house hold products are routinely labeled for sale in the United States, Mexico and Canada, and therefore have instructions or marketing language in English, French and Spanish. There is no indication that the US consumer is confused by this information appearing in a language other than English. Indeed, given the number of people in the United States that do recognize English as their first language, multiple language disclosures assist in advising the consumer of pertinent information regarding the product the consumer intends to purchase.

A decision by the FTC that fiber content information appearing in French, Italian or German somehow confuses the US customer, when the same information appears in English, would jeopardize the manner in which numerous consumer products are labeled for sale in more than one market. Simply stated, the same US consumer who is not "confused" by manuals, labels, or marketing literature appearing in a language other than English on food, cosmetics and consumer products they purchase every day, will not be "confused" by fiber content information appearing in French, Italian or German, or any other language spoken in Europe. FTC should

treat textile products in the same manner as other consumer products are treated in the US, and allow for multiple language labels.

Multiple Language Labels Will Reduce Costs For US and EU Textile Manufacturers

While labels and hangtags are a small cost in bringing a textile product to market, they nonetheless are a cost. Relabeling operations are expensive and time-consuming, and the act of relabeling can impact the value of a garment. Manufacturers located in both the US and the EU should be encouraged to reduce their costs by using multiple language labels. The free movement of goods and cost effective manufacturing operations should be encouraged. Labeling requirements should not be used a trade barrier.

In conclusion, labels should not be used as a deterrent to trade. The FTC should actively encourage textile product manufacturers to develop labels that satisfy the requirements of more than one jurisdiction even if that means textile products sold in the US bear labels that contain information in languages in addition to English. Permission of such labels is consistent with the ITA's stated goal of reducing regulatory restrictions between the US and European Union, and is consistent with efficient and cost effective manufacturing.

Should the FTC have any questions regarding these comments, please contact the undersigned at

Very truly yours,

X/Margaret Polito/X

Margaret Polito