

To be filed online via:

<https://ftcpublishcommentworks.com/ftc/carelabelingnprm/>

Required Text: Care Labeling Rule, 16 CFR Part 423, Project No. R511915

Dear Secretary Clark:

The Toxics Use Reduction Institute (TURI) at the University of Massachusetts Lowell provides resources and tools to help make the Commonwealth a safer and more sustainable place to live and work. Established by the Massachusetts Toxics Use Reduction Act (TURA) of 1989, TURI collaborates with businesses, community organizations and government agencies to reduce the use of toxic chemicals, protect public health and the environment, and increase competitiveness of Massachusetts businesses.

Thank you for considering our comments of August 2011 in completing the proposed rule of November 2012. We were pleased to see that the NPR is proposing allowing manufacturers to use a new Professional Wet Cleaning (PWC) label. We would like to address some of your specific questions and provide additional rationale for requiring a PWC label.

Response to Specific NPR Questions:

1. We are not in possession of empirical data to suggest that consumers interpret a “dryclean” instruction to mean that a garment cannot be washed, however, we have heard much anecdotal information from perc cleaners who are hesitant to use solely wet cleaning at their establishments because they feel that clothes labeled as “dryclean only” cannot be washed or they will incur liability if they wash something that is specifically labeled for “dryclean only” if something goes wrong.
3. Consumers in Massachusetts have a fair amount of access to PWC. TURI has assisted eight cleaners in the greater Boston area to convert from perc to dedicated PWC and we have learned of a handful of other cleaners who have converted without the assistance of TURI. We currently have a project underway with Clean Water Fund (CWF) to survey many of the 400 cleaners across MA to learn how many offer PWC as part of their services. The results so far are showing that many do, but also maintain a solvent or other alternative system in house. Currently most of these “mixed-use” shops clean garments in the technology of their choice depending on their comfort level for the garment in question – unless specifically requested by a customer to use either a solvent or PWC.
4. Consumers are gaining knowledge in MA about the attributes and availability of PWC in the state. TURI and Clean Water Fund both have conducted, and continue to conduct, educational outreach campaigns directed at the public. TURI hosts information on our web site and CWF hopes to have a list of MA cleaners offering PWC on-line by June of 2013 available to consumers.

6. Drycleaners in MA use solvents other than petroleum and perc, such as n-Propyl Bromide, D5 Siloxane, Propylene Glycol Ether, Acetal, and wet cleaning. MA cleaners which switched away from perc between 2008-2011, adopted the following technologies/solvents in these numbers:
- High Flash Hydrocarbons = 22
 - nPB = 13 (however, follow up calls with some of these cleaners that indicated they used nPB, actually did not)
 - PWC = 5
 - Propylene Glycol Ether = 5
 - Acetal = 3
 - D5 Siloxane = 3
 - Carbon Dioxide = 0

This information as well as technical/performance, financial, environmental, human health, physical/safety, and regulatory comparisons of these alternatives can be found in the TURI June 2012 “Assessment of Alternatives to Perchloroethylene for the Dry Cleaning Industry” Methods and Policy Report No. 27 attached to this submittal as well.

13. The proposed amendments would confer benefits on small dry cleaning businesses because the use of a PWC label would give the cleaner the go-ahead to clean more in their PWC systems, which reduces the use of solvents, creating a safer and healthier work place and natural environment.

Rationale for Required PWC Label

While the NPR is proposing allowing manufacturers to use a new PWC label, it does not propose requiring the use of the label. The rationale the FTC provided for only allowing but not requiring the PWC label is: (1) There is no evidence that the absence of a wetcleaning instruction for products that can be wetcleaned would result in deception or unfairness and (2) There is no evidence that the benefits of requiring a wetcleaning instruction would exceed the costs that such a requirement would impose on manufacturers and importers.

Regarding (1), given our direct experience working with dry cleaners converting to wet cleaning and the peer reviewed research we have conducted on the viability of professional wet cleaning, we feel that there is substantial evidence that allowing and not requiring a PWC label is deceptive and/or unfair. As part of the TURI professional wet cleaning program we have conducted wet cleaning demonstrations and have observed a full range of ‘Dryclean’ or ‘Dryclean Only’ labeled garments being processed using professional wet cleaning technology. We have observed Massachusetts perc dry cleaners attending these workshops and observed these dry cleaners making the decision to switch to professional wet cleaning based on the evidence of the viability of the technology obtained from demonstration workshops. An article published in the Journal of Cleaner Production (JCP) (also attached to this submittal) demonstrated that dry cleaners converting to professional wet cleaning were able to successfully process the full range of garments previously dry cleaned. This evidence suggests that if garments can be successfully wet cleaning but continue to only be labeled ‘Dryclean’ it is deceptive to drycleaners evaluating the PWC technology, it is deceptive to customers who are likely to interpret the ‘Dryclean’ label as meaning it is the recommended or only method for cleaning, and it is unfair to cleaners exclusively using professional wet cleaning.

Regarding (2), in Massachusetts most cleaners who have switched from perc dry cleaning have switched to hydrocarbon dry cleaning. Hydrocarbons and other solvent alternatives have significant environmental and health hazards. Trade-offs include: increased smog-forming VOC emissions, fire hazards, potential groundwater contamination from spills, as well as potential adverse human health

effects. Since requiring a PWC label will likely significantly increase the diffusion of professional wet cleaning it would reduce both pounds of perc emissions, pounds of hydrocarbon emissions, and reduction in the fire hazard. Based on our JCP article cited earlier, PWC is less expensive than perc dry cleaning which could result in a benefit to consumers in the form of lower prices. The same study also showed significant energy savings associated with PWC compared to perc dry cleaning; another societal benefit.

In summary, TURI's experience with garment cleaners provides us with the expertise to comment on the above addressed specific NPR questions and to provide additional input on the need for a mandatory PWC care label. To help the FTC make a fully informed decision, we would also like to request a hearing/workshop to provide additional evidence or expertise as needed. Please feel free to contact Joy Onasch (joy@turi.org or 978-934-4343), TURI's technical expert on wet cleaning.

Sincerely,



Elizabeth Harriman, Deputy Director



Joy Onasch, Community & Small Business Program Manager