

Public Comment
Federal Trade Commission
16 C.F.R. Part 423: Care Labeling of Textile Wearing Apparel and Certain Pieces of Goods
Project No. R511915

Submitted by: Textile Industry Affairs, September 6, 2011

For more than 30 years, Textile Industry Affairs has been involved in the process and advocacy of accurate and informative apparel care information. When you consider that there are over 8.2 billion garments with care instructions on the market each year, the impact of the care labeling in very important issue impacting almost every consumer.

Since the inception of the "Care Labeling Rule" we have seen the dramatic benefits to both consumers and manufacturers. What is clear is that hundreds of millions of US consumers look to care labels to maintain what is their considerable investment in apparel.

As we begin to focus is strengthening the "FTC Care Labeling Rule", there is a consensus on a number of care labeling issues:

1. The FTC care label rule is a valuable regulation, from which consumers derive significant benefit;
2. The FTC rules were developed through an open, transparent process, with input from many companies and interest groups throughout the world;
3. Through this iterative process, the rules set forth were clear insofar as what areas of textile care were encompassed by the guidelines, what the criteria were in order to be compliant with the guidelines, and what were the ramifications of noncompliance;
4. Full compliance is mandatory;
5. No apparel manufacturers that have complied with the FTC guidelines have ever reported any negative consumer impact;
6. A number of apparel producers currently are not fully compliant.

There are specific areas of the Rule that would benefit of revisions and clarifications. As an active partner in supporting FTC compliance, we will focus on several key areas that this request for comments asks.

Use of current FTC approved care symbol set:

True global harmonization of care symbols would be wonderful, but given the geo-political agendas, this may not be realistic. The current FTC approved symbol set does a good job of covering most of the home and professional care needs in the United States. The process of educating consumers on care symbols, largely left to initiatives such as our website [www.textileaffairs.com] continues to help consumers quickly identify care options. We do not advocate modifying any of the symbols as consumers are now just becoming familiar. That said, we support amending the symbol sets in such cases where there are clear testing protocols to verify any care process safety. In the case of wetcleaning, there appears to be expert consensus that a new test does just that. The consumer and environmental benefits of wetcleaning is worthy of consideration.

Reasonable basis:

There seems to be the need for clarity on what “reasonable basis” is. One of our findings with regard to compliance is that at least some parties who are not following the regulations appear to be misinformed, or have a misunderstanding of what “reasonable basis” really is.

It is our contention that the apparel industry looks at care labeling from the perspective of “risk management” vs. consumer information. Given all the steps it takes to bring a product to market, this is understandable. However, clearly, presenting “unreasonable” and “possible” fabric impact is simply not acceptable if the rule is to have any significance. We suggest requesting fresh data from manufacturers regarding what the “reasonable basis” is for their current care instructions. Let’s remember, as stated earlier, no apparel manufacturers that have complied with the FTC guidelines have ever reported any negative consumer impact.

Keeping manufacturers and the supply chain honest:

Consumers, retailers and professional cleaners deserve the expectation that care instructions are accurate. Thanks to labeling, testing and production technologies and efficiencies the often suggested reason of apparel producers to “low label” due to the cost and production burdens is no longer valid. Unfortunately this industry cannot be trusted to provide accurate information without the “encouragement” of FTC compliance. This regulation has in many ways helps manufacturers not only meet consumer performance needs, but has resulted in their fabric suppliers and trim vendors paying greater attention to providing a quality product.

Compliance enforcement:

Without the reality of enforcement, the Care Label Rule, will not be taken seriously. Our hope is that the message is very clear that those who undermine this rule will be held accountable. The consumers we all serve deserve that protection.

We look forward to assisting the process to strengthen the “FTC Care Labeling Rule”.

Sincerely,

Roy Rosenthal
Managing Director
Textile Industry Affairs
roy@TextileAffairs.org