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Regarding: Green Building and Textiles Workshop – Comment
Project No. P084203

Background information: My comments are specific to the mattress industry and speak directly to our concerns that members of the industry are articulating environmental claims that are misleading consumers and green washing their products.

For instance, one manufacturer is advertising “Chemical Free Organic Mattresses”. As we all know, nothing in the world is “chemical free”. Another is presenting their products as the “No Compromise Organic Mattress” and does not indicate on the label their use of plastic layers and fire retardant fill barriers. Instead they use a string of logos from non-certified verifiers to justify their environmental espousal. Another organization displays a self-developed eco organization logo of which they are the only member.

General Comments: Conscientious consumers want a product that is safe for them and safe for the planet. To take advantage of this revenue stream much of the industry make claims, but few endeavor to ensure their product truly meets customer expectations or care if their product benefits rather than damages our planet.

Organizations like ours, who claim only what can be delivered and strive to consistently meet and exceed those claims, are concerned. What incentive do organizations such as ours have use honest restraint in our claims, to spend the extra money on first quality materials and continuously seek excellence when others can use green words without the obligatory effort?

Our organization has methodically researched the claims of other manufactures, to the extent of buying and cutting open products. In some cases, not only are claims unfounded, labels do not meet the current regulations. Granted there are a large array of governing bodies that make requirements of the mattresses industry, such as:

- FTC 16 CFR 303 – Textile Labeling Act
- FTC 16 CFR 300 – Wool Products Labeling Act
- FTC 16 CFR 260 – Guide for Environmental Marketing Claims
- BHFTI Rules and Regulations
- BHFTI TB 603 Requirement for Resistance to a Large Open Flame
- BHFTI TB 117 Requirement for Retardance of Resilient Materials
- CPSC 16 CFR 1500 Requirements for Infant Cushions
- CPSC 16 CFR 1508 Requirements for Full Size Baby Cribs
- CPSC 16 CFR 1509 Requirements for Non-Full Size Baby Cribs
- CPSC 16 CFR 1632 Standard for Flammability Cigarette Ignition
- CPSC 16 CFR 1633 Standard for Open Flame
- USDA NOP Organic Foods Production Act of 1190
- CDFA California Organic Products Act of 2003

And at times these statutes can be in direct conflict with one another, none-the-less, claims made, can and should be substantiated. While careful consideration and expansion of regulation is warranted, bark with no bite, will not in the end, achieve the result desired: consumer protection. It certainly has not done so to this point.

- **Recommendation:** A strong policing group comprised of industry, consumer and governmental members that audits organizations and substantiates all claims as detailed in the Green Guides.

IV Questions for Discussion at the Workshop

B. Claims Regarding Organically Grown and Natural Textile Products

- **Recommendation:** If the Green Guides are to include guidance regarding “organic” textile products the text should specifically define parameters. Moreover, and more importantly, when an organic claim is made, a COMPLETE list of ingredients must be included.

- **Recommendation:** If the Green Guides are to include guidance regarding “natural” products, clear definition is a requirement. The term natural would be resistant to such attempts. However, as first level indicator, “natural” would be invaluable to the consumer as a broad categorical device, i.e. textiles derived from agriculture/livestock versus textiles derived from petrochemicals.

D. Third Party Certifications and Seals

Check the website and packaging of most health safe or environmental mattress organizations and you will find a plethora of group logos splattered across page and package. These logos give consumers a comfortable “organic” feel, when in fact, the organization is merely a member and not certified through these organizations. Consumer contact through these organizations is clearly invaluable, however, ambiguity must be avoided.

- **Recommendation:** It must be clearly stated whether a listed logo, on a website, in advertising or affixed to package is: membership only, or a verifiable claim of certification, in addition, certification must be clearly spelled out on the same document in which the logo appears.

Direct response to a topic of discussion during webcast:

Session 2: Tying-Up Loose Ends – Substantiating Green Textile Claims & the Need for FTC Guidance:

When I viewed the FTC webcast I was surprised and happy to see the panel discuss FR materials. Because we manufacture mattresses we are required by law to meet two flammability standards 16 CFR 1632 and 16 CFR 1633.

Unlike the conventional mattress industry and most “eco” mattress companies, we do not add chemical retardants nor use the high loft fire retardant fill barriers that other manufactures use. We achieve Federal Flammability Requirement through our use of the inherent fire resistant properties of wool and a low VOC, class B, GOTS

certified organic fabric. This system was developed to both meet government regulations, and maintain the organic and environmental integrity of our product.

The panel stated they had no familiarity with FR material being certified organic and further stated that if a material were to be FR, it should not be allowed an organic claim. In our opinion, this is too broad, and would in effect eliminate all mattresses from organic representations.

This has serious ramifications for a company like ours who works very earnestly to develop and manufacture an environmentally sound product. And who has been working very hard to get our products and facility certified.

If one governmental branch requires FR compliance and another branch disallows certification, our business will be in serious jeopardy. Some working solution must be found.

- **Recommendation:** Federal acceptance of GOTS and its FR tenants will allow a company such as ours the ability to reconcile our product with two opposing governmental edicts.

I welcome a chance to explain our products, our manufacturing process and what we do to ensure consumer protection that differs from all other mattresses manufacturers making environmental claims.

Should you wish more in-depth information regarding ourselves our industry, I would be please to travel to whichever forum you feel is appropriate. If you would like more general background on the challenges facing development of safe mattresses, I would suggest you review the book Toxic Bedrooms (Freedom Press 2007) written by the president of our company.

Thank you directing your attention to this critical subject.