



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Korin Ewing Felix
Attorney

Division of Enforcement
600 Pennsylvania Ave., N.W.
Mailstop CC-9528
Washington, DC 20580

December 9, 2015

(202) 326-3556
kfelix@ftc.gov

Via Federal Express
[Company]

RE: Recent Cases on Advertising and Selling Textile Products as “Bamboo”

[General Counsel or Company Representative]:

In the midst of this bustling holiday season, we are asking for your help in ensuring the proper labeling and advertising of textile products. As part of that effort, we want to share with you some recent actions by the Federal Trade Commission (“Commission”) regarding the marketing and selling of textile products as “bamboo.” We want to ensure that consumers are not being deceived about the products they are buying. As you are no doubt aware, household textile products must be labeled and advertised – including both product packaging and hangtags as well as online advertising – in conformance with the Textile Fiber Products Identification Act, 15 U.S.C. §70, *et seq.*, and the Rules and Regulations promulgated thereunder, 16 C.F.R. Part 303.

Since 2009, the Commission has been actively working to correct the mislabeling and deceptive advertising of rayon textile products as “bamboo.” Although rayon fiber may be manufactured from many different cellulose sources – including bamboo – the resulting textile fiber must be identified in labeling and advertising as rayon (or viscose) and not by the cellulose source.

In late 2009 and early 2010, the Commission entered into settlements with four companies regarding the improper labeling and advertising of rayon textiles as “bamboo” and released both a Consumer Alert and a Business Alert to further assist in educating consumers and businesses. In January 2010, the Commission sent Warning Letters to more than 70 additional companies that were manufacturing and/or selling rayon textile products marketed as “bamboo,” cautioning them to correct their labeling and advertising or face the risk of civil penalties. In January 2013, the Commission announced the settlements of four additional cases against sellers of rayon textile products marketed as “bamboo,” including Amazon.com, Macy’s, and Sears, for failing to take effective action in response to those Warning Letters. You can learn more about these actions by the Commission at www.ftc.gov/bamboo.

Unfortunately, we continue to see rayon textile products marketed and labeled as “bamboo” in the marketplace. As a result, the Commission has brought four new cases against sellers of those products: Bed Bath & Beyond, Nordstrom, JC Penney, and Backcountry.com. The Commission reached settlements with each of those sellers, as discussed in the enclosed press release.

Please take a moment to review your own inventories to make sure you are not contributing to the problem. Make sure so-called bamboo products are labeled properly (likely as rayon or viscose) and are not being described as “bamboo” in product titles, on packaging, or in online descriptions or images. Note that an accurate fiber content disclosure (the product label or the disclosure in an online product detail page) is insufficient if the product is also being called or described as “bamboo” elsewhere. Also, please spread the word to your vendors and contacts.

Thank you for helping to ensure that consumers are getting truthful and accurate information about the textile products they are purchasing. If you have questions, please do not hesitate to contact us: Korin Ewing Felix at (202) 326-3556, kfelix@ftc.gov, or Amanda B. Kostner at (202) 326-2880, akostner@ftc.gov.

Regards,

Korin Ewing Felix
Amanda B. Kostner

Enclosures