



March 31, 2014

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex A)
600 Pennsylvania Avenue NW
Washington, DC 20580

Re: FTC request for public comment Roundtable on Care Labeling of Textile Wearing Apparel and Certain Piece Goods As Amended (16 CFR Part 423, Project No. R511915)

GreenEarth Cleaning appreciates the opportunity to participate in the recent Care Labeling Roundtable and is pleased to submit the following comments for public record on behalf of the 960+ U.S. dry cleaners who utilize the GreenEarth silicone dry cleaning process.

Discussion of Wetcleaning

1. Requiring versus permitting a wetcleaning instruction

We concur with the majority view of the panel that professional wetcleaning instructions should be permitted but not required.

2. Cost of substantiating wetcleaning instructions

Certainly there is a significant cost associated with establishing reasonable basis for the inclusion or exclusion of wetcleaning instructions for a variety of garments. We would like to address a different, though inadvertent, potential cost.

Our understanding of the Commission's proposed changes to the Rule is that the term "Dry clean" must replace "Dry clean only" unless the manufacturer can prove wetcleaning will cause damage. If this is a correct interpretation, and perhaps it is not, it would concern our network of 960+ cleaners greatly.

The job of a care instruction is to inform consumers when a care method could cause harm to the garment. "Dry clean only" has long served this purpose. Without the term "only", a significant number of consumers could misunderstand the label to suggest that it is safe to home launder. The FTC has empirical evidence supporting this point of view from the comments submitted in advance of the [2000 Care Labeling Rule update](#). Both P&G and Clorox provided empirical evidence that a significant percentage of people wash garments that are labeled "dry clean." According to P&G's survey, 56% of respondents said that laundering could be an acceptable way to clean a garment labeled "dry clean." The Clorox study revealed that 49% of people surveyed had washed a garment with "dry clean" label.

Clear evidence also exists that consumers have been taught that a "dry clean" instruction does not necessarily mean a garment cannot be washed at home. According to [Consumer Reports](#), "dry cleaning isn't the only way

to safely clean garments labeled dry clean only, and other methods might even do a better job.” P&G’s [Tide®](#) brand, the leading home laundry brand with a 44.5% market share, tells its 120 million+ customers that “the dry clean instruction on the label does not mean that the garment cannot be cleaned by washing, but rather that dry cleaning is an appropriate cleaning method”. These statements would remain true even under the Proposed Rule. There are a plethora of other organizations and companies, [Clorox](#) included, actively advancing the idea that a “dry clean” instruction does not mean a garment cannot be washed at home. Because the consumer would prefer not to pay for professional cleaning, and consumers have long been educated that “dry clean” could mean laundering is acceptable, it is an especially risky notion to eliminate “only” without a commensurate “do not wash” warning.

Compounding this risk is the reality that there will likely be large increases in “dry clean” care instructions. Manufacturers are predisposed against incurring additional costs to conduct wetcleaning testing. Using a “dry clean” label would allow them to do this while remaining compliant with the Proposed Rule. And while the FTC does not require terms in addition to symbols, our network of dry cleaners report that approximately 80% of all the care instructions coming across their counters include terms.

There is ample historical evidence in the marketplace that many manufacturers low-label to protect themselves from damage risk and to avoid the cost of testing. As the FTC moves to recognize wetcleaning, to prevent unfair trade practices and protect consumers; we strongly urge that the term “do not wash” be required when professional cleaning is required and home laundering is an unsafe method of care.

3. Availability of wetcleaning

While industry experts report that professional washing equipment is more common in today’s marketplace, it represents an adjunct cleaning option (for stains more easily removed by water), not an alternative to dry cleaning. Every professional cleaner considers himself or herself to be a wet cleaner; very few consider themselves professional wetcleaners because they do not have the full compliment of proper training and equipment necessary to do true professional wetcleaning.

As discussed by the majority of experts on the panel, world wide, the cleaning industry remains reluctant to adopt professional wetcleaning. California is a case in point. Even with perc banned, regulatory support, financial incentives (i.e. California’s AB998 incentive program) and access to quality training, there are relatively few professional wetcleaners.

The [professional wetcleaners directory](#) lists 188 dry cleaners; a very small percentage of the U.S. professional cleaning market. The 2007 U.S. Census reports approximately 36,000 U.S. dry cleaners. More recent industry estimates place the actual number today closer to 28,000. This translates to a wetcleaning market share of approximately 0.5 - 0.6%. Moreover, approximately 80% of professional wetcleaners listed in the directory are located on the East or West coast, leaving a large geographic area with little or no professional wetcleaner availability.

4. Consumer awareness of wetcleaning

We cannot speak to the validity of the research presented by Mr. Sinshiemer at the Roundtable, but if the number of people searching online is an indicator of either awareness or demand, wetcleaning remains very limited in its appeal. Empirical evidence can be found through Google. [Google search activity for wetcleaning has been 0%-1% of that for dry cleaning for the past eight years.](#)

5. Content of instruction (e.g. “professionally wetclean” vs. “wetclean”)

We believe strongly the instruction should say “professionally wetclean.”

True professional wetcleaning requires professional training and use of advanced, specially designed, computer controlled washers, dryers and tensioning equipment to maintain the correct water and detergent level, heat, relative humidity/moisture and mechanical action; it also requires special detergents and additives to prevent damage, e.g. restore color, texture, sizing and softness. These unique requirements of professional wetcleaning are implied but not explicitly specified in the definition of wetcleaning advanced by the FTC, the ISO and the ASTM.

The rationale advanced for elimination of the word “professional” is that the W symbol appears in a circle, and that this circle is widely understood by consumers to mean professional cleaning. Where is the empirical evidence to support this supposition? Topics like this, because there is no human health risk involved, are not well studied. One study offers directional support: the [2010 EU Parliament Study on Labeling of Textile Products](#) suggests that while laundry labels are fairly well understood, the symbols for dry cleaning are less well-known by consumers. The experience of our 960+ dry cleaner network certainly supports this conclusion. Consumers are not aware of wetcleaning and they have no understanding of the actual meaning of professional symbols.

Consumers may not understand professional cleaning symbols, but they can read. The term wetclean sounds just like what it means – cleaning with water. Without the term “professional,” consumers will likely interpret “wetclean” to mean the item can be washed. As discussed earlier, warning terms like “dry clean only” and “do not wash” are clearly established by convention and well understood by consumers as warnings to prevent harm. The term “professional” is needed to play the same role. If, as discussed earlier, half the population would wash a garment labeled “dry clean”, it stands to reason that an alarmingly larger percentage of people would attempt to wash a garment with a “wetclean” instruction.

If professional wetcleaning gains popularity, sanctioning the term “wetclean” carries with it another risk – that dry cleaners could misleadingly market themselves as “wetcleaners” when they lack the equipment and training implied by the term.

As evidence of the risk potential, we offer for consideration the rampant use of the term “organic” by dry cleaners. These businesses are capitalizing on the fact that consumers do not understand the difference between “organic foods” and “organic chemicals”. The term is scientifically factual but intentionally misleading. In chemistry, “organic” accurately describes solvents with a carbon molecular backbone like perc and petroleum; gasoline is organic too, but that doesn’t mean people want to clean their clothes in it. If wetcleaning ever does gain the traction it deserves as an environmental alternative, the term wetcleaning could be similarly misused on the technicality of having laundry equipment on the premises.

Discussion on Care Symbols

1. Differences between ASTM and ISO symbols (e.g., natural drying symbols)

We concur with Mr. Mansell's recommendation that the FTC recognize the ISO's updated 2012 symbols with the exclusion of natural drying symbols. The natural drying symbols address a care method very seldom used in the U.S. and are very confusing.

The real issue is not how ASTM symbols differ from ISO, but why there should be any differences at all. Apparel is, more than ever, a globally interdependent industry; harmonization of standards is obviously in the best interest of all stakeholders. More countries use ISO symbols; however, the ASTM has worked hard in the past to achieve worldwide consistency in care symbols with ISO, with little success. Discords, and differences, remain. Solutions are necessary.

2. Whether to require that labels identify ISO symbols if used

We agree with the Roundtable experts that this is not necessary. If the Commission decides against the panel's point of view, we strongly suggest identification be limited to only those labels where same symbol would have different meaning. Anything more puts undue burden on the manufacturer.

3. Differences between 2005 and 2012 ISO symbols

The key differences between these standards are, in our view, either a non-issue or helpful.

- Modifying the "do not bleach" symbol from diagonal cross (St. Andres Cross) over a blackened triangle to a diagonal cross over an empty triangle does not change the consumer understandability of the symbol. The diagonal cross is the operative graphic.
- Moving natural drying from the annex to body of the standard might be less of an issue if the symbols were clearer; however, that said, natural drying is not new to the ISO standard, even if it does now hold a prominent role.
- Adding a "do not wetclean" symbol is certainly helpful. By definition it means the product has been tested and cannot be safely processed in professional wetcleaning. This protects the consumer, manufacturer and dry cleaner.
- Eliminating the requirement to use all five symbols certainly seems prudent in our view.

4. Change in the meaning of the circle P symbol in ASTM system

There are positives and negatives with the dramatic swings in the definition of the circle P in the ASTM system; regardless, the descriptions of P and F need to be updated again if they are to support the Commission's proposal to expand the definition of dry cleaning to include alternative solvents.

The P and F letter designations are relics from a different era when three symbols were used: Circle A meant "any solvent", P meant "not perc", and F meant "petroleum (hydrocarbon)." When solvents more aggressive than perc were eliminated from the market, the ASTM and ISO collapsed the three symbol system into a two symbol system, with P playing the role of circle A, and circle F serving the need it always has - instructing of the need for a gentle solvent.

The intent of Circle P is currently supported by the definition of “perc or petroleum” and Circle F by “petroleum solvent only”. These symbol definitions made sense when they were adopted because perc and petroleum were the primary solvents in use.

Because alternative solvents are now widely available, and because the Commission is proposing to expand the definition of dry cleaning beyond organic solvents, the ASTM has issued proposals for ballot that update the ASTM’s descriptions for Circle P and Circle F.

The new ASTM proposal for Circle P would maintain the letter P and its current role of permitting any solvent; to accomplish this in light of the availability of other solvent alternatives, the definition of P would change from “perc or petroleum solvent” to “any solvent”. Similarly, the ASTM proposal for Circle F would maintain the letter F and continue its role of instructing for the need for a less aggressive cleaning method; because silicone is a gentler solvent than petroleum (hydrocarbon), the ASTM would revise the definition of F from “petroleum solvent only” to “gentle solvent, petroleum or silicone only”. This untangles the care symbols from being entirely defined by solvent type and brings them closer to their intended purpose of preventing harm. When the FTC promulgates its new Rule, we believe it is important that it recognizes updated ASTM standards.

5. Absence of ASTM and ISO symbols for solvents other than perc and petroleum

We believe this represents a problem and would disable the Proposed Rule from modernizing as intended. For this reason, we advocate that the FTC rulemaking record be kept open long enough to allow time for the ASTM to complete the balloting process discussed above; 3-9 months should be sufficient. Although, as reported by Mr. Mansell, the ISO will very likely also update its standards, the process will take longer than the record could reasonably be kept open.

Speaking specifically to our 960+ network of Affiliates located in the U.S., under both the current and Proposed Rule, dry cleaners operating with GreenEarth silicone are not able to legally comply with the year dated care symbols proposed for recognition by the Commission.

This is counterproductive to consumer protection given that cleaning tests prove that the GreenEarth silicone process performs more gently than perc and even hydrocarbon; there is virtually no fabric, trim or component that GreenEarth silicone cannot safely clean. The availability of the silicone process thus eliminates the need for care instructions like “Do not wash. Do not dry clean”, “Spot Clean Only” and/or “Dry Clean Exclusive of Trim.” These instructions, although legal under the Rule, are extremely frustrating to customers and damaging to the quality reputations of garment manufacturers who previously had no choice but to employ them. GreenEarth silicone also offers a solution to the environment risks posed by petroleum solvents; D₅ silicone is not a Hazardous Air Pollutant or a Toxic Air Contaminant and is specifically exempted from VOC classification by the U.S. EPA.

6. Consumer understanding of symbols

Outside of the EU parliament study cited earlier, indicating that consumers are more likely to understand laundry symbols than professional care symbols, there is little empirical evidence that consumers understand what the symbols mean. There is however evidence that consumers do read garment care labels, particularly before purchase.

Textile Industry Affairs reported in 2008 that 80% of consumers read care labels before purchase. An earlier study, Cotton Inc's 2006 Lifestyle Monitor estimated that 50% read before they buy, and 34% claim they are "very important" in their purchase decision.

There is further evidence that reading labels does not necessarily equate to understanding them. While the estimates vary between sources, it is clear that somewhere between 28% and 56% of consumers believe that they can safely wash a "dry clean" garment. According to P&G's survey, 56% of respondents said that laundering could be an acceptable way to clean a garment labeled "dry clean." A Clorox study revealed that 49% of people surveyed had washed a garment with "dry clean" label. A Purdue study puts the figure at 28%.

Clearly, efforts to educate consumers about the meaning of professional care instructions have not been successful. While it is true that retailers and manufacturers have the scope to put together an initiative to reach and educate consumers on care symbols and the proper care of clothing, without leadership from the FTC, it is highly unlikely to happen.

Reasonable Basis Requirements

1. The Commission's proposed amendment clarifying reasonable basis requirement

We wholeheartedly support the Commission's proposed amendment. This type of clarification is long overdue; the current Rule simply leaves too much room for interpretation as to what is required under Reasonable Basis. Inadequate care labels are exceedingly common in the dry cleaning industry. As the authors of the 2012 ISO standard stated, "The variety of fibers, materials and finishes used in the production of textile articles together with the development of cleansing and care procedures makes it difficult and often impossible to decide on the appropriate cleansing and care treatment for each article simply by inspecting it."

2. GreenEarth Cleaning's proposal to amend the Rule's reasonable basis requirement

Citing examples is extremely helpful in strengthening the clarity of reasonable basis; toward that end, GreenEarth believes that adding examples of other common problem items to the FTC list is appropriate and useful.

When there is "gray area" in the definition of Reasonable Basis, instructions fail and the cost burden shifts to the dry cleaner and the consumer. Evidence of the need for this is available from the dry cleaning industry trade associations. For more than 30 years, the Dry cleaning & Laundry Institute ("Heads Up" and "Not in Vogue") and National Cleaners Association ("Watch Outs") have issued advisory notices warning dry cleaners about garments damaged when cleaned according to the care label. The majority of the alerts cite perc as the cause of damage to the fabrics, trims and components.

The additional examples below are common “problem items” items that can be safely processed in some solvents but not others. These examples are listed in **bold italics** below, with supporting explanation.

a. A finish that can be removed in processing. Finishes containing optical brighteners, water repellent, or waxed coating can be removed during normal processing with aggressive solvents like perc when they are made from solvent soluble material. A gentle, nonreactive solvent like GreenEarth silicone will not remove these types of finishes.

b. Sizing. Sizing becomes an issue depending on what type of sizing is used. Washing water-soluble sizing will cause a stiff linen blouse to lose its body. Dry cleaning solvent-soluble sizing will do the same. A chemically inert solvent like GreenEarth silicone cleans without solubilizing or dissolving materials, allowing sizing to remain intact; the problem arises with aggressive solvents that dissolve sizing.

c. Elastanes. Spandex, or Lycra, is an example of a newer fabric (not on the market at the time of the last Rule update) that poses serious issues with dye migration across all cleaning methods. Not all spandex blends are a problem, it is the specific combination of polyester and spandex is the blend prone to visible dye bleed. Spandex has no affinity for dye like polyester, hence the propensity for disperse dyes to bleed from dark fabrics to light.

d. Vinyl, polyurethane, elastics. Polyurethane and vinyl are softened with plasticizers that can be safely dry cleaned with silicone solvent but will dissolve in aggressive solvents, causing the garment to lose its flexibility and become rigid.

e. Acetates, triacetates. Acetates and triacetate's (commonly used in interlining as well as clothing items) are susceptible to shrinkage and wrinkling because they contain water-soluble sizing. This is particularly a problem in solvents with a propensity to hold water in suspension (e.g. glycol ether based solvents), but not a problem with silicone.

f. Silks. Silk is most often a problem when color has been applied using water-soluble dyes. When cleaned in an aggressive solvent like perc, the dye loses its sheen and brilliance, making it appear dull.

The extent of this problem is evidenced by the fact that a silk sheen restoration product (mineral oil based) has been developed to help dry cleaners correct this issue. Dye pull is not a problem with GreenEarth silicone; in fact, the brilliance and hand of silks can be restored with silicone cleaning.

g. Natural skins. All natural skins, leather or fur, have a basis of natural oil. Hard degreasing solvents with a high KBV like perc will strip this natural oil from the skins. Silicone is not reactive and will not strip natural oils, in fact, adsorbed silicone can become part of surface area of the leather and actually help to soften the leather. Hydrocarbon also won't strip the natural oil from nap leather (suede, cowhide) because it is oil based, with a low KBV.

The extent of this problem is evidenced by the fact that an entire process/product (charging systems with pale oil) has been created to replenish the natural oil on leathers.

While a non-reactive solvent like GreenEarth silicone will not cause a problem, aggressive solvents will dissolve or leech the glues and adhesives used to set seams together.

Garment components containing grain leathers (cuir sauvage or natural leathers where surface fur has been removed, e.g. bomber jacket) with surface paint/dye require refurbishment by professional leather cleaners because normal dry cleaners do not have the proper dyeing equipment or knowledge of dyes and spraying.

h. Glues. If ornamentation is glued on rather than sewn, and the glue is solvent soluble, dry cleaning can dissolve the glue. This process happens far more rapidly with an aggressive solvent like perc, often in one cleaning.

i. Other plasticized components. Glued on or heat seal applied decals, sequins, etc. cannot be safely dry cleaned in anything other than silicone or carbon dioxide.

We also suggest that **a garment containing water-soluble dyes, wool, natural fiber or natural skins when wetcleaning** be whole garment cleaned when wetcleaning is the recommended cleaning method. These are offered as examples where the simulated test methods may not ensure adequate protection from shrinkage and pilling. For example, wool can be cleaned with water; but shrinkage and pilling can arise if the right parameters are not followed during processing (the temperature of the water, the pH of the detergent, the mechanical action of the wheel, extraction speed, relative humidity in air space of drier, finishing on tensioning equipment).

3. Other issues of concern to commenters

We recommend Reasonable Basis also be amended to require testing of the entire garment when it contains black poly spandex sewn adjacent to white/light colored fabrics. The AATCC has acknowledged that the current test methods for dye bleed are not able to reliably predict dye bleed in poly-spandex garments with dark and light garments. The AATCC has amended its laundering test method instructions to warn of this problem, and is beginning work to address the issue in its dry cleaning test methods. Dye bleed on black and white garments made with poly spandex is the number one reported problem in dry cleaning.

Until there are reliable tests to predict dye bleed for poly spandex for home laundering and professional cleaning, testing the entire garment is the only means of protecting the consumer from this very common problem.

Thank you again for the opportunity to participate in this important process. Respectfully submitted,

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