

Comments to the Federal Trade Commission..Due Prior to December 1, 2016

Subject category: GREEN GUIDES – Organic Roundtable, Project Number P954501

Organic Claims for Non-Food Components and Finished Products. Our specific concern is the Textile /Fiber Category, specifically mattress, bedding, top-of-bed and other home textile related products where an “organic” or “certified organic claim” is being made.

From: Dale T. Read, President of the Specialty Sleep Association (SSA)

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“THE FUTURE OF SLEEP™”

The Specialty Sleep Association (SSA) is a non-profit industry association with a duo mission of both educating and advocating within the manufacturing and retail mattress/ bedding industry on behalf of existing as well as new technologies and innovations spanning airbeds, waterbeds, memory foam beds, engineered foam beds, latex beds, bio-based (natural and all-natural), and as well as “certified organic” beds, futons, pillows, toppers, mattress and bedding protectors, various bed bases, foundations, storage systems, bed-measuring systems, “smart beds”, adjustable bed-bases, pillows, sheets and toppers. The SSA also embraces the concept of consumer education, and has recently launched the third-party industry BEDFAX® Contents Label Verification program. This is NOT a certification program, but instead a consumer disclosure label (CDL) verifying legitimate third-party current certifications ranging from contents to various “green” claims and certifications such as “GREENGUARD”, Oeko-Tex, OCS Standard, Global Organic Textile Standard (GOTS) , CertiPUR-US® certification, etc.

The SSA has in recent years taken a focused interest on marketplace “claims”, specifically “green washing” or possible consumer confusion and misrepresentation regarding so called “organic” mattress and bedding products. Several manufacturers of mattresses featuring USDA-NOP sourced agri-crop materials and certified “organic” components or finished products have been, and continue to be, involved with the SSA...hence our ongoing interest in this category.

The SSA is also a member of the Organic Trade Association (OTA), and has actively participated in meetings over the past four years with OTA, USDA-NOP Enforcement and FTC regarding misrepresentations of “organic” claims. We join the OTA in seeking a clear definition and enforcement under the FTC GREEN GUIDELINES regarding legitimate organic claims in the fiber/ textile mattress and bedding categories.

We also see the fiber/ textile mattress product category as being distinctly different from the other non-food “organic” claims categories such as cosmetics, body lotions, shampoos, dry cleaning fluids, healthcare products, etc. This is because there is a recognized international, third-party legitimate standard for organic fiber / textile mattress products, namely the Global Organic Textile Standard (GOTS). So there is a legitimate widely recognized standard for this category already in place, and a number of our larger more pro-active “organic” manufacturers indeed have received certifications for their products and their factories under GOTS.

SSA Comments

As a key industry association, the SSA recognizes the market value of the word “organic”, and is aware of the importance that consumers place on products labeled as “organic”. We also have participated in various meetings at the Las Vegas Market (our industry market), at OTA, at USDA-NOP, and at the FTC Organic Roundtable where it has been made clear that consumers are confused by what “organic” means as it pertains to non-food products. We are also keenly aware of a “wild west” mentality (in particular - no enforcement of claims) on the internet and at the retail level, either with acts of deliberate commission or acts of omission and error making false or incomplete claims regarding “organic” mattresses and bedding products. These wide spread misrepresentations continue to hurt the entire category of “organic” products. The fact remains that in the non-agricultural arena there simply are no agreed-upon definitions, guidelines or certifications for “organic” established by, and enforced by, the US Government (unlike organic agricultural products which is regulated by the USDA-NOP).

It has also been brought to our attention that many consumers believe that fiber/ textile mattresses, bedding, fashion and home furnishings labelled as “organic” are regulated by the US Government. Of course, this is not the case, so consumers could be spending premium dollars for products they incorrectly think are “organic”.

The Specialty Sleep Association (SSA) stands with the Organic Trade Association (OTA) in believing that the term “organic” must become a US Government regulated term for “Fiber / Textile mattress and bedding products.” Regulation of the term “organic” for both components and finished products for fiber / textiles mattresses and bedding is needed to protect the overall integrity of the term “organic.” Because of historical USDA-NOP regulation, “organic” is a powerful differentiator in the food category, but it could lose some of its significance if consumer confidence in the overall term “organic” was eroded by irresponsible and unregulated use of organic claims in non-food items. These can result in an erosion in consumer confidence, and could have a long term negative impact on agricultural and manufacturing operations, which have been striving for some time to reduce the use of toxic chemicals.

Textiles / fiber-based mattresses and bedding products are not the same as formulated personal care (cosmetics, cleansers, lotions, shampoos, dry cleaning etc.) products. These fiber / textiles based products should be regulated on different basis from other non-food products.

GOTS, TE, USDA-NOP Exist Already for the fiber / Textile Transaction and Processing Stream.

In the case of bio-based (or natural) fiber or textiles such as hemp, cotton, coconut coir, wool, silk, the agri-crop itself can be certified as “organic” at the farm or plantation level: at the source via USDA-NOP. The Global Organic Textile Standard (GOTS) then applies strict standards to both components (including picking , handling, cleaning, combing, processing, weaving, knitting, etc.), as well as to the final cutting, sewing and fabrication into a final “certified organic” product that is either 70% “Made with Organic” or “95% Certified Organic” finished product. The GOTS program is a widely accepted international credible third party standard with thousands of participants worldwide.

Of critical importance: The US Government already recognizes GOTS as a standard. The GOTS standard encompasses precedent based on science, industry standards and the realities of manufacturing fiber / textile mattress and bedding products. The SSA believes that the requirements for mattresses and bedding and other manufactured “organic” textile goods, is sufficiently different to warrant a fiber/ textile mattress and bedding manner of regulation and enforcement. Fiber / textiles mattresses and bedding require processing and manufacturing methodologies that differ from personal care formulated or food products.

Mattresses also generally contain non-bio-based accessory items, for example such as steel coils (which are an effective way to create the support for a mattress), which by weight might make up a significant percentage of the product. Such additional accessory items necessary for mattresses may not be organic, but need to comply with the GOTS “non-toxic” requirements for such items. These issues are specifically addressed by GOTS, and are already integrated into the GOTS certified organic marketplace. The Memorandum of Understanding between the USDA-NOP and GOTS recognizing GOTS as a legitimate US (and global) standard for “organic” consumer products is a responsible basis for regulation and enforcement of “organic” claims.

While GOTS serves as a legitimate standard for “organic” mattresses, and is also widely recognized as the standard for “organic” mattresses, and while it is also the standard already approved by the USDA, there are also many others in the mattress community who find it difficult to achieve GOTS certification, but who do wish for their mattresses to be considered as comparable to “organic”, or, at the very least, to be considered as more “green” or more “sustainable” than the typical mattresses in the marketplace. It is not clear how to deal with this situation, as the FTC GREEN GUIDES does not seem to allow for a middle-ground of claims.

We hope that FTC will find a workable solution to the increasingly varied claims regarding mattresses that comply with the GOTS program and/or use organic materials and/or provide more “green” or “sustainable” materials in their products.

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