



OFFICE OF THE
CHAIRWOMAN

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON D.C. 20580

September 10, 2014

The Honorable Mary L. Landrieu
Chairwoman
Committee on Small Business and Entrepreneurship
United States Senate
Washington, D.C. 20510

Dear Chairwoman Landrieu:

We submit this seventh annual report in accordance with Section 212(a)(6) of the amended Small Business Regulatory Enforcement Fairness Act ("SBREFA"). This statute requires agencies to publish guides to assist small entities in complying with rules that significantly affect them. The Federal Trade Commission ("Commission" or "FTC") has a longstanding and effective business education program,¹ and only a small fraction of our business education library is discussed in this report.

From July 1, 2013 to July 1, 2014, the FTC issued no final rules that are subject to Section 212 of SBREFA.² Over that time period, the Commission also certified to the Small Business Administration that certain other final regulations issued would not have a significant economic impact on a substantial number of small business entities. Nonetheless, the Commission published a Final Regulatory Flexibility Act Analysis ("FRFA") along with these final regulations. We have either made available or are preparing updated compliance materials for each of these rulemakings, although not required to do so by SBREFA. Some examples are set out below:

- **Wool Rules (or Rules and Regulations Under The Wool Products Labeling Act of 1939), 16 C.F.R. § 300:** On June 4, 2014, the Commission amended the Wool Rules to conform to the 2006 amendments to the Wool Suit Fabric Labeling Fairness and International Standards Conforming Act (the Wool Act) and the amended Textile Rules. 79 Fed. Reg. 32,157. The changes included incorporating the Wool Act's new definitions for cashmere and very fine wools, clarifying descriptions of products containing virgin or new wool, and allowing certain hang-tags disclosing fiber

¹ From FY2002-FY2012, the FTC's "Compliance Assistance" under SBREFA was rated an "A" by the Small Business Administration's National Ombudsman. We anticipate the same grade when the National Ombudsman submits its FY2013 SBREFA Report for all agencies.

² Section 212 requires agencies to publish a "small entity compliance guide" for any new rule for which an agency is required to prepare a final regulatory flexibility analysis under section 3(a) of the Regulatory Flexibility Act, which is codified at 5 U.S.C. § 604.

trademarks and performance even if they do not disclose the product's full fiber content. The amended Rules were effective on July 7, 2014. To reflect these rule changes, the FTC revised "Cachet of Cashmere: Complying with the Wool Products Labeling Act" (July 2014) (enclosed) and "Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts" (July 2014) (enclosed).

- **Textile Labeling Rules (or "Rules and Regulations Under the Textile Fiber Products Identification Act"), 16 CFR § 303:** These Rules implement Textile Fiber Identification Act requirements that apparel and other covered household textile articles be marked with (1) the generic names and percentages by weight of the constituent fibers present in the textile fiber product; (2) the name under which the manufacturer or another responsible U.S. company does business, or in lieu thereof, the registered identification number (RN) of such a company; and (3) the name of the country where the textile product was processed or manufactured. After notice and comment, the Commission amended the Rules on April 4, 2014 to clarify and update their provisions and provide more flexibility, giving businesses more compliance options without imposing significant new obligations. 79 Fed. Reg. 18,766. The Commission revised "Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts" (July 2014) (enclosed).

Finally, the Commission updated or is in the process of updating business compliance materials for Final Rule actions even where an FRFA was not prepared. Examples include the following:

- **Energy Labeling Rule (or "Energy and Water Use Labeling For Consumer Products Under the Energy Policy and Conservation Act"), 16 C.F.R. § 305:** The Energy Labeling Rule requires manufacturers to attach yellow EnergyGuide labels stating an annual operating cost, an energy consumption rating, and a range for comparing the highest and lowest energy consumption for all similar models. On July 23, 2013, the Commission issued new EnergyGuide labels for refrigerators and clothes washers, and updated comparative energy consumption information on labels for other appliances, to help consumers compare products in light of new Department of Energy tests for measuring energy costs. 78 Fed. Reg. 43,974. The amendments were effective on November 15, 2013. The Commission updated "EnergyGuide Labels: Templates for Manufacturers" (July 2013) (enclosed) and "EnergyGuide Labeling: FAQs for Appliance Manufacturers" (May 2013) (enclosed).
- **Fur Rules (or "Rules and Regulations Under the Fur Products Labeling Act,") 16 C.F.R. § 301:** The Commission published amendments to the Fur Rules on May 28, 2014 to update the Fur Products Name Guide, provide more labeling flexibility, incorporate Truth in Fur Labeling Act provisions, and conform the guaranty provisions to those governing the Rules under the Textile Fiber Products Identification Act. 79 Fed. Reg. 30,445. More specifically, the changes eliminate unnecessary requirements on companies that sell fur products to give them more flexibility on labeling; update the Fur Products Name Guide that lists common animal names allowed on fur labels; and incorporate provisions of a fur labeling law passed by Congress in 2010, the Truth in Fur

Labeling Act of 2010 (“TFLA”). The Commission plans to release updated compliance materials for the Fur Rules by the effective date of the amendments, November 19, 2014.

- **Premerger Notification Rules and Report Form, 16 C.F.R. § 801-803:** On July 10a 2013, the Commission in conjunction with the Department of Justice’s Antitrust Division, amended the Hart-Scott-Rodino Act (“HSR”) rules to formalize procedures for the withdrawal and refiling of HSR filings. 78 Fed. Reg. 41,293. The Act and Rules require the parties to certain mergers and acquisitions to file reports with the Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice and to wait a specified period of time before consummating such transactions. The Commission subsequently released “Tips on Withdrawing and Refiling an HSRa Premerger Notification Filing (March 21, 2014) (enclosed).a

For many years, the FTC has had a highly effective program of providing compliance assistance to small businesses.³ We plan to continue to refine and improve these efforts. If you have any questions, please contact Christian S. White, the Deputy General Counsel for Legal Counsel and Small Business Coordinator at the Commission, at (202) 326-2476.

Respectfully,

/signed/
Edith Ramirez
Chairwoman

Enclosures

cc: The Honorable Sam Graves
Chairman
Committee on Small Business
U.S. House of Representatives
Washington DC 20515

³ The Commission also considers the specific and unique circumstances of a case when enforcing business obligations. Section 223 of SBREFA (1996) requires that agencies establish policies to reduce or waive penalties for small entities in appropriate circumstances. In 1997 the Commission issued a small business leniency policy statement that describes factors that may result in reduction or waiver of penalties. See 62 Fed. Reg. 16 809 (Apr. 8, 1997) (issuing policy); 62 Fed. Reg. 46,363 (Sept. 2, 1997) (responding to comment received). As such cases arise, the Commission considers these leniency factors whenever a civil penalty may be assessed against a small business.

In addition, and beyond SBREFA requirements, the Commission established corporate leniency policies for violations of the Textile and Wool Rules, 67 Fed. Reg. 71,566 (Dec. 2 2002), the Funeral Rule (through the Funeral Rule Offender Program), and the Franchise Rule (through the Franchise Rule Alternative Law Enforcement Program) that have helped in fostering a more cooperative, less threatening regulatory environment for small entities. These policies have helped increase overall compliance with the rules while minimizing the burden on business of correcting certain minor or inadvertent errors that are not likely to injure consumers.



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Cachet of Cashmere: Complying with the Wool Products Labeling Act

Cashmere. The very word evokes images of luxury, warmth and softness. The ultra-fine wool, from the undercoat of the Cashmere (or Kashmir) goat, is indeed a premium fiber that generally commands a much higher price than sheep's wool.

If you manufacture or sell clothing or household items that contain any wool, including specialty wools like cashmere, camel hair, mohair, alpaca, llama, or vicuna, you must comply with the Wool Products Labeling Act. That means your product labels must accurately reflect the items' fiber content, the country of origin, and either the name or registered identification number (RN or WPL number) issued by the FTC to the manufacturer or marketer. Labels on apparel items also must show a safe cleaning method.

Not all fibers from the Cashmere goat are considered cashmere under the Wool Act. Under the Act, the term "cashmere" can be used to identify fiber content only if:

- the fiber consists of the fine (dehaired) undercoat fibers produced by a Cashmere goat (*capra hircus laniger*);
- the average diameter of the cashmere fiber does not exceed 19 microns; and
- the cashmere fibers in the wool product contain no more than 3% (by weight) of cashmere fibers with average diameters that exceed 30 microns.

The average fiber diameter may be subject to a coefficient of variation around the mean that shall not exceed 24%. Fibers from a Cashmere goat that do not meet this definition should have a label that identifies them as wool.

Fiber Content Disclosure

Product labels must reflect the true fiber content of the item. For example, if a sweater is made of wool, it can be

labeled as 100% Wool, assuming it contains only wool. Likewise, if a sweater is made only of cashmere as defined in the Wool Act, it can be labeled as 100% either 100% Wool or 100% Cashmere. If a sweater contains cashmere mixed with sheep's wool and the label refers to cashmere, the label must accurately disclose the content, for example, 80% Wool, 20% Cashmere. It would be illegal to say simply Cashmere or Cashmere blend without stating the percentages. One exception to the requirement that percentages be stated: the word All can be used in place of 100% if the product is made of only one fiber; for example, All Wool or All Cashmere.

If a claim about the fiber content appears elsewhere on the garment, say a sleeve label, it must mirror the garment's fiber content label. For example, a coat labeled 50% Cashmere, 50% Wool cannot have a sleeve label stating only FINE CASHMERE GARMENT or FINE CASHMERE BLEND. In this instance, the sleeve label also must say 50% Cashmere, 50% Wool — in equally conspicuous lettering.

The amended Wool Rules allow hang-tags that identify fibers including cashmere, but that don't disclose the item's full fiber content if:

- the item has a label that includes the required fiber content statement, and
- the hang-tag tells consumers to see the label for the full fiber content, or states that it doesn't disclose the product's full fiber content.

These disclosures aren't required if the garment contains only one fiber and the hang-tag identifies that fiber.

The Textile Act allows a 3% tolerance for fiber content claims, but the Wool Products Labeling Act doesn't. However, the Wool Act says that deviation from the stated fiber content is not considered mislabeling if it results from "unavoidable variations" in the manufacturing process that occur despite the exercise of due care. For this reason, the FTC generally applies the 3% tolerance to wool products. The 3% tolerance does not allow for intentional mislabeling. There is no tolerance for a 100% claim, because the addition of another fiber would be intentional.

Testing is Important

You're responsible for the accuracy of the label, even if you import, distribute or sell wool products manufactured by another company. You can't necessarily rely on an invoice statement that the goods contain a specified amount of cashmere. Routine testing of fiber contents by a qualified, independent testing lab is the best way to assure accurate labels.

A trained expert using an optical or electron microscope can distinguish between cashmere fibers and sheep's wool fibers, following procedures established by the American Association of Textile Chemists and Colorists (AATCC) or the American Society for Testing and Materials (ASTM). The basic distinction is not only of diameter: some sheep

produce ultra-fine fibers with a diameter comparable to that of cashmere fibers. Significant differences exist in the scale structure of the two fibers, as well, and that's what the test expert looks for.

Guaranty of Compliance

If you buy and resell wool or cashmere products, ask your U.S. supplier for a "guaranty of compliance." The guaranty is a written statement on a product invoice or other dated document that states: "We guarantee that the wool products specified herein are not misbranded under the provisions of the Wool Products Labeling Act and rules and regulations thereunder."

The supplier is guaranteeing that the wool and cashmere products sold to you are labeled correctly according to the Wool Labeling Act. The guaranty must have the name and address of the guarantor. A "continuing guaranty," which covers all wool products sold by the guarantor, also can be filed with the FTC. Filing such a guaranty is an assurance by the guarantor that all its products covered by the Wool Act are labeled correctly. A buyer who relies in good faith on a properly executed guaranty will not be found in violation of the law if the goods are later determined to be mislabeled. Good faith means acting prudently and not ignoring an indication (like price or appearance) that an item may not be labeled accurately.

The FTC revised the form for filing continuing guaranties. You don't need to refile continuing guaranties that were filed using the old form. If you need to update your contact or business status information, use [FTC Form 31-A](#).

A special note about guaranties and foreign companies: A foreign company cannot file a continuing guaranty with the FTC, and a guaranty from a foreign company is not a legal defense if the importer is charged with mislabeling products. A U.S. importer is legally responsible for the proper labeling of imported textile and wool products. Importers should test the fiber content of imported goods periodically to verify the accuracy of the label.

The Commission's [enforcement policy statement](#) provides that it will not bring enforcement actions against retailers that:

1. cannot legally obtain a guaranty under the Wool Act
2. do not embellish or misrepresent claims provided by the manufacturer related to the Act or Rules **and**
3. do not market the products as private label products, unless they knew or should have known that the marketing or sale of the products would violate the Act or Rules.

How Posh is Pashmina?

The popularity of products marketed as pashmina — an Indian word for cashmere — has soared in recent years, yet most consumers aren't sure what pashmina is. That's not surprising, as pashmina is not a labeling term recognized by the Wool Act and Rules. Experts tell the FTC there is no pashmina fiber that is separate and distinct from the cashmere fiber.

Some manufacturers use the term pashmina to describe an ultra fine cashmere fiber; others use it to describe a blend of cashmere and silk. The FTC encourages manufacturers and sellers of products described as pashmina to use a hang-tag or other mechanism to explain to consumers what they mean by the term.

The fiber content of a shawl, scarf or other item marketed as pashmina must be accurately disclosed. For example, a blend of cashmere and silk might be labeled 50% Cashmere, 50% Silk, or 70% Cashmere, 30% Silk, depending upon the actual cashmere and silk content. If the item contains only cashmere, it should be labeled 100% Cashmere or All Cashmere. The label cannot say 100% Pashmina, because pashmina is not a fiber recognized by the Wool Act or regulations.

Other Label Requirements

The label must state the country of origin and the identity — either name or RN — of the manufacturer or other business responsible for marketing the item, and the fiber content. Read more about labeling textile and wool products in [Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts](#).

Care Labels

Apparel care labels are required under the FTC's Care Labeling Rule, explained in [Clothes Captioning: Complying with the Care Labeling Rule](#).

Labels that say Dry Clean Only tell consumers that the item can't be washed safely. To be accurate, you must have proof that the garment will be harmed by washing. The truth is that many cashmere items can be washed safely at home. A label that says Dry Clean does not warn against washing and does not require proof that washing would harm the item.

For clothing that may be washed or dry cleaned, you must give instructions for at least one cleaning method. But consumers are telling the FTC they want information about both cleaning methods.

For More Information

If you have questions about the Textile, Wool and Fur Acts and Rules, see [Legal Resources](#).

For more information about cashmere and other specialty wool products, contact:

Cashmere & Camel Hair Manufacturers Institute, 3 Post Office Square, 8th Floor Boston, MA 02110;

<http://www.cashmere.org/>.

Your Opportunity to Comment

The National Small Business Ombudsman and 10 Regional Fairness Boards collect comments from small businesses about federal compliance and enforcement activities. Each year, the Ombudsman evaluates the conduct of these activities and rates each agency's responsiveness to small businesses. Small businesses can comment to the Ombudsman without fear of reprisal. To comment, go to www.sba.gov/ombudsman.

July 2014



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Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts

Introduction

Who's Covered and Who's Not

Textile Products: What's Covered and What's Not

Wool Products: What's Covered and What's Not

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- Exceptions to the Fiber Disclosure Requirement
- Sectional Disclosure of Fiber Content
- Pile Fabrics
- Fiber Names
- Premium Cotton Fibers -- Pima, Egyptian, Sea Island, etc.
- Wool Fiber Names

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- Label placement and attachment
- Special exception for hosiery sold in packages
- Special requirements for socks
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- Products with two or more items of the same fiber
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Advertising and Catalogs

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- Catalogs

Continuing and Separate Guaranties

- [Fiber Trademarks](#)
- [Products Containing Unknown Fibers](#)
- [Sale of Remnants and Products Made of Remnants](#)
- [Marking of Fabric Samples or Swatches](#)
- [Tolerances for Fiber Content](#)

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- [Unqualified "Made in U.S.A." labels](#)
- [Products made in U.S.A. with imported materials](#)
- [Identification of processing or manufacturing that takes place in the U.S. and abroad](#)
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Identification of Manufacturer, Importer, or Other Dealer

- [If you use a company name](#)
- [If you use a Registered Identification Number \(RN\)](#)
- [How to get an RN](#)
- [How to identify the company holding a particular RN](#)

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Summary of Fur Labeling Requirements

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- [Mechanics of labeling](#)
- [Invoices and advertising](#)
- [Exemption](#)
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Your Opportunity to Comment

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- [FTC Address & Telephone Numbers for questions about the Textile, Wool, and Fur Rules](#)
- [Generic Names for Manufactured Fibers 16 CFR § 303.7](#)
- [ISO Names Permitted, Although Not Listed in Textile Rules](#)

- [How to update RN information](#)
- [Replacing another company's label with your own](#)

Introduction

Federal labeling requirements for textile and wool products, enforced by the FTC, require that most of these products have a label listing the fiber content, country of origin and identity of the manufacturer or another business responsible for marketing or handling the item.¹ [Fur products](#) have label requirements as well.² Care labels for clothing are required by another rule enforced by the FTC.³

The Commission's recent amendments to the Textile Rules are effective May 5, 2014 and the recent [amendments to the Wool Rules](#) are effective July 7, 2014. Marketers now have greater flexibility in marketing their products using certain hang-tags that need not disclose the product's full fiber content.

Part of the FTC's consumer protection mission is to give businesses the information they need to comply with the rules and regulations the agency enforces. Threading Your Way includes the latest revisions to the Textile and Wool Rules. It clarifies certain points, and address amendments to the Textile and Wool Rules and 2006 amendments to the Wool Act regarding cashmere and very fine wools.

Here are a few key changes:

Fiber names. The Rules require that labels identify manufactured fibers using the fiber's generic names. The FTC has updated section 303.7 to ease barriers to trade by permitting more internationally-recognized fiber names used in the International Organization for Standardization's 2010 standard for generic names of man-made fibers.

Hang-tag disclosures. The FTC revised sections 303.17(b), 300.8(d) and 300.24(b) to allow certain hang-tags disclosing fiber names and trademarks and non-deceptive performance information, without having to disclose the product's full fiber content on the tag. What about the possibility that information on the hang-tag could mislead consumers? Unless the hang-tag discloses the product's full fiber content or the product is entirely made of that fiber, the FTC Rules require the hang-tag to clearly and conspicuously tell potential buyers there's more to know. Possible ways to say that: "This tag does not disclose the product's full fiber content" or "See label for the product's full fiber content."

Country of origin. The Rules require labels to disclose the country where the product was processed or

manufactured. The FTC amended sections 303.33(d) and (f) and 300.25(d) and (f) to clarify that the country where an imported product is processed or manufactured is the country of origin as determined under the laws and regulations enforced by Customs.

E-commerce. The Rules already address e-commerce, but the FTC has clarified them further to reflect that business paperwork often is in electronic form. Specifically, the FTC amended the definition of the terms “invoice” and “invoice or other paper” in sections 303.1(h) and 300.1(j) to: (1) replace the word “paper” with “document”; (2) state explicitly that those documents can be issued electronically; and (3) allow for the preservation of records in forms other than paper.

Guaranties. The FTC updated the Rules’ continuing guaranty provisions in sections 303.37 and 303.38 by substituting a certification for the requirement that suppliers provide a guaranty signed under penalty of perjury. This amendment to section 303.38 on continuing guaranties filed with the FTC automatically amended the Wool and Fur Rules, too, because they incorporate this provision of the Textile Rules.

FTC Enforcement Policy Statement. Due to changes in the textile industry — for example, increased imports — some businesses can’t get guaranties. The FTC believes it’s in the public interest to provide protections for retailers that: (1) can’t legally get a guaranty under the Act; (2) don’t embellish or misrepresent claims made by the manufacturer; and (3) don’t market the products as private-label goods. But there’s a big caveat to that: If a retailer knew or should have known the marketing or sale of an item would violate the Textile or Wool Act or Rules, those protections won’t apply. That standard was explained in a January 3, 2013, FTC [Enforcement Policy Statement](#).

Wool Act amendments. In 2006, Congress amended the Wool Act to include a definition of “cashmere” providing that fibers from the Cashmere goat must meet certain criteria to qualify as cashmere. Otherwise, the fibers must be identified as wool. Also, the Wool Act now addresses the use of “Super” and “S” numbers to describe very fine wool products. The Commission has [amended the Wool Rules](#) to incorporate these amendments to the Wool Act.

Citations to the statutes and the rules are found in the endnotes.

Who’s Covered and Who’s Not

If you manufacture, import, sell, offer to sell, distribute or advertise products covered by the Textile and Wool Acts, you must comply with the labeling requirements.

You are exempt if you are:

- a common carrier or contract carrier shipping or delivering textile products in the ordinary course of business

- a processor or finisher working under contract to a manufacturer (unless you change the fiber content contrary to the terms of the contract)
- a manufacturer or seller of textile products for export only or
- an advertising agency or publisher disseminating ads or promotional material about textile products

Textile Products: What's Covered and What's Not

In general, most clothing and textile products commonly used in a household are covered by the labeling requirements.⁵

Covered

- | | |
|---|--|
| <ul style="list-style-type: none"> • Clothing, except for hats and shoes • Handkerchiefs • Scarves • Bedding, including sheets, covers, blankets, comforters, pillows, pillowcases, quilts, bedspreads and pads (but not outer coverings for mattresses or box springs) • Curtains and casements • Draperies • Tablecloths, napkins and doilies • Floor coverings: rugs, carpets and mats • Towels, washcloths and dishcloths • Ironing board covers and pads | <ul style="list-style-type: none"> • Umbrellas and parasols • Bats or batting • Flags with heading or that are bigger than 216 square inches • Cushions • All fibers, yarns and fabrics, but not packaging ribbons • Furniture slip covers and other furniture covers • Afghans and throws • Sleeping bags • Antimacassars (doilies) • Hammocks • Dresser and other furniture scarves |
|---|--|

The labeling requirements do not apply until the products are ready for sale to consumers. Items shipped or delivered in an intermediate stage of production and not labeled with the required information must include an invoice disclosing the fiber, country of origin, manufacturer or dealer identity, and the name and address of the person or company issuing the invoice.⁶ If the manufacturing or processing of the products is substantially complete, the products are considered ready for sale. Indeed, even if small details like hemming, cuffing or attaching buttons to

garments are yet to be finished, the products still must be labeled.

The following items are **not covered** by the Textile Act labeling requirements:⁷

Not Covered

- Upholstery or mattress stuffing that is not reused. If the stuffing is reused, the label must say so.
- Outer coverings of upholstered furniture, mattresses and box springs
- Linings, interlinings, filling or padding used for structural purposes. If used for warmth, though, the fiber must be disclosed. **In addition**, if you state the fiber content of linings, interlinings, filling or padding, the products are not exempt.
- Stiffenings, trimmings, facings or interfacings
- Backings of carpets or rugs and pads or cushions for use under carpets, rugs or other floor coverings⁸
- Sewing and handcraft threads
- Bandages, surgical dressings and other products subject to the federal Food, Drug and Cosmetic Act⁹
- Waste materials not used in a textile product
- Shoes, overshoes, boots, slippers and all outer footwear. **But**, socks and hosiery are covered; slippers made of wool are covered under The Wool Rules.
- Headwear, including hats, caps or anything worn exclusively on the head. Wool hats are covered under The Wool Rules.
- Textiles used in handbags or luggage¹⁰, brushes, lampshades, toys, feminine hygiene products, adhesive tapes and adhesive sheets, cleaning cloths impregnated with chemicals, or diapers

The following items are excluded from the Textile labeling requirements unless you decide to make a statement about the fiber content. If you make any representation about fiber, all the requirements for fiber content disclosure apply.¹¹

Not Covered Unless You Say Something About Fiber

- Belts
- Suspenders
- Arm bands
- Neckties that are permanently knotted
- Secondhand household textile items that are obviously used or marked as secondhand
- Non-woven disposable products intended for one-time use only
- Curtains, casements, draperies and table

- Garters
- Diaper liners
- Labels (individually and in rolls)
- Looper clips intended for handicraft purposes
- Book cloth
- Artists' canvases
- Tapestry cloth
- Shoe laces
- All textile products manufactured by operators of company stores and sold exclusively to their own employees
- Coated fabrics and those parts of textile products made of **coated fabrics**. A fabric is coated if it is coated, filled, impregnated or laminated with a continuous-film-forming polymeric composition, and the weight added to the base fabric is at least 35% of the weight of the fabric before coating.¹²
- place mats that are made primarily of slats, rods, or strips that are composed of wood, metal, plastic or leather
- Textile products purchased by U.S. military services according to specifications. But textile products sold and distributed through post exchanges, sales commissaries, or ship stores are covered. In addition, if the military sells textile products for nongovernmental purposes, the fiber information must be furnished to the buyer for labeling the products before distribution.
- Hand-woven rugs made by Navajo Indians with the attached "Certificate of Genuineness" supplied by the Indian Arts and Crafts Board of the U.S. Department of Interior

Labeling is not required for other products not specifically mentioned in the statute or rules, or for non-textile products or components, including:

Not Covered

- Auto seat cushions
- Awnings
- Baby equipment — seats, carriers, carriages, strollers, harnesses, etc.
- Bags — net bags, tote bags, bags for laundry, diapers, cosmetics, sports gear, etc.
- Hot pads
- Industrial wiping cloths and cleaning towels
- Inked ribbons for typewriters, etc.
- Knapsacks and backpacks
- Leather goods and trim

- Beach or patio umbrellas
- Beads, sequins, buttons
- Burial shrouds
- Chair seats for lawn chairs
- Coasters for glasses
- Cosmetic masks and travel kits
- Coverings used in churches
- Covers for household items other than furniture and ironing boards: birdcages, irons, toasters, mixers, toilet tanks & lids, tissue boxes
- Covers for sports equipment, such as golf clubs, skis, etc.
- Cumberbunds
- Dog coats, other pet clothing, and pet furniture
- Drapery pleater tapes
- Dress shields
- Eyeglass cases
- Filters — all types
- Flowers made of fabric
- Hangers padded with fabric
- Holiday decorations and ornaments
- Hosiery hampers
- Life preservers and jackets
- Mops and mop covers
- Notebook covers
- Novelty items
- Oven mitts
- Pads for sports equipment, such as toboggans
- Poly-foam and foam rubber
- Powder puffs
- Rope
- Saddle blankets, camel saddles
- Sleeping masks
- Sports protectors for elbow, knee, chest, etc.
- Sweatbands
- Tea cozies
- Tents
- Twine
- Venetian blind tapes
- Wall coverings
- Wall decorations
- Wigs
- Window shades and shade pulls

Textile products intended for uses not covered by the Textile Act should be accompanied by an invoice or other documentation stating that they are not intended for uses subject to the Textile Fiber Products Identification Act.

Wool Products: What's Covered and What's Not

Most products that contain **any** amount of wool — including clothing, blankets, fabrics, yarns and other items — are covered by the Wool Act and Wool Rules.¹³ While the requirements for wool products overlap those for other textiles, there are differences.

- A **wool product** is any product or portion of a product that contains — or is represented to contain — wool, including recycled wool.
 - **Note:** Products exempt from the Textile Act and Rules, like hats and slippers, are covered by the Wool Act and Rules if they contain any wool.
- **Recycled wool** is wool that has been returned to a fibrous state after having been woven, knitted or felted into a wool product, regardless of whether a consumer has ever used the product.

Products not covered even if they contain wool

- Carpets, rugs or mats, which are covered by the Textile Act and Rules
- Upholsteries
- Wool products made for export

Fiber Content

If your product is covered by the Textile or Wool Act and Rules, it must be labeled to show the fiber content. For products covered by the Textile Act and Rules, the generic fiber names and percentages by weight of each constituent fiber must be listed in descending order of predominance.¹⁴ For example:

65% rayon
35% polyester

If the product is made from one fiber, you may use the word "All" instead of "100%." For example: "100% Wool" or

“All Wool.”

The disclosure requirement applies only to fibers in yarns, fabrics, clothing and other household items. If part of the product is made from a non-fibrous material — such as plastic, glass, wood, paint, metal or leather — you don't have to include that on your label. That includes the contents of zippers, buttons, beads, sequins, leather patches, painted designs, or any other parts that are not made from fiber, yarn, or fabric.

In general, you may name only the fibers that comprise 5% or more of the fiber weight. Fibers of less than 5% should be disclosed as “other fiber” or “other fibers” and not by their generic name or fiber trademark.¹⁵

Exceptions to the 5% rule:

1. You must disclose wool or recycled wool by name and percentage weight, even if it is less than 5% of the product.
2. You **may** state the name and percentage of a fiber that is less than 5% of the product, **if** the fiber has a definite functional significance at that amount. For example, if a small amount of spandex is used for elasticity, the label could say:

96% Acetate
4% Spandex

If nylon is added to a wool garment for durability, the label could say:

96% Wool
4% Nylon

You don't have to disclose the functional significance, as long as there is one.

If there are multiple, non-functionally-significant fibers present in amounts of less than 5% each, designate their aggregate percentage, even if it's greater than 5%. For example:

82% Cotton	90% Cotton
10% Polyamide	4% Polyamide
8% Other Fibers	6% Other Fibers

Exceptions to the fiber disclosure requirement

Some parts of a textile or wool product don't have to be counted for labeling purposes even if they are made of a fibrous material. These include trim, linings (unless used for warmth), small amounts of ornamentation and the threads that hold the garment together, although the label may need to disclose that the stated fiber content is exclusive of decoration or ornamentation.

Trimmings

Various forms of trim incorporated into clothing and other textiles are excluded from the labeling requirements.¹⁶ Trim includes collars, cuffs, braiding, waist or wrist bands, rick-rack, tape, belting, binding, labels, leg bands, gussets, gores, welts, findings and superimposed hosiery garters.

Findings include:

- elastic materials and threads added to a garment in minor proportion for structural purposes; and
- elastic material that is part of the basic fabric from which a product is made, if the elastic doesn't exceed 20% of the surface area. In this case, the required fiber content information should be followed by the statement "exclusive of elastic."

Other trimmings exempt from labeling requirements are:

- decorative trim applied by embroidery, overlay, applique or attachment
- decorative patterns or designs that are an integral part of the fabric

as long as the decoration does not exceed 15% of the surface area of the item. If no representation is made about the fiber content of the decoration, the fiber content disclosure should be followed by the statement "exclusive of decoration."

Note: Collars and cuffs, whether decorated or not, are exempt from fiber content disclosure, so any decoration on collars and cuffs does not count toward the 15%.

If decorative trim or designs exceed 15% of the surface area of the product and are made of a different fiber from the base fabric, the fiber of the decoration must be disclosed on the label as a sectional disclosure. If the decorative trim does not exceed 15%, but information about its content is referenced somewhere, the fiber of the decoration also must appear on the label.

Example 1: You are selling a cotton T-shirt with decorative silk trim piping and embroidery that covers 10% of the

shirt. No other information about the fiber of the decoration has been given. The label may say:

All Cotton exclusive of decoration	or	100% Cotton exclusive of decoration
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Example 2: You are selling the same cotton T-shirt, described in advertising and on signs as a "Silk Trim T." The label must disclose the trim content. For example:

Body - 100% Cotton
Decoration - 100% Silk

Example 3: You are selling a cotton T-shirt with decorative silk trim piping and embroidery that covers 20% of the shirt. The label must disclose the content of both the body of the shirt and the trim. For example:

Body - 100% Cotton
Decoration - 100% Silk

Ornamentation

"Ornamentation" refers to "any fibers or yarns imparting a visibly discernible pattern or design to a yarn or fabric."¹⁷ Ornamentation is exempt from fiber content disclosure when it does not exceed 5% of the product's fiber weight.¹⁸ You would disclose the other fibers in the product without regard to the ornamentation and include the statement: "Exclusive of Ornamentation." For example:

60% Cotton
40% Rayon
Exclusive of Ornamentation

You may identify the ornamental fiber if you also list the percentage of the ornamentation in relation to the total fiber weight of the principal fiber or blend of fibers. In this case, the numbers will add up to more than 100%. For example:

70% Nylon 30% Acetate Exclusive of 4% Metallic Ornamentation	or	100% Rayon Exclusive of 3% Silk Ornamentation
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If the ornamentation exceeds 5% of the fiber weight, you must disclose its fiber as a separate section. For example:

Body: 100% Viscose
Ornamentation: 100% Silk

There is some overlap between the definitions of "ornamentation" and "trimmings." If the ornamentation, decorative trim or decorative pattern or design exceeds 15% of the surface area of the product, **and** 5% of the fiber weight of the fabric, you must disclose its fiber content.

If it is either less than 15% of the surface area, **or** less than 5% of the fiber weight, you don't have to disclose its content if the label says "exclusive of decoration" or "exclusive of ornamentation."

If the component of the product falls under both definitions, the label can make either disclosure.

Linings and interlinings¹⁹

If linings, interlinings, fillings or paddings are used only for structural purposes, there's no requirement to disclose their fiber. However, if you voluntarily say or imply anything about their fiber content, the requirements of the statutes and rules apply.

If linings, interlinings, fillings or paddings — including metallic-coated textile linings and linings or fillings that contain any amount of wool — are incorporated for warmth, their fiber must be disclosed as a sectional disclosure. For example:

Shell: 100% Nylon	or	Covering: 100%
Lining: 100% Polyester		Rayon
		Filling: 100%
		Cotton

Even if the outer fabric and the lining or interlining are made of the same material, disclose the fiber content separately.

Shell: 100% Polyester
Interlining: 100% Polyester

If the lining, interlining, filling or padding is the only textile portion of the product (with the outer part made of a non-

textile material like rubber, vinyl, fur or leather), the fiber content of the lining, interlining, filling or padding must be disclosed if it is incorporated into the product for warmth.

Sectional disclosure of fiber content

If a product has separate sections with different fiber compositions, the content of each section should be identified separately on the label.²⁰ Where ornamentation or trim forms a distinct section of the product, and is present in a quantity that doesn't exempt it from fiber disclosure, disclose the fiber in a separate section.

Examples of sectional disclosure:

Red: 100% Nylon	or	Body: 100%
Blue: 100% Polyester		Cotton
Green: 80% Cotton,		Sleeves: 80%
20% Nylon		Cotton, 20%
Ornamentation: 100%		Polyester
Silk		

Sectional disclosure is required if necessary to avoid deception. As a general practice, where garments or other products are divided into distinct sections made of different fibers, use sectional disclosure so the information is clear to consumers.

Note on elastics: The fiber content of a product that is part elastic material and part other fabric must be disclosed by section.²¹ The fiber content of the non-elastic section should be disclosed in the usual way. The elastic section should be described as "elastic," followed by a list of the fibers in the elastic, in order of predominance by weight. For example:

Front and back non-elastic sections:
50% Acetate
47% Cotton
3% Other fiber
Elastic: rayon, cotton, nylon, rubber, other fiber

If the elastic material does not exceed 20% of the product's surface area, it falls under the trim exemption. In that case, the label would disclose the content of the base fabric, followed by the phrase: "exclusive of elastic."

Note on superimposed fibers: If a fiber is added to a section of a product (like the heel or toe of a sock) for reinforcement or other purposes, the label may state the content of the base fabric (in numbers that total 100%), followed by the word "except" and the name of the superimposed fiber, its weight relative to the base fiber(s) and

where it was added. For example:

55% Cotton
45% Rayon
Except 5% Nylon added to heel & toe

Pile fabrics²²

Fiber content labeling for pile fabrics may be handled in two ways. You may state the fiber content for the product as a whole, or disclose the fiber content of the pile and backing separately. If you disclose the pile and backing separately, give the ratio between the two as percentages of the fiber weight of the whole. For example:

100% Nylon Pile
100% Cotton Back
(Back is 60% of fabric and pile 40%)

Fiber names²³

Both natural and man-made fibers must be identified by their generic names. The FTC recognizes certain names that must be used to identify man-made fibers as well as recognizes the names listed in International Organization for Standardization (ISO) Standard 2976: 2010(E), "Textiles — Man-made fibres — Generic names." While many of the names listed in the ISO standard don't appear in the Commission's Rules, you may use them on labels to satisfy the fiber identification requirement. To order a copy of the ISO standard, contact:

American National Standards Institute
25 West 43rd St., 4th floor
New York, NY 10036

A few common fibers recognized by the Commission have different names in the ISO standard. For example, the ISO standard uses the name viscose for the predominant form of rayon, and elastane for spandex. You may use either name.

When a manufacturer develops a new fiber, the name may not be used on labels until it is recognized by the Commission. The manufacturer may seek recognition by the ISO or petition the Commission.²⁴ However, the Commission can more easily recognize the name — and forgo the petition process — if the name is recognized first by the ISO.

Biconstituent or multiconstituent fibers: If a manufactured fiber is a mixture of two or more chemically

distinct fibers combined during or before extrusion, the content disclosure should state:

- whether it is a biconstituent or multiconstituent fiber;
- the generic names of the component fibers, in order of predominance by weight; and
- the percentage of each component by weight

For example:

100% Biconstituent Fiber
(65% Nylon, 35% Polyester)

Premium cotton fibers — Pima, Egyptian, Sea Island, etc.

The fiber disclosure may include the name of a type of cotton, as long the name is truthful and not deceptive. You can label a shirt “100% Pima Cotton” as long as the garment contains 100% Pima cotton fibers.

If 50% of the cotton in the shirt is Pima, and you want to use the term “Pima” on your label or elsewhere, you must indicate that Pima constitutes 50% of the fiber content. For example, your label could say: “100% Cotton (50% Pima),” or “50% Pima Cotton, 50% Upland Cotton,” or “50% Pima Cotton, 50% Other Cotton.” The label must show that it is 100% cotton and, if you use the word “Pima,” that only 50% of the cotton fibers are Pima. Saying “100% Cotton, Pima Blend,” without disclosing the Pima content is unacceptable.

If you refer to “Pima” on a hang-tag and the item contains fibers other than “Pima,” you don’t need to repeat the fiber content information on the hang-tag if the tag tells the consumer to see the label for the item’s full fiber content. This includes use of a trademark that implies the presence of Pima cotton. If the item contains only one type of fiber, the hang-tag doesn’t need to include this disclosure.

For more information, see [Calling It Cotton: Labeling and Advertising Cotton Products](#).

Wool fiber names

You may use the term wool for fiber made from the fleece of the sheep or lamb, and the hair of the Angora goat, Cashmere goat, camel, alpaca, llama, or vicuna.²⁵ Reclaimed or recycled wool fibers must be identified as recycled wool.²⁶

Specialty wool fibers ²⁷

Specialty fibers may be called wool or identified by their specialty fiber names: mohair, cashmere, camel, alpaca, llama, vicuna.

Not all fibers from the Cashmere goat are considered cashmere under the Wool Act and Rules. The term "cashmere" can be used to identify fiber content only if:

1. the fiber consists of the fine (dehaired) undercoat fibers produced by a Cashmere goat (*capra hircus laniger*);
2. the average diameter of such cashmere fiber does not exceed 19 microns; and
3. the cashmere fibers in such wool product contain no more than 3% (by weight) of cashmere fibers with average diameters that exceed 30 microns.

The average fiber diameter may be subject to a coefficient of variation around the mean that shall not exceed 24%. If fibers from a Cashmere goat do not meet this definition, the label should identify them as wool rather than cashmere.

If you use the name of a specialty fiber, the percentage of that fiber must appear on the label. In addition, any recycled specialty fiber must be identified as "recycled." For example:

50% Recycled Camel Hair 50% Wool	55% Alpaca 45% Camel Hair	35% Recycled Llama 35% Recycled Vicuna 30% Cotton
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If you use specialty fiber names, they must appear on the required fiber content label and in any other references to the fibers. If the required label simply states wool, you can't use a specialty fiber name in other non-required information — like a hang-tag — that may appear on the product. For example, if the label says: 100% Wool, "Fine Cashmere Garment" can't appear on the required label or any other label or tag. If the garment has a small amount of cashmere, and you draw attention to that fact in some way, cashmere should be listed on the label with the actual percentage. For example:

97% Wool
3% Cashmere

As with other fiber content disclosures, all parts of the fiber information must be in type of equal size and conspicuousness. References to the specialty fiber can't be misleading or deceptive. For example, if a jacket has a label disclosing that it contains 3% cashmere, it would be misleading to attach another label to the sleeve stating "FINE CASHMERE BLEND," unless the sleeve label repeats the full fiber disclosure with percentages by weight.

The Commission has amended the Wool Rules to allow certain hang-tags identifying fibers without disclosing the item's full fiber content, if the item has a label that provides the required fiber content information and the hang-tag tells the consumer to see the label for the item's full fiber content. This disclosure would not be required if the item consists of only one type of fiber.

Very Fine Wool Fibers

The Wool Act and Rules allow labels for wool products to identify fine wool fibers by using terms like "Super 80's" or "80's." However, wool fibers cannot be identified using these terms unless the wool meets the following definitions:

- (a) "Super 80's" or "80's" --- the average diameter of wool fiber averages 19.75 microns or finer;
- (b) "Super 90's" or "90's" --- the average diameter of wool fiber averages 19.25 microns or finer;
- (c) "Super 100's" or "100's" --- the average diameter of wool fiber averages 18.75 microns or finer;
- (d) "Super 110's" or "110's" --- the average diameter of wool fiber averages 18.25 microns or finer;
- (e) "Super 120's" or "120's" --- the average diameter of wool fiber averages 17.75 microns or finer;
- (f) "Super 130's" or "130's" --- the average diameter of wool fiber averages 17.25 microns or finer;
- (g) "Super 140's" or "140's" --- the average diameter of wool fiber averages 16.75 microns or finer;
- (h) "Super 150's" or "150's" --- the average diameter of wool fiber averages 16.25 microns or finer;
- (i) "Super 160's" or "160's" --- the average diameter of wool fiber averages 15.75 microns or finer;
- (j) "Super 170's" or "170's" --- the average diameter of wool fiber averages 15.25 microns or finer;
- (k) "Super 180's" or "180's" --- the average diameter of wool fiber averages 14.75 microns or finer;
- (l) "Super 190's" or "190's" --- the average diameter of wool fiber averages 14.25 microns or finer;
- (m) "Super 200's" or "200's" --- the average diameter of wool fiber averages 13.75 microns or finer;
- (n) "Super 210's" or "210's" --- the average diameter of wool fiber averages 13.25 microns or finer;
- (o) "Super 220's" or "220's" --- the average diameter of wool fiber averages 12.75 microns or finer;

(p) "Super 230's" or "230's" --- the average diameter of wool fiber averages 12.25 microns or finer;

(q) "Super 240's" or "240's" --- the average diameter of wool fiber averages 11.75 microns or finer; and

(r) "Super 250's" or "250's" --- the average diameter of wool fiber averages 11.25 microns or finer.

The Act and Rules permit the use of the above terms to describe wool in products that consist entirely of wool as well as wool blends. Marketers may average the diameter of warp and filling yarns to determine overall fineness.

If using a "Super" or "S" number to describe a product falsely implies that the product contains wool, using the "Super" or "S" numbers on the label would violate the Wool Act and Rules. Non-required information on labels, including "Super" or "S" numbers, must not minimize, detract from or conflict with required information and must not be false, deceptive or misleading.

Other hair or fur fibers

The term "fur fiber" may be used to describe the hair or fur fiber — or mixtures thereof — of any animals other than the sheep, lamb, Angora goat, Cashmere goat, camel, alpaca, llama and vicuna. You may use the name of the animal if its hair or fur fiber comprises more than 5% of the fiber weight. For example, 60% Wool, 30% Fur Fiber, 10% Angora Rabbit Hair.

The hair or fiber of new varieties of cross-bred animals, like Cashgora hair or Paco-Vicuna hair, can be disclosed this way, too. For example:

60% Wool
40% Cashgora Hair

Note: If a hair or fur fiber is attached to the animal skin, it is covered by the [Fur Rules](#).

Fiber trademarks

On labels²⁸

You may use a fiber trademark on a content label as long as it appears next to the generic fiber name. The type or lettering of the trademark name and the generic name must be equally conspicuous and of the same size.

When a fiber trademark appears on any label, make a complete fiber content disclosure the first time the trademark

is used. For example:

80% Cotton
20% Lycra® Spandex

If the trademark doesn't appear in the fiber content disclosure but appears elsewhere on the label, the generic name of the fiber must appear together with the trademark the first time the trademark is used. For example:

80% Cotton
20% Spandex
Made in the USA
Lycra® Spandex
Lycra® for Fit

Fiber trademarks or generic names that appear on non-required labels or tags must not be false, deceptive or misleading. For example, a fiber trademark must not be used to indicate or imply that a product is made completely of a certain fiber if it isn't.

If an item covered by the Textile Act and Rules or the Wool Act and Rules has a label providing the required fiber content statement, you may attach a hang-tag that identifies and describes one or more fibers without including the fiber content statement as long as the hang-tag makes clear that it doesn't provide the item's full fiber content. The hang-tag must include a disclosure like "This tag does not disclose the product's full fiber content" or "See label for the product's full fiber content."

The disclosure must be clear and conspicuous. If the fiber's generic name, trade name or trademark is identified on the front of the hang-tag, the disclosure also should be on the front of the hang-tag close to the first statement of the fiber's generic name, trade name or trademark. The disclosure should be legible and in a type size no smaller than the type size used to identify the fiber's generic name, trade name or trademark.

If the front of the hang-tag doesn't mention the fiber generic name, trade name or trademark, the disclosure may appear on the back of the hang-tag. But this disclosure is not required if the hang-tag identifies the only fiber in the item. The information on the hang-tag must not be false or deceptive as to fiber content.

In advertising²⁹

If you use a fiber trademark in your advertising, including in your ads on the internet, you must disclose the fiber content at least once in your ad. Note that you don't have to include the percentages.

However, if the advertised product contains **more than one** fiber — other than ornamentation — your disclosure of the content must include the fiber trademark and generic name of the fiber immediately next to each other in lettering of equal size and conspicuousness.

If the advertised product contains **only one** fiber — other than ornamentation — the fiber trademark and generic name of the fiber must appear immediately next to each other at least once in the ad in lettering that is clearly legible and conspicuous. You can't use an asterisk to signal the generic name of the fiber in a footnote or elsewhere in the ad.

Fiber trademarks used elsewhere in ads must not give a false, deceptive, or misleading message about content; for example, they may not imply that the product is made completely of a certain fiber when it isn't.

Products containing unknown fibers³⁰

If a textile product is made in whole or partly from scraps, clippings, rags, secondhand fibers or fabrics, or other textile waste materials of unknown and, for practical purposes, fiber content that can't be determined, the disclosure may indicate that information.

For example:

Made of clippings of unknown fiber content
100% unknown fibers — rags
All undetermined fibers — textile by-products
100% miscellaneous pieces of undetermined fiber content
Secondhand materials — fiber content unknown
45% Rayon
30% Acetate
25% Unknown fiber content
75% Recycled Wool
25% Unknown Reclaimed Fibers
60% Cotton
40% Unknown fibers — scraps

However, if you know or can determine the fiber content, you must give the full content disclosure.

Sale of remnants and products made of remnants³¹

Remnants for sale in a retail store don't have to be labeled individually if a display sign states they are "remnants of unknown fiber content and origin." Similarly, remnants of known fiber don't have to be labeled individually if a sign

indicates the content. For example: "remnants, 100% cotton," "remnants, 50% rayon, 50% acetate."

The label for a finished product made of remnants of undetermined content would read: "Made of remnants of undetermined fiber content and origin," or an equivalent statement.

Marking of fabric samples or swatches³²

If fabric samples or swatches are used to promote the sale of textile products, the samples or swatches must be labeled with all the required information unless they are:

- less than two square inches (12.9 cm²), and the required information is disclosed in accompanying promotional material;
- keyed to a catalog that discloses the required information; or
- not being used to sell to consumers, are not in a form for use by consumers, and the invoice discloses the required information.

Tolerances for fiber content

Textile products³³

There is a 3% tolerance for fiber content claims on labels. For example, if the label indicates that a product contains 40% cotton, the actual amount of cotton present may vary from 37% to 43% of the total fiber weight. That doesn't mean you can knowingly misrepresent fiber amounts. If you know the product contains 37% cotton, the label should say "37% cotton." The tolerance allows for a small amount of unintended inconsistency in the manufacturing process. A deviation of more than 3% constitutes mislabeling, unless the company can prove it resulted from unavoidable variations in manufacturing, despite the exercise of due care.

Note: Fiber percentages may be rounded to the nearest whole number. For example, 60.4% Polyester, 39.6% Cotton can be labeled 60% Polyester, 40% Cotton.

No tolerance is allowed if the label states that a product contains one fiber, exclusive of allowed amounts of ornamentation or decorative trim.³⁴ For example, if a blouse contains 97% silk and 3% polyester, you cannot label it "100% silk" based on the 3% tolerance. The 3% polyester was intentionally added to the fabric, so labeling the blouse "100% silk" would be intentional mislabeling.

Wool products

The Wool Act and Rules don't provide any tolerance for the content of wool products. However, the Wool Act states that variations from stated fiber content won't be considered mislabeling if the "deviation resulted from unavoidable variations in manufacture and despite the exercise of due care to make accurate the statements" on the label.³⁵ For practical purposes, the Commission will apply the 3% tolerance allowed for other textile products to wool products. The tolerance will not apply if the label indicates that the product is entirely wool, for example, 100% Wool, 100% Cashmere, All Wool, or All Cashmere.

Country Of Origin³⁶

Products covered by the Textile and Wool Acts must be labeled to show the country of origin.

- Imported products must identify the country where the products were processed or manufactured.
- Products made entirely in the U.S. of materials also made in the U.S. must be labeled "Made in U.S.A." or an equivalent phrase.
- Products made in the U.S. of imported materials must be labeled to show the processing or manufacturing that takes place in the U.S., as well as the imported component.
- Products manufactured partly in the U.S. and partly abroad must identify both aspects.

Note on FTC Rules and Customs Regulations: U.S. Customs and Border Protection has country of origin labeling requirements separate from those in the Textile and Wool Acts and Rules. For example, FTC Rules do not require labeling until a textile product is in its finished state for sale to the consumer. Textile products imported in an intermediate stage may be accompanied by an invoice with the required information in place of being labeled. However, Customs may require that an unfinished product be marked with the country of origin. Manufacturers and importers must comply with both FTC and Customs requirements.

Imported products made entirely abroad

A textile product made entirely abroad must be labeled with the name of the country where it was processed or manufactured. Importers and other marketers should check Customs regulations to determine the appropriate country of origin for products made entirely abroad. The determination depends on the type of product and the country or countries where processing or manufacturing occurs. The Textile and Wool Acts don't define the terms "processing" and "manufacturing." The terms refer to the steps in the production process relevant to determining an imported product's country of origin. The Textile and Wool Acts require disclosure of the country where an imported product was processed or manufactured. So it is not sufficient to disclose that a product was made in the European Union, for example, instead of the specific country where it was made.

Unqualified “Made in U.S.A.” labels

A label may say, “Made in U.S.A.” only if the product is made completely in the U.S. of materials that were made in the U.S. If a U.S. manufacturer uses imported greige goods that are dyed, printed and finished in the U.S., for example, they may not be labeled “Made in U.S.A.” without qualification.

Note: In determining a product’s country of origin, you don’t have to consider the origin of parts of the product exempt from content disclosure, like such as zippers or buttons.

Products made in the U.S.A. with imported materials

The label must indicate that the product contains imported materials. The label may identify the country of origin of the imported materials, but it doesn’t have to. It can say, “Made in U.S.A. of imported fabric” or “Knitted in U.S.A. of imported yarn.” This disclosure must appear as a single statement, without separating the “Made in U.S.A.” and “imported” references.

Manufacturers should be aware that for certain products — including sheets, towels, comforters, handkerchiefs, scarves, napkins and other “flat” goods — Customs requires identification of the country where the fabric was made.³⁷ To comply with Customs and FTC requirements for this group of products, the label must identify both the U.S. and the country of origin of the fabric. For example: “Made in U.S.A. of fabric made in China” or “Fabric made in China, cut and sewn in U.S.A.”

Identification of processing or manufacturing that takes place in the U.S. and abroad

If processing or manufacturing takes place in the U.S. and another country, the label must identify both. For example:

Made in Sri Lanka,
finished in U.S.A.

Comforter filled,
sewn and finished in U.S.A.
with shell made in Malaysia

Assembled in U.S.A.
of imported components

Note: There are special requirements for the placement of country of origin information.

Country names

The name of the country of origin must appear in English. Abbreviations like U.S.A. or Gt. Britain and other spellings close to the English version — *Italie* for Italy, or *Brasil* for Brazil — may be used if they clearly identify the country. Adjective forms of country names are permitted — for example, “Chinese Silk” — but not if using the adjective form of a country name is deceptive to refer to a type of product. For example, using “Spanish lace” when the lace is Spanish in style, but not made in Spain is deceptive. Using the abbreviations “CAN” and “MEX” for “Canada” and “Mexico” is acceptable under FTC Rules, but may not be under Customs requirements.

You don’t have to use the phrases “made in” or “product of” with the name of the country of origin unless it is necessary to avoid confusion or deception. You can place a symbol like a flag next to the name of a country to show the item is a product of that country. If more than one country is named on the label, phrases or words describing the specific processing in each country usually are necessary to convey the required information to the consumer.

One step removed rule

In deciding whether to mark a product as made in the U.S. either in whole or in part, a manufacturer also must consider the origin of materials that are one step removed from the particular manufacturing process. For example, a yarn manufacturer must identify imported fiber. A manufacturer of knitted garments must identify imported yarn. A manufacturer of apparel made from cloth must identify imported fabric.

Country of origin in mail order advertising³⁸

You must disclose country of origin information in mail order or internet advertising, such as catalogs, including that disseminated on the internet. Product descriptions in these ads must include a statement that the product was made in the U.S.A., imported or both.

- Use “Made in U.S.A. and Imported” to indicate manufacture in the U.S. from imported materials, or part processing in the U.S. and part in a foreign country.
- Use “Made in U.S.A. or Imported” to reflect that some units of an item originate from a domestic source and others from a foreign source.
- Use “Made in U.S.A.” only if all units were made completely in the U.S. of materials also made in the U.S.

Of course, the description must be consistent with the origin labeling on the advertised product.

Identification Of Manufacturer, Importer Or Other Dealer³⁹

Textile labels must identify fiber content, country of origin and either the company name or the Registered Identification Number (RN) of the manufacturer, importer or another firm marketing, distributing or otherwise handling the product. An RN is issued and registered by the FTC and may be issued to any firm in the U.S. that manufactures, imports, markets, distributes or otherwise handles textile, wool or fur products. RNs are not issued to businesses outside of the U.S. You may use an RN instead of a name to satisfy the labeling requirement.

Note: An RN is not required in order to do business in the U.S.

If you use a company name

The name must be the full name under which the company does business, that is, the name that appears on business documents like purchase orders and invoices. It can't be a trademark, trade name, brand, label or designer name, unless that's the name under which the company does business.

Imported Products: If the product is imported, the label can identify any of the following:

- the name of the foreign manufacturer or distributor
- the name or RN of the importer
- the name or RN of the wholesaler
- the name or RN of the ultimate retailer — if the retailer has consented

Caution: If the textiles are labeled with the name or RN of the retailer, but the intended retailer doesn't receive the goods and they are sold to someone else, the retailer's name or RN must be removed or obliterated, and the products relabeled with the RN or name of the company that is in the actual line of distribution.

If you use a Registered Identification Number (RN)

A company may use a single RN for labeling products under the Textile, Wool, and/or Fur Acts. Only one number is assigned to a company. The Commission isn't issuing Wool Products Labeling (WPL) numbers for wool products any more, but numbers may still be used by companies that hold them. RNs and WPLs are not transferable or assignable.

The prefix "RN" or "WPL" is part of the Registered Identification Number and must precede the numerals on the label.

You don't need to get or use an RN to do business; the RN is another way to identify your company on labels instead of using your company's full name. However, there are several benefits to using an RN:

- it lets buyers easily identify and find you through the RN directory or the [RN look-up service](#)
- it often uses less space on the label than the company name
- it facilitates record-keeping and helps you keep track of who's who in the textile trade

You may find that some companies require you to have an RN in order to do business with them.

How to get an RN

You can [apply for an RN](#) online.

How to identify the company holding a particular RN

Check the [RN database](#).

How to update RN information

The FTC urges companies that use an RN to [check the information given for their number](#) and [notify the Commission](#) of any changes.

Note: The FTC may cancel your RN if you don't keep your RN information current or if you obtain or use your RN improperly.

Replacing another company's label with your own⁴⁰

An importer, distributor, or retailer may want to replace the original label on a textile product with a label showing its company or RN. This is legal as long as the new label lists the name or RN of the person or company making the change.

Note: If you remove a label that has required information, the label you substitute also must have the required information. Otherwise, you're violating the Textile Act.

SPECIAL CAUTION TO RETAILERS:

Under the Textile Act, it is illegal for retailers to remove labels with required information from the garments they offer for sale without replacing them. If a retailer removes any label with required information, it must substitute another label with its own name or RN and the other required information that appeared on the original label. In addition, if you substitute a label, you are required to keep records for three years that show the information on the removed label and the company from which the product was received.

Mechanics Of Labeling⁴¹

Amendments to the Textile and Wool Acts simplified and streamlined the requirements for disclosing the necessary information:

- The three required disclosures may appear on one label or on separate labels. They may appear on a label with other information, such as the care instructions. In fact, consumers and professional cleaners find it helpful to see the fiber content on the same label with the care instructions.
- All parts of the required information must be clearly legible, conspicuous and readily accessible to the consumer.
- All parts of the fiber content information must be in type or lettering of equal size and conspicuousness. For example, your label **cannot** say:

80% polyester
20% SILK

- All parts of the required fiber content information must appear in immediate proximity to each other.
- You can use other non-deceptive terms that **accurately** describe the fiber. For example:

100% crosslinked rayon or 100% Egyptian Cotton

- Other non-required information may appear on the label with the required disclosures. Additional information cannot be deceptive or misleading and cannot minimize, detract from or conflict with the required

information.

- The country of origin must be on the front of the label. Fiber content and the identity of the manufacturer or dealer may appear on the back of a label. In that case, the label must be attached to the product only at one end so the reverse side is accessible.

Note: The phrase “Fiber Content on Reverse Side” is not required.

- Disclosures must be in English. They also can be in other languages, as long as the English version is included.

Exception: The English language requirement does not apply to disclosures in advertisements in foreign language newspapers or periodicals. The words of required disclosures **cannot** be abbreviated, designated by ditto marks, or placed in footnotes.

Abbreviations of certain country names are excepted as well.

Examples of Correct Labels

100% Lyocell
Made in Mexico
RN 00003

55% polyester
45% cotton
Size 10
Made in USA
RN 00001

100% COTTON
EXCLUSIVE OF
DECORATION
MACHINE WASH WARM
TUMBLE DRY MEDIUM
WARM IRON
-12-
MADE IN NEW ZEALAND
KANGAROO IMPORTS, INC.

Front of Label	Back of Label
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ElegantLines™ Size 10 Made in USA of imported fabric	100% silk dry clean only RN00001
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Label placement and attachment

- Label(s) with required information must be securely attached to the product until it is delivered to the consumer, but they don't need to be permanently attached. **Note:** Many consumers and professional cleaners consider it important to have fiber information on a permanent label. Garments must have care instructions on a permanent label, so it may be useful to have fiber and care information on the same label.

Note: Customs may require that the country of origin of imported goods be on a sewn-in label.

- When a garment has a neck, you must attach a label that discloses the country of origin on its front to the inside center of the neck. Attach the label either midway between the shoulder seams or close to another label attached to the inside center of the neck. The fiber content and manufacturer or dealer identity can appear on the front or back of the same label, or on another conspicuous and accessible label(s) on the inside or outside of the garment.

Example: In a jacket or blazer, the country of origin must always be disclosed on a label at or near the inside center of the neck. The fiber content and manufacturer or dealer could be disclosed on another label attached to a side seam. However, the fiber and manufacturer or dealer information should not be on a label attached to the inside of the elbow because it wouldn't be conspicuous and readily accessible.

- The required information must appear on a conspicuous and readily accessible label(s) on the inside or outside of other kinds of textile products.

Example: In a skirt or pair of slacks, a location on the inside of the waistband is conspicuous and accessible. The inside of a pocket or pant leg isn't conspicuous or accessible.

Example: In a pillowcase, a location on the inside close to the open end is conspicuous and accessible. A location on the inside of the closed end isn't.

- The country of origin label should not be covered or obscured by any other label.

Special exception for hosiery sold in packages⁴²

Packaged hosiery products don't need a label on each piece of hosiery in the package, if the package label lists all the required information and the information on the package applies to all products in the package.

Special requirements for socks

Most socks⁴³ must be marked on the front of their packages or labels with the English name of the country of origin. This mark must be placed adjacent to the size designation. The mark must be clearly legible, indelible, conspicuous, and readily accessible to the consumer and as permanent as the nature of the article or package permits.

Exception: A package that contains several different types of goods and includes socks is exempt from this special requirement. However, these packages and their contents are subject to the following labeling requirements.

Other products sold in packages⁴⁴

For packaged products like T-shirts, the required information must be on each item in the package and on the package. But, if the package is transparent and consumers can read the required information on the labels without opening the package, the package doesn't need to be labeled.

Note: The provision that required information appear on packages doesn't apply to items packaged solely for mail order shipment.

Products with two or more items of the same fiber⁴⁵

If garments or other textile products with the same fiber content are sold in pairs — like socks, mittens or gloves, or in sets like a suit or a set of dinner napkins — only one part of the pair or set needs to be labeled.

Products with two or more items of different fibers⁴⁶

If textile products are sold as a set, like a tablecloth and napkins, the required information may appear on a single label even if the fiber content is not the same for all parts of the set. The label must separately identify the fiber content of the components.

Tablecloth: 100% cotton

Napkins: 50% cotton, 50% polyester

The items must be labeled separately if they aren't always sold as a set.

Bolts of cloth

Fabric cut from bolts or rolls in stores doesn't need a label if the bolt or roll is labeled properly.

Advertising And Catalogs

Ads⁴⁷

Written advertising includes internet advertising, but not shelf or display signs that indicate the location of textile products in a store.

If a written ad for a textile product makes any statement about a fiber, or implies the presence of a fiber, the fiber content information that's required on the label must appear in the ad, minus the percentages. If you use a fiber trademark in advertising, you must disclose the fiber content information at least once in the ad. The disclosure should include the fiber trademark very close to the generic name of the fiber.

If an ad must include a fiber content disclosure, you must list the fiber names as they appear on the label — in descending order of weight, with fibers constituting less than 5% designated as "other fiber" or "other fibers." The information must be conspicuous and easy to read, in lettering of equal size.

Other information in the ad can't be false, deceptive or misleading, or include any terms or representations that are prohibited under the statute and rules. A fiber trademark can't be used in a misleading way to indicate or imply the presence of a fiber that isn't present.

You may use terms that truthfully describe a fiber with its generic name, like "cross-linked rayon," "solution dyed acetate," "combed cotton," "Pima cotton" or "Egyptian cotton."

Specialty cottons: If your ad refers to premium cottons, such as "Pima" or "Egyptian," make sure it doesn't convey that the product is made only of the premium cotton, unless that's true.

Catalogs⁴⁸

When a textile or wool product is advertised in a catalog or other mail order promotional material, including on an internet site, the description must include a clear and conspicuous statement that the item was either "made in U.S.A.," "imported" or "made in U.S.A. and [or] imported." Catalog information about origin must be consistent with the information on the label.

Continuing And Separate Guaranties⁴⁹

A guaranty is a written promise that the textile, wool or fur products covered by the guaranty are properly labeled and not falsely or deceptively described in advertising or on invoices. A **separate guaranty** is one given for goods in a particular transaction. A **continuing guaranty** covers all products subject to a particular statute, and may be provided by a seller to a buyer or filed with the FTC.

Reliance on the properly executed guaranty of a seller is a legal defense. A business that, in good faith, relies on such a guaranty will not be found in violation of the law if the textile, wool or fur products subsequently are determined to be mislabeled.

The Textile, Wool, and Fur Acts do not require sellers to provide guaranties to buyers or the FTC. They are optional. In addition, these Acts don't require sellers to provide buyers or the FTC with "self-declarations" or "certificates of conformity" about their products.

(1) Separate guaranty (Textile, Wool and Fur products)

A separate guaranty promises compliance with the law for the products listed on the invoice for that transaction. For example, it would state: "We guarantee that the textile fiber [or wool or fur] products specified herein are not misbranded nor falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act [or Wool Products Labeling Act or Fur Products Labeling Act] and Rules and regulations thereunder."

The furnishing of a guaranty is a matter between the buyer and seller. The furnishing or filing of a false guaranty is a violation of the law.

(2) Separate guaranty based on a guaranty (Textile and Wool products only)

This is a guaranty of compliance with the law that is based upon another guaranty, issued by the previous seller of the products listed on the invoice. For example, it would state:

"Based upon a guaranty received, we guarantee that the textile fiber [or wool] products specified herein are not misbranded nor falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act [or Wool Products Labeling Act] and Rules and regulations thereunder."

(3) Continuing guaranty from seller to buyer (Textile products only)

A continuing guaranty from seller to buyer guarantees compliance with the law for all the covered products sold by that seller to that buyer. It would state:

We, the undersigned, guaranty that all textile fiber products now being sold or which may hereafter be sold or delivered to _____ are not, and will not be misbranded or falsely nor deceptively advertised or invoiced under the provisions of the Textile Fiber Products Identification Act and Rules and regulations thereunder. We acknowledge that furnishing a false guaranty is an unlawful, unfair and deceptive act or practice pursuant to the Federal Trade Commission Act, and certify that we will actively monitor and ensure compliance with the Textile Fiber Products Identification Act and Rules and regulations thereunder during the duration of this guaranty.

Dated, signed, and certified this ____ day of ____, 20__, at _____ (City), __ (State or Territory)
_____ (name under which business is conducted).

I certify that the information supplied in this form is true and correct.

Signature of Proprietor, Principal Partner, or Corporate Official

Name (Print or Type) and Title

(4) Continuing guaranty filed with the FTC (Textile, Wool, and Fur products)

A continuing guaranty filed with the FTC is a certified statement that all the textile (or wool or fur) products manufactured or marketed by the guarantor are labeled in compliance with the law and will not be falsely or deceptively advertised or invoiced. A business that has filed a continuing guaranty with the FTC can give notice of that fact by stating on invoices or other papers covering the handling or distribution of guaranteed products:

Continuing guaranty under the Textile Fiber Products Identification Act [or Wool Products Labeling Act or Fur Products Labeling Act] filed with the Federal Trade Commission.

Any person or company in the U.S. that manufactures or otherwise handles covered textile, wool or fur products may file a continuing guaranty with the Commission. The filing of a continuing guaranty is not required by law. However, some buyers may refuse to purchase textile, wool or fur products from a seller that has not filed a continuing guaranty with the FTC. If you file a continuing guaranty with the Commission, you don't need to provide a separate guaranty to each customer or with each shipment of goods.

Foreign companies cannot file a continuing guaranty with the FTC. In addition, a guaranty received by a domestic firm from a foreign company will not serve as a legal defense if the FTC charges the importer with mislabeling products. An importer is legally responsible for the proper labeling of imported textile, wool and fur products. Importers should periodically test the fiber or fur content of imported goods to verify label accuracy. Importers also should be aware that Customs may test products for fiber content and impound mislabeled shipments or obtain liquidated damages.

The Commission announced an [enforcement policy statement](#) explaining that it will not bring enforcement actions against retailers that:

1. cannot legally obtain a guaranty under the applicable Act;
2. do not embellish or misrepresent claims provided by the manufacturer related to the Act or Rules **and**
3. do not market the products as private label products, unless they knew or should have known that the marketing or sale of the products would violate the Act or Rules.

Continuing guaranties filed with the FTC are effective until revoked. Guarantors should report any change in address or business status promptly. Continuing guaranties filed with the FTC are public records.

The FTC revised the form for filing continuing guaranties. You don't need to refile continuing guaranties that were filed using the old form. If you need to update your contact or business status information, use [FTC Form 31-A](#).

Record Keeping⁵⁰

Manufacturers of textile products must keep records showing the required label information (fiber content, manufacturer or dealer identity or RN, and country of origin) for all textile products they produce. The records must show that the requirements of the statute and rules were met and establish a traceable line from the raw materials to the finished product.

Any business that substitutes a label on a textile product must keep records showing the information on the label that was removed and the name of the party from whom the product was received.

These records must be kept for three years.

The same record-keeping requirements apply to manufacturers of wool products, plus one: their records must show the percentage weight of any non-fibrous filling material.

Summary of Fur Labeling Requirements⁵¹

Label information

Fur products must have a label disclosing:

- **the animal name**, according to a name guide contained in the rules.
- If the animal came from a particular country, the adjective form of the country name may precede the animal name (for example, "Russian Mink"), but isn't required to.
- **the name or RN of the manufacturer, importer or other seller, marketer, or distributor.**
- In general, the requirements for a company name, RN, and label substitution are the same as those for textile and wool products.
- **the country of origin for imported fur products**, including country of origin for imported furs made into fur products in the U.S. For example: "fur origin: Canada."
- Domestic fur products may be labeled to show origin. They also may be labeled to show the state or part of the country they came from. A name that connotes a false geographic origin can't be used, and domestic furs can't be labeled or advertised in a way that implies they are imported.
- **if the fur is pointed, dyed, bleached or artificially colored.**
- If none of these treatments applies, the fur should be labeled "natural."
- **if the fur product is composed in whole or substantial part** (more than 10% of surface area) of pieces, like paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scraps or waste fur.
- **if the fur is used or damaged.**
- **the textile or wool content of any part of the product.** For example: On a wool coat with fur trim, the label must disclose the wool content as required by the Wool Act and Rules. The content of a fur coat lining must be disclosed if the lining provides added warmth. If the lining serves only a structural purpose, its fiber does not have to be disclosed.

Note: The Dog and Cat Protection Act of 2000⁵² prohibits importing, exporting, manufacturing, selling, trading, advertising, transporting or distributing any products made with dog or cat fur.

Mechanics of labeling

Size

Labels must be a minimum of 1 3/4 by 2 3/4 inches (4.5 x 7 cm).

Durability

The label must be durable enough to remain on the fur until it is delivered to the consumer.

Lettering

The required information must be no smaller than 12 point type, with all parts of the information in letters of equal size and conspicuousness.

Order

The required order of information on the label is:

1. whether the fur is natural or pointed, bleached, dyed, etc.
2. if the product contains fur that has been sheared, plucked or let-out (optional)
3. the adjective form of the name of the country from which the animal originated (optional)
4. name of the animal
5. if the fur product is composed of parts
6. country of origin (stated as "fur origin: [name of country]")
7. other information that is required or permitted

Note: the name or RN of the manufacturer or dealer may precede or follow the above.

Invoices and advertising

- The required information must appear on invoices and in advertising for fur products.
- Ads for a group of furs with various countries of origin may use the following statement, instead of separately listing the countries: "Fur products labeled to show country of origin of imported furs." This doesn't apply to catalog or internet advertising where the customer won't have the chance to examine the product and its label before purchase.
- Advertising of a general or institutional nature that's not intended to promote the sale of any particular product(s) doesn't need to include the required information. But, if the ad makes any reference to a color, and the color is due to artificial coloring, that fact must be disclosed.

Exemption

Note: Congress passed the Truth in Fur Labeling Act in December 2010. The Commission's exemption to the Fur Products Labeling Act for fur products with a component value of \$150 has not been in effect since March 18, 2011.

The Truth in Fur Labeling Act also creates an exemption for furs sold by trappers and hunters in certain face-to-face transactions from home or at temporary locations like craft fairs, provided the sales are not the person's primary source of income. [Read the statute for specifics.](#)

The Commission recently [amended the Fur Rules](#). The amendments take effect November 19, 2014.

Record keeping: Continuing and separate guaranties

These provisions are basically the same as those for textile and wool products.

Enforcement Of The Textile, Wool, And Fur Rules

A violation of the Textile, Wool and Fur Acts, or the Commission's Rules under those Acts, is considered an unfair method of competition and an unfair and deceptive act or practice under the Federal Trade Commission Act.⁵³

The FTC Act provides various remedies for these violations, including issuing an administrative order prohibiting the act or practice that violates the FTC Act. Violators of an administrative order are subject to monetary civil penalties of

up to \$16,000 per violation. Each instance of mislabeling under the Textile, Wool and Fur Acts is considered a separate violation.

Businesses not subject to a previous administrative order also can be subject to monetary civil penalties,⁵⁴ an injunction and other remedies, including consumer redress, in a federal district court action. The Commission can bring a civil penalty case against a company that knowingly engages in practices like mislabeling of textile products that the Commission has determined to be unfair or deceptive in prior cases. In this kind of case, "knowledge" refers to knowledge of the law. Because copies of the statutes, rules, and prior decisions in the textile, wool and fur areas have been distributed widely by the Commission, many manufacturers and sellers know the labeling requirements.

Improperly labeled imported items can be held up by Customs and possibly subject to liquidated damages.

For More Information

See the [Clothing and Textiles](#) page for more about the Textile, Wool and Fur Acts and Rules.

Your Opportunity To Comment

The National Small Business Ombudsman and 10 Regional Fairness Boards collect comments from small businesses about federal compliance and enforcement activities. Each year, the Ombudsman evaluates the conduct of these activities and rates each agency's responsiveness to small businesses. Small businesses can comment to the Ombudsman without fear of reprisal. To comment, call toll-free 1-888-REGFAIR (1-888-734-3247) or go to www.sba.gov/ombudsman.

Endnotes

1. The Textile Fiber Products Identification Act (Textile Act), 15 U.S.C. § 70, et seq., and the Wool Products Labeling Act of 1939 (Wool Act), 15 U.S.C. § 68, et seq. The Rules and Regulations under the Textile Fiber Products Identification Act (Textile Rules) are found at 16 C.F.R. Part 303 and the Rules and Regulations under the Wool Products Labeling Act (Wool Rules) are found at 16 C.F.R. Part 300.
2. The Fur Products Labeling Act (Fur Act), 15 U.S.C. § 69, et seq.; the Rules and Regulations under the Fur Products Labeling Act (Fur Rules) are found at 16 C.F.R. Part 301.
3. Care Labeling of Textile Wearing Apparel and Certain Piece Goods, 16 C.F.R. Part 423.

4. 15 U.S.C. § 70a (d).
5. 16 C.F.R. § 303.45(a)(1).
6. 15 U.S.C. § 70a(d)(5); 16 C.F.R. § 303.31.
7. 15 U.S.C. § 70j(a).
8. A backing is that part of the floor covering to which the pile, face, or outer surface is woven, tufted, hooked, knitted, or otherwise attached, and which provides the structural base of the floor covering. 16 C.F.R. § 303.1 (m).
9. 15 U.S.C. § 70j(a)(8); 21 U.S.C. § 301, et seq.
0. For guidance concerning shoes, handbags, luggage, or belts made of leather or imitation leather, see the Commission's Guides for Select Leather and Imitation Leather Products, 16 C.F.R. Part 24.
1. 16 C.F.R. § 303.45(a)(2)-(9) and (b).
2. 16 C.F.R. § 303.1(o).
3. The Wool Products Labeling Act of 1939, 15 U.S.C. § 68; implementing rules found at 16 C.F.R. Part 300.
4. 15 U.S.C. § 70b(b)(1)-(2) and § 68b(a)(2)(A); 16 C.F.R. § 303.16(a)(1) and § 300.3(a)(1).
5. 15 U.S.C. § 70b(b)(2) and § 68b(a)(2)(A); 16 C.F.R. § 303.3 and § 300.3(a)(1).
6. 15 U.S.C. § 70j(a)(5) and § 68b(d); 16 C.F.R. § 303.12 and § 300.1(k).
7. 16 C.F.R. § 303.1(q) and § 300.1(c).
8. 15 U.S.C. § 70b(b)(2) and § 68b(a)(2)(A); 16 C.F.R. § 303.26 and § 300.16.
9. 15 U.S.C. § 70j(a)(3)-(4) and § 68b(d); 16 C.F.R. § 303.22 and § 300.23.
0. 16 C.F.R. § 303.25 and § 300.22.
1. 16 C.F.R. § 303.10.
2. 16 C.F.R. § 303.24 and § 300.26.
3. 16 C.F.R. § 303.6 and 303.7, and § 300.8(a)-(b).
4. The procedures for filing a fiber-name petition are found at 16 C.F.R. § 303.8.
5. 15 U.S.C. § 68(b).
6. 15 U.S.C. § 68(c); 16 C.F.R. § 300.3(b).

17. 16 C.F.R. §§ 300.18 and 300.19.
18. 16 C.F.R. §§ 303.1(r) and 303.17, and §§ 300.1(d) and 300.8(c)-(f).
19. 16 C.F.R. § 303.41.
20. 16 C.F.R. § 303.14, and §§ 300.28 and 300.29.
21. 16 C.F.R. § 303.13.
22. 16 C.F.R. § 303.21 and § 300.21.
23. 15 U.S.C. § 70b(b)(2); 16 C.F.R. § 303.43.
24. 16 C.F.R. § 303.43(c).
25. 15 U.S.C. § 68b(a)(2)(A).
26. 15 U.S.C. § 70b(b)(4)-(5) and § 68b(a)(2)(D); 16 C.F.R. § 303.33, and §§ 300.3(a)(4) and 300.25.
27. 19 C.F.R. § 102.21, implementing Section 334 of the Uruguay Round Agreements Act, 19 U.S.C. § 3592.
28. 15 U.S.C. § 70b(i) and § 68b(e); 16 C.F.R. § 303.34 and § 300.25a.
29. 15 U.S.C., § 70b(b)(3) and § 68b(a)(2)(C); 16 C.F.R. §§ 303.16(a)(2), 303.19, and 303.20, and §§ 300.3(a)(3), 300.4, and 300.13.
30. 15 U.S.C. § 70c(b) and § 68c(a).
31. 16 C.F.R. §§ 303.15 and 303.16, and §§ 300.5, 300.10, and 300.11.
32. 15 U.S.C. § 70b(e) and § 68c(c); 16 C.F.R. § 303.15(c) and § 300.5(c).
33. 15 U.S.C. § 70b(k). These special requirements apply to socks that are classified under subheadings 6115.92.90, 6115.93.90, 6115.99.18, 6111.20.60, 6111.30.50, or 6111.90.50 of the Harmonized Tariff Schedule of the U.S., as in effect on September 1, 2003.
34. 15 U.S.C. § 70b(e) and § 68c(c); 16 C.F.R. § 303.28 and § 300.15.
35. 16 C.F.R. § 303.29(b) and § 300.12(b).
36. 16 C.F.R. § 303.29(a) and § 300.12(a).
37. 15 U.S.C. § 70b(c) and § 68b(e); 16 C.F.R. §§ 303.40, 303.41, and 303.42.
38. 16 C.F.R. § 303.34 and § 300.25a.
39. 15 U.S.C. § 70h and 16 C.F.R. §§ 303.36, 303.37, and 303.38 (Textile Act and Rules); 15 U.S.C. § 68g and 16 C.F.R. §§ 300.32, 300.33, 300.34 (Wool Act and Rules); and 15 U.S.C. § 69h and 16 C.F.R. §§ 301.46, 301.47,

301.48, and 301.48a (Fur Act and Rules).

- i0. 15 U.S.C. § 70d and § 68d(b); 16 C.F.R. § 303.39 and § 300.31.
- i1. 15 U.S.C. § 69, et seq.; 16 C.F.R. Part 301.
- i2. 19 U.S.C. § 1308.
- i3. 15 U.S.C. §§ 70a and 70e; 15 U.S.C. §§ 68a and 68d; 15 U.S.C. §§ 69a and 69f; and 15 U.S.C. § 41, et seq.
- i4. 15 U.S.C. § 45(m)(1)(B).

Appendices

FTC Address & Telephone Numbers for questions about the Textile, Wool, and Fur Rules

*Textile Section
Division of Enforcement
Federal Trade Commission
Washington, DC 20580
Phone: 202-326-3553
Fax: 202-326-3197*

Generic Names for Manufactured Fibers 16 CFR § 303.7

- Acetate
 - Triacetate
- Acrylic
- Anidex
- Aramid
- Azlon
- Elastoester
- Fluoropolymer
- Glass

- Melamine
- Metallic
- Modacrylic
- Novoloid
- Nylon
- Nytril
- Olefin
 - Lastol
- PBI
- PLA
- Polyester
 - Elasterell-p
 - Triexta
- Rayon
 - Lyocell
- Rubber
 - Lastrile
- Saran
- Spandex
- Sulfar
- Vinal
- Vinyon

ISO Names Permitted, Although Not Listed in Textile Rules

- Alginate

- Carbon
- Chlorofibre
- Cupro
- Elastane
- Elastodiene
- Elastolefin
- Elastomultiester
- Fluorofibre
- Metal
- Modal
- Polyamide
- Polyethylene
- Polyimide
- Polylactide
- Polypropylene
- Vinylal
- Viscose

July 2014



Federal Trade Commission
BCP Business Center
business.ftc.gov

EnergyGuide Labels: Templates for Manufacturers

These label templates can be used to create model-specific EnergyGuide labels. To download, click the appropriate label link below, and when prompted, save the file with the extension, ".ai" (unless otherwise noted).

Questions about the labels? Check out [Appliance Labeling with EnergyGuide Labels FAQs](#).

Instructions

Insert the correct energy, cost, and any other model-specific information for your particular model on the labels. Place the cost of your product at the appropriate location along the range.

Label Templates

Energy Guide label

[Refrigerator-Freezer](#)

[Clothes Washer](#)

Energy Guide Label with Energy Star*

[Refrigerator-Freezer ES*](#)

[Clothes Washer ES*](#)

Refrigerator-Freezer

Transitional label, mandatory beginning Sept. 15, 2014

Refrigerator-Freezer ES*

Transitional label, mandatory beginning Sept. 15, 2014

Clothes Washer

Transitional label, mandatory beginning March 7, 2015

Clothes Washer ES*

Transitional label, mandatory beginning March 7, 2015

DishwasherDishwasher ES*Room Air ConditionerRoom Air Conditioner ES*Water HeaterPool HeaterCentral Air Conditioner, Cooling Only, Split SystemCentral Air Conditioner, Cooling Only, Split System ES*Heat Pump, Cooling & Heating, Split SystemHeat Pump, Cooling & Heating, Split System ES*FurnaceEFurnace ES*

Television Labels

Television label templates are in "Encapsulated PostScript" (.eps) format. To download, click the appropriate label link below, and when prompted, save the file with the extension, ".eps".

Energy Guide labelEnergy Guide Label with Energy Star*

Horizontal

Horizontal ESI*

Vertical

Vertical ESI*

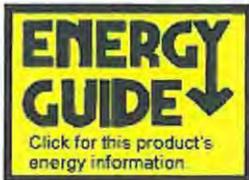
Triangle

Triangle ESI*

* Labels with the Energy Star logo may **ONLY** be used on qualified models that Energy Star has listed on its website. Visit EnergyStar.gov for qualifications and qualified products.

Web Button (icon)

Download and use this web button (icon) to link your product's energy information. For more on the FTC's revised labeling requirements, see the [Energy Labeling Rule 16 CFR Part 305](#).



Looking for [light bulbs label templates?](#)

July 2013



Federal Trade Commission
BCP Business Center
business.ftc.gov

EnergyGuide Labeling: FAQs for Appliance Manufacturers

The [Energy Labeling Rule](#) requires manufacturers of certain appliances to disclose a product's annual energy cost or efficiency information — based on Department of Energy (DOE) test procedures — on EnergyGuide labels, and to report their findings to the FTC.

Those bright yellow EnergyGuide labels show consumers how much it might cost to run an appliance each year based on how much energy it uses, and they make it easier for shoppers to compare the energy use among similar models.

To help you better understand your responsibilities under the Rule, Federal Trade Commission (FTC) staff have prepared answers to some questions we've been asked. For questions about DOE test procedures and conservation standards, DOE is the best source of information: EERE_ACES@ee.doe.gov.

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When must I report annual energy cost or efficiency information to the FTC?

How do I report appliance data to the FTC?

Which products must have EnergyGuide labels?

The Rule requires EnergyGuide labels for clothes washers, refrigerators, freezers, televisions, water heaters, dishwashers, room air conditioners, central air conditioners, furnaces, boilers, heat pumps, and pool heaters. Labeling requirements for certain light bulbs are explained [here](#). The Rule also covers labeling for plumbing products and ceiling fans. See 16 CFR Part 305

Where can I get a copy of the EnergyGuide label?

The FTC offers [templates](#) to download and create your EnergyGuide labels. You also can look at samples of the EnergyGuide label in [Appendix L](#) of the Rule. You are responsible for producing your own labels for your products in accordance with the specific requirements in the Energy Labeling Rule.

How do I label my product if its annual energy cost or efficiency falls outside of the given range in the Energy Labeling Rule?

When the estimated annual operating cost or energy efficiency rating of a product is outside the current range for that product on the EnergyGuide label (which might result from the introduction of a new or changed model), you must:

- not place the product on the label's scale, and
- add the appropriate sentence in the space just below the scale on the label:

The estimated yearly operating cost of this model was not available when the range was published.

OR

The energy efficiency rating of this model was not available when the range was published.

See [Appendix L](#) of the Energy Labeling Rule for a sample label.

Do I need to get my labels approved by the FTC before I put them on my products?

No. The Energy Labeling Rule doesn't require FTC approval. However, manufacturers must follow DOE's testing and certification requirements and the FTC's requirements for reporting energy consumption information before distributing appliances.

Am I required to post copies of the EnergyGuide label for my products online? If so, for how long?

By July 13, 2013, you must post images of the EnergyGuide labels for products on a publicly available website in a way that allows retailers to hyperlink to the label or download it. The label for a specific model must remain on the website for six months after production ends. See 16 CFR § 305.6

What information do websites and catalogs that sell products with EnergyGuide labels need to include?

Any manufacturer, distributor, retailer, or private labeler who advertises a product with an EnergyGuide label on a website or in a print catalog must disclose clearly and conspicuously — on the page listing the product — all of the information on the product's EnergyGuide label, or show an image of the EnergyGuide label itself. However, this requirement applies only to websites and print catalogs that contain the terms of sale, retail price, and ordering instructions for consumers.

Starting January 15, 2014, these websites and catalogs must show the EnergyGuide label. The labels must be clear and conspicuous and in close proximity to the product's price on each page that contains a detailed description of the product. If the website hyperlinks to the image of the label, it must use the [sample EnergyGuide icon](#) (i.e., web button) provided by the FTC. The website must hyperlink the image so that consumers don't have to save the hyperlinked image to view it. See 16 CFR § 305.20

When must I report annual energy cost or efficiency information to the FTC?

The Rule has two reporting requirements:

1. Annual Reports for All Models

You must submit a report each year with information for all appliance models in production. The report also should contain data for models that have been discontinued within the last year.

Due Dates for Annual Reports	
Product	Due Date
Ceiling Fans	March 1
Showerheads, Faucets, Water Closets, Urinals	March 1
Water Heaters (all types)	May 1
Pool Heaters	May 1
Furnaces and Boilers	May 1
Dishwashers	June 1
Central Air Conditioners	July 1
Room Air Conditioners	July 1
Heat Pumps	July 1
Refrigerators	August 1
Refrigerator-Freezers	August 1
Freezers	August 1
Clothes Washers	October 1

2. New Model Reports

Before you distribute a new model — or a model subject to design or retrofit alterations that change the energy data — you must report the energy cost or efficiency of the model to the FTC. Reported data is public information. See 16

CFR § 305.8

How do I report appliance data to the FTC?

You can submit reports required by the FTC through the Department of Energy's Compliance Certification Management System (CCMS) at <https://www.regulations.doe.gov/ccms>.

May 2013

**Tips on Withdrawing and Refiling
an HSR Premerger Notification Filing**
(03/21/14)

On August 9, 2013, the FTC issued a final rule amending the premerger notification rules, 16 C.F.R. Parts 801, 802, and 803, to establish procedures for the withdrawal and refiling of an HSR premerger notification filing. The new rule, 16 C.F.R. 803.12, formalizes the long-standing position of the FTC's Premerger Notification Office (PNO) on this issue.

Section 803.12 contains three parts:

- **Section 803.12(a)** permits an acquiring person, or in the case of non-801.30 transactions, an acquired person, to voluntarily withdraw its notification.
- **Section 803.12(b)** provides for the automatic withdrawal of an HSR filing if any SEC filing is made announcing the expiration, termination, or withdrawal of a tender offer, or the termination of an agreement or letter of intent.
- **Section 803.12(c)** permits filings withdrawn by the acquiring person under (a) or (b) to be refiled without incurring a new filing fee.

When using the withdraw and refile procedure under Section 803.12(c), review the requirements and examples found in the rule and keep the following in mind:

- Refiling under Section 803.12(c) is only available to the acquiring person. If the acquired person withdraws in a non-801.30 transaction, refiling is not available under the rules.
- The acquiring person must notify the PNO and the Premerger Unit of DOJ's Antitrust Division ("the agencies") in writing of its withdrawal under either Section 803.12(a) or (b) and its intention to refile under Section 803.12(c), even if notice has been given to one of the FTC's or DOJ's litigation shops.
- The notice letter must specify the effective date of the withdrawal and the date, within two business days, when refiling is expected. (This notice is also required in the case of a withdrawal with no intent to refile and must specify the effective date of the withdrawal).
- Refiling without incurring a new filing fee is only available one time, and only if the proposed acquisition does not change in any material way.
- The refiled notification must be received within two business days after withdrawal and include:
 - A new certification
 - A new affidavit
 - Any updates to Item 4 and new attachments – if there is nothing new to submit, only a new certification and affidavit are required