

app 10/18/79

Synopsis of Federal Trade Commission Decisions Concerning Wool Products

A. The following practices, among others, with respect to wool products are unfair or deceptive and are, therefore, unlawful under the Wool Products Labeling Act of 1939 and Section 5(a)(1) of the Federal Trade Commission Act:

It is an unfair or deceptive act or practice to falsely or deceptively stamp, tag, label or otherwise identify wool products as to the character or amount of the constituent fibers which they contain.1/

It is an unfair or deceptive act or practice to fail to affix securely to, or to place on, a wool product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner the correct percentage of the total fiber weight of such wool product exclusive of ornamentation not exceeding five percent of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool when said percentage by weight of such fiber is five percent or more and (5) the aggregate of all other fibers.2/

It is an unfair or deceptive act or practice to fail to stamp, tag or label samples, swatches or specimens of wool products which are used to promote or effect sales of wool products with the information required by Section 4(a)(2) of the Wool Products Labeling Act of 1939 and in accordance with rule 22 of the rules and regulations promulgated under said Act.3/

1/ G. Sherman Corporation, et al., 56 F.T.C. 783 (1960); Alscap, Inc., et al., 60 F.T.C. 275 (1962); Rainbow Girl Coat Company, Inc., et al., 49 F.T.C. 117 (1952); Hunter Mills Corporation, et al., 56 F.T.C. 929 (1960), CA-2, 12/18/60, 1960 Trade Cases, §69, §68; Woody Fashions, Inc., et al., 51 F.T.C. 62 (1954); Princess Ann Girl Coat, Inc., et al., 48 F.T.C. 325 (1951); Verrazzano Trading Corporation, et al., Docket No. 9038, May 15, 1978.

2/ G. Sherman Corporation, et al., supra; Alscap, Inc., et al., supra; Rainbow Girl Coat Company, Inc., et al., supra; Hunter Mills Corporation, et al., supra; Woody Fashions, Inc., et al., supra; Princess Ann Girl Coat, Inc., et al., supra; Verrazzano Trading Corporation, et al., supra.

3/ G. Sherman Corporation, et al., supra.

It is an unfair or deceptive act or practice to import and distribute in the United States misbranded wool products even though such wool products were falsely labeled by others in a foreign country and the importer relied on the representations on the labels in good faith and had no intent to deceive or defraud. By utilizing the representations set forth on tags or labels affixed to wool products by a foreign exporter, the importer adopts those representations as his own and becomes bound and responsible therefore. 4/

It is an unfair or deceptive act or practice (a) to falsify or fail to set forth upon invoices of imported wool products required by Section 484 of the Tariff Act of 1930, all information required by the Wool Products Labeling Act (15 U.S.C. 68) to be disclosed in connection with those products; and (b) to falsify or perjure the consignee's declaration provided for by Section 485 of the Tariff Act of June 17, 1930, insofar as it relates to the information required by the Wool Products Labeling Act to be disclosed in connection with wool products. 5/

It is an unfair or deceptive act or practice to fail to set forth on tags or labels affixed to, or placed on, wool products the name or the registered identification number of the manufacturer of the wool products or of one or more persons engaged in introducing such wool products into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment of such products in commerce. 6/

It is an unfair or deceptive act or practice to abbreviate the names of constituent fibers on stamps, tags or labels affixed to wool products and to fail to fully spell out the names of such constituent fibers as required by rule 9 of the rules and regulations promulgated under the Wool Products Labeling Act of 1939. 7/

4/ Alscap, Inc., et al., supra.

5/ Verrazzano Trading Corporation, et al. supra.

6/ Princess Ann Girl Coat, Inc., et al., supra

7/ Rainbow Girl Coat Company, Inc., et al., supra.

It is an unfair or deceptive act or practice to furnish false guarantees that wool products are not misbranded under the provisions of the Wool Products Labeling Act of 1939, with reason to believe the wool products falsely guaranteed may be introduced, sold, transported or distributed in commerce.8/

It is an unfair or deceptive act or practice to fail to set forth separately and distinctly on a stamp, tag, label or other means of identification affixed to or placed on a wool product the character and amount of the constituent fibers appearing in the linings thereof which purport to contain, or in any manner are represented as containing wool, reprocessed wool or reused wool.9/

B. The following practices, among others, are unfair or deceptive and are, therefore, unlawful under Section 5(a)(1) of the Federal Trade Commission Act:

It is an unfair or deceptive act or practice to misrepresent the amount by which a fabric will shrink when it is washed.10/

It is an unfair or deceptive act or practice to misrepresent the amount of constituent fibers contained in a wool or textile fiber product.11/

8/ Hunter Mills Corporation, et al., supra.

9/ Rainbow Girl Coat Company, Inc., et al., supra.

10/ Verrazzano Trading Corporation, et al., supra.

11/ G. Sherman Corporation, et al., supra; Verrazzano Trading Corporation, et al., supra.