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# ❖SPC&B Textile Report❖

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A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

September 12, 2012

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## *FTC Seeks Comments on Flexibility in Fur Product Labeling Rules*



During the course of implementing regulatory changes required by the Truth in Fur Labeling Act and the elimination of the *di minimis fur labeling* exemption, the Federal Trade Commission (FTC) has considered ways to make the labeling requirements generally more flexible and has proposed certain additional changes to the regulations, including the following:

- Eliminating the need to disclose whether fur products are composed of “sides” or flanks.” (The requirement to disclose whether the fur is bleached, dyed, or artificially colored is required by the Fur Act and will not be changed. Nor will the requirement to disclose if a product is made wholly or in substantial part of “paws, tails, bellies, gills, ears, throats, heads, scrap pieces, or waster fur.”)
- Deleting label size requirements and only requiring that labels be “conspicuous and of such durability as to remain attached to the product throughout any distribution, sale or resale, and until sold and delivered to the ultimate consumer.”
- Deleting label text size and font requirements and only requiring that the information be disclosed “in such a manner as to be clearly legible, conspicuous, and readily accessible to the prospective purchaser.”
- Maintaining the requirement that all required information must be on one side of the label, but allowing for non-required information to appear on either side.
- Deleting the section that specified a particular order of appearance of the required information on the label.
- Eliminating the requirement that items sold in pairs or ensembles for which a single label is used must be firmly attached to each other when marketed and sold. The proposed rule would allow a single label for items marketed as pairs or ensembles, regardless of whether they are attached.

In the notice, the FTC declined to change the scope of product coverage, which is dictated by the Fur Act. Accordingly, faux fur will remain outside the scope of the fur labeling requirements. Further, the FTC reconfirmed that the Fur Act’s labeling provisions apply to wearing apparel, which the rules define as “clothing or covering for any part of the body.” Accordingly, while handbags are not subject to the labeling

75 Broad Street  
New York, New York 10004  
Phone: 212-425-0055  
Fax: 212-425-1797  
212-742-2180

SHARRETTS, PALEY, CARTER & BLAUVELT, P.C.

[www.spcblaw.com](http://www.spcblaw.com)

Email: [customs@sharretts-paley.com](mailto:customs@sharretts-paley.com)

1660 L Street, N.W.  
Washington, D.C. 20036  
Phone: 202-223-4433  
Fax: 202-659-3904

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requirements, footwear is subject to the requirements. Unlike the Textile Act, which specifically exempts shoes, the Fur Act has no such exemption.

If you are interested in filing comments on the fur labeling regulations, either alone or in a joint effort with other companies, please contact Gail Cumins at [gcumins@spcblaw.com](mailto:gcumins@spcblaw.com) or Donna Shira at [dshira@spcblaw.com](mailto:dshira@spcblaw.com), or call us at 212-425-0055.

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