

## Comments on Guides for the Use of Environmental Marketing Claims to inform the FTC Workshop on Green Building and Textiles.

Gwendolyn Hustvedt, Ph.D.

The FTC regulated labeling in apparel products conveys a variety of information including fiber content, care instructions and country of manufacture. This is not information that most consumers would be able to know about their apparel products unless the manufacturer gives them this information. Consumers use this information in several ways during their decision making process. One use for this information is to judge the value of the product. For example, a rayon shirt may not be as good a value at \$80 compared with the a silk shirt of the same price. The care information also informs the consumer judgment of value, since a product with a difficult or expensive care methods may represent additional costs to the consumer beyond the purchase cost. Incorrect fiber content or care information on the labeling can create a monetary risk to the consumers. By regulating this labeling, the FTC is reducing risk for the consumer during their purchase. The consumer trusts the FTC and therefore trusts the information. It would frankly never occur to most consumers that the information on the FTC regulated labels in their apparel were not telling the truth.

For this reason, it is especially disturbing when apparel products are sold using labeling considered improper under FTC guidelines. Mislabeling hurts consumers who are being misled, possibly making purchases they would not have made with the proper labeling and it has the potential to damage consumer confidence in FTC labeling. The labeling of apparel products as made from “100% bamboo” on the fiber content label is a excellent example of the mislabeling issue. While it may be technically possible to process the bast fibers in bamboo in a method similar to method used to make flax into linen, this is not the method being used to make the fibers in most textile products being labeled as “bamboo”. Simple microscopic examination of the fibers is enough to reveal that the fibers are extruded from a pulp made from cellulose, not from intact plant fibers. While the origin of the cellulose may in fact be bamboo, any fiber *manufactured* from cellulose is usually considered rayon.

Why is this type of mislabeling a potential risk for consumers? First of all, it prevents consumers from associating their previous experience with a known fiber (rayon) with the product they are about to purchase. Information gained from experience with previous products is valuable to consumers and denying them access to this information exposes them to risks they may have preferred to avoid. Rayon has problems with care and appearance, such as shrinkage and pilling, which can create dissatisfaction for some consumers. Secondly, consumers may chose to pay more for the mislabeled product than for the correctly labeled product, risking financial loss.

Why is this type of mislabeling a potential risk for the textile and apparel industry? The marketing claims made by retailers and manufacturers on products made with rayon from bamboo make it clear that the product is being marketed as a “sustainable” or “green” product. No mention is made of the process by which the rayon is produced and the consumer is left to believe that the fiber is “new” and “superior” based solely on the source of the material. No one would dream of labeling a product as “spruce” or “pine”, but because it seems vaguely credible that bamboo plants could be made into fiber with

minimal processing, the process is never discussed. This failure to discuss the process would not be so noxious if the suggestion was not also being made that the fiber is environmentally superior. Companies such as Lenzig have invested millions of dollars and a great deal of effort into improving the processing for regenerated cellulosic fibers and they are directly damaged when a “free-loader” fiber producer can position their product as superior or even comparable using mislabeling and insinuation. If this model of labeling using the source and not the generic fiber name is allowed to stand unchallenged, what is the point of investing in environmentally friendly methods of processing instead of in misleading advertising?

Why is this type of mislabeling a potential risk for the FTC? The FTC regulated labeling is only of value to consumers if it is seen to be truthful. The FTC will lose an important opportunity if it fails to clearly and publicly enforce its own standards in regards to the correct labeling of fibers to include generic fiber types. Consumers and their representatives may often take the work of the FTC for granted. Working to correct the issue of mislabeling in apparel products is just another way for the FTC to be seen as a clear ally of the consumer in cutting through the “green fog” of product claims. And, before the FTC tackles issues like non-mandated packaging claims, wouldn't it make more sense to first ensure the integrity of the FTC mandated labels?