

FTC Business Alert

Federal Trade Commission ■ Bureau of Consumer Protection ■ Office of Consumer and Business Education

In-FUR-mation Alert: How to Comply with the Fur Products Labeling Act

Whether it's a coat, cape, jacket, stole or parka...if you manufacture, import or sell fur garments, you must comply with the labeling requirements under the Fur Products Labeling Act (FPLA). Garment labels give consumers important purchasing information. Consumers assume this information is accurate and truthful. When it's not — either through an innocent or deliberate act — their trust in your business is damaged. The likely result for you? A tarnished reputation and bottom-line.

The Federal Trade Commission (FTC) wants to help you comply with the FPLA and its rules and regulations. You can find these rules at www.ftc.gov.

Fur Labeling Requirements

Fur products — garments made either entirely or partly with fur — must have a label disclosing:

- *The animal name*, according to the Fur Products Name Guide.

The Guide — at Section 301.0 of the rules — lists the animals whose fur could be used in a garment. However, simply because a name is on the list does *not* necessarily make it legal to sell that fur in the U.S. For example, some animals on the list may be endangered species and the sale of their fur prohibited. In addition, **the Dog and Cat Protection Act of 2000 prohibits importing, exporting, selling, trading, advertising, transporting, or distributing any products made with dog or cat fur. California criminal law** also prohibits selling dog and cat fur in that state.

It is illegal to label a fur with the name of any animal other than the animal that produced the fur, and to use coined or fictitious animal names.

The adjective form of the country of origin of the fur may — but doesn't have to — precede the animal name (for example, "Russian Mink").

- *The name or Registered Identification Number (RN) of the manufacturer, importer or other seller, marketer or distributor of the fur.*
- *The country of origin for imported fur products* (including the country of origin for imported furs made into fur products in the U.S.).

Even if the adjective form of the country name is used with the animal name, the origin must be stated separately, preceded by the words "Fur Origin" (for example, "Fur Origin: Russia").

The country of origin of the garment made from fur may be different than the country of origin of the fur itself. Imported garments must be marked in accordance with the marking statute, 19 U.S.C. § 1304, enforced by the U.S. Customs Service. For details, see the Customs' web site at www.customs.treas.gov.

You may label domestic fur products to show origin, but the law doesn't require it. Domestic furs also may be labeled to show the particular state or part of the country they came from. A name that connotes a false geographic origin cannot be used, and domestic furs cannot be labeled or advertised in a way that implies they are imported. If the name of the animal, as listed in the Fur Products Name Guide, includes a geographic designation, but the animal was raised or taken in the U.S., the origin should be stated to prevent possible deception (for example, "Mexican Raccoon; Fur Origin: U.S.").

- *If the fur is pointed, dyed, bleached, or artificially colored.*

If these treatments don't apply, the fur should be labeled "natural."

- *If the fur product is composed in whole or substantial part (more than 10 percent of surface area) of pieces, such as 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 the product, as well as the country of origin and manufacturer or dealer identity of the textile or wool component.*

For example, on a wool coat with fur trim, the label must disclose the wool content as required by the Wool Act and Rules. You can find the text of these rules and the publication, **Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts**, on the Commission's web site at www.ftc.gov.

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. If the lining contains any wool, the fiber content must be disclosed.

Mechanics of Labeling

- *Size.* Labels must be a minimum of 1¾ by 2¾ 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 pica or 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, or dyed
 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 pieces

6. country of origin
7. any other information that is required or permitted.

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

Invoices and Advertising

- The required information also 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 does not apply to catalog advertising where the customer does not have a chance to examine the product and its label before purchase.
- Advertising of a general or institutional nature — not intended to promote the sale of any particular product(s) — need not have the required information. However, if the ad makes any reference to a color, you must disclose whether the color is caused by artificial coloring.

Exemption

If the cost to a manufacturer of fur trim used on a garment (not including the cost of adding the trim to the product) **or** a manufacturer’s selling price of a fur product is \$150 or less, the product is exempt from the statute and rules.

The exemption **does not** apply if:

- the product contains dog or cat fur;
- the product contains used fur;
- the product is the whole skin of an animal, with head, ears, paws, and tail;
- any false, deceptive, or misleading statements are made about the fur.

In addition, if **any** representations about the fur are made in labeling, invoicing, or advertising, you must disclose the name of the animal, whether the fur is artificially colored and whether the fur is composed of pieces.

Therefore, a product that meets the \$150 exemption criteria cannot be called *fur*, *animal fur* or *genuine fur* without disclosures about the animal name, any artificial coloring process, and the use of fur pieces or waste. The exemption still would apply to the other Fur Rule requirements, such as the label size, and the disclosure of fur origin. Compliance with the Textile or Wool Rules labeling requirements would be necessary for other parts of the garment.

The manufacturer of an exempt fur product must keep records showing the cost of the fur. If the manufacturer’s selling price of the product is more than \$150, and the exemption applies because the original cost of the fur to the manufacturer was \$150 or less, the invoice must state that the fur is exempt from the Fur Act and Rules (for example, “FPL EXEMPT”).

Record Keeping

Manufacturers and dealers must keep records showing the required information for at least three years.

Enforcement of the Fur Act

Manufacturers, importers, distributors, and retail sellers are responsible for complying with fur labeling requirements and may be subject to civil or criminal penalties for selling mislabeled products. A violation of the FPLA, or the Commission's rules under the Act, is considered an unfair method of competition and an unfair and deceptive act or practice under the Federal Trade Commission Act. The Commission may issue an administrative order prohibiting the conduct that violates the Act. Violators of an administrative order are subject to monetary civil penalties of up to \$11,000 for each violation. Each instance of mislabeling is considered a separate violation. Criminal proceedings can be brought against willful violators of the FPLA. Violations of the Dog and Cat Protection Act of 2000 can result in penalties ranging from \$3,000 to \$10,000 per violation, forfeiture of the product, and disbarment from importing, exporting, transporting, distributing, manufacturing, or selling any fur product in the U.S.

The U.S. Customs Service also can impose marking duties, liquidated damages, or seize improperly labeled imported items.

Sellers may protect themselves by asking their U.S. supplier of fur products for a guaranty of compliance with the FPLA and Fur Rules. Continuing guaranties of compliance also can be filed with the FTC. See sections 301.47-.48 of the Fur Rules for more information about guaranties.

For More Information

If you have questions about the Textile, Wool and Fur Acts and Rules, contact:

Textile Section

Division of Enforcement

Federal Trade Commission

Washington, DC 20580

Phone: 202-326-3553

Fax: 202-326-3197

You also may visit us at www.ftc.gov on the Web. Click on **Business Guidance** for information about complying with the Textile, Wool and Fur Acts and Rules. Or contact the FTC's Consumer Response Center, Federal Trade Commission, Washington, DC 20580; toll-free 1-877-FTC-HELP (382-4357); TDD: 202-326-2502.

Your Opportunity To Comment

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards collect comments from small business about federal enforcement actions. Each year, the Ombudsman evaluates enforcement activities and rates each agency's responsiveness to small business. To comment on FTC actions, call 1-888-734-3247.