

FTC Announces Changes to Fur Labeling Rules

Christie Grymes Thompson

May 13, 2014

Last week, the FTC approved amendments to the regulations under the Fur Products Labeling Act, which update the Fur Products Name Guide, incorporate provisions of the 2010 Truth in Fur Labeling Act, and harmonize the regulations' guaranty provisions with those in the Textile Labeling Rules. These changes could ease some of the burdens that manufacturers and retailers of clothing and similar products currently face.

The Commission adopted the following changes:

- Allow more flexibility regarding label size, text, and use for items sold in pairs or groups, specifically, by
 - eliminating the label size requirement to require, consistent with the Textile Labeling Rules, that labels be "conspicuous and of such durability as to remain attached through distribution, sale or resale, and until sold and delivered to the ultimate consumer";
 - replacing the 12-point or "pica" type font size requirement with a requirement to disclose information "in such a manner as to be clearly legible, conspicuous, and readily accessible to the prospective purchaser";
 - removing limits on information appearing on the front of the label; eliminating the requirement that mandated disclosures appear in a specific order; and
 - allowing, consistent with the Textile Labeling Rules, a single label for items sold in pairs or groups, regardless of whether they are attached to each other at the point of sale.
- Eliminate the "de minimis" exemption and replace it with a hunter/trapper exemption, as required by the Truth in Fur Labeling Act;
- Amend the guaranty provisions, harmonizing them with those in the Textile Labeling Rules, to better address e-commerce; and
- Remove the requirement that the label disclose that fur consists of "sides" or "flanks."

Importantly, as the Wall Street Journal [reports](#), the FTC rejected several commenters' requests to remove the name "Asiatic Raccoon" from the Name Guide, determining that "Asiatic Raccoon" is the appropriate name for the *nyctereutes procyonoides* based on its appearance and behavior, and consumer familiarity with the name. Kelley Drye worked with the Fur Information Council of America and numerous other industry groups, including those that produce and market the Asiatic Raccoon, in support of the position the Commission adopted.



Additionally, the Commission decided, in response to unanimous commenter opposition, not to require annual renewal of continuing guaranties, but noted its continued concern that such guaranties' reliability may degrade over time.

The amendments take effect November 19, 2014. Our blog post on the recent amendments to the Textile Labeling Rules is available [here](#).