

IDFL NEWS FLASH

Issue No. 17

Revised (January & February 2000)

The new USA Standards for DOWN and FEATHER Labeling

IDFL has received many calls and faxes about the new USA Standards for down and feather labeling. This newsletter answers the most common questions about the new standards.

1. When is the actual start date for the new USA labeling standards?

The likely start date is April 2000.

The Association of Bedding and Furniture Law Officials (ABFLO) developed the new standards. The American Down Association (ADA) has worked with ABFLO on a few changes to the new system.

After April 1, 2000 all manufacturers should use the new label. Retailers can continue to sell existing inventories for some months after.

For the current 1999-2000 season, the old FTC standards and labels can be used. Some manufacturers have already switched to the new labeling system. (Using the new label system is fine, because the new labels meet or exceed the old standards in every case.)

California will be the first state to adopt the new regulations.

2. Has the FTC approved the new USA label standards?

The FTC has already published what it deems reasonable for down and feather labeling standards. The ABFLO-developed standards meet the FTC expectation.

The FTC expects ABFLO, ADA and other industry groups to develop details for standards. The FTC will not object to such standards as long as they fall within the expectations outlined in the January 1999 brochure, *"Advertising and Labeling of Feather and Down Products."*

3. Have individual states changed their labeling laws?

Several states have begun the process to change down and feather laws. California hopes to have its new regulation in place in early 2000. Other states are working on regulations and policy changes that should be effective for products sold in the 2000-2001 season.

4. What is the minimum down required for the "DOWN" label?

The new standard requires 75% minimum clusters (down clusters, nestling down and plumules) for products labeled "DOWN." No further tolerance is allowed.

5. What is the tolerance allowed for down and feather "BLENDS"?

No tolerance is allowed for blended products. Products labeled "50% DOWN / 50% FEATHER" must have a minimum of 50% down (clusters).

6. Can down fiber be included in the "Minimum Required Clusters"?

No. The old FTC guidelines had a requirement for minimum total down (clusters) & down fiber. The new standards do NOT include down fiber in the down (cluster) calculation. Only down clusters, nestling down and plumules are included in the down calculation.

International Down and Feather Testing Laboratory
1455 South 1100 East Salt Lake City, UTAH 84105 USA
Tel: (801) 467-7611 Fax: (801) 467-7711

QUESTIONS AND ANSWERS - USA STANDARDS (continued)

7. Do the standards apply to both bedding & garments (jackets, etc.)?

Generally, the standards for filling material apply to both bedding and garments. Each state has individual regulations on what kind of label is required for bedding vs. garments. In most states the larger, legal hanging tag is required only for bedding. In garments, the down filling content can be listed on the normal collar or side label. Please check with individual states on current requirements.

The International Sleep Products Association (ISPA) publishes an annual list of state and federal regulations for bedding products: *"1999 Manual of Labeling Laws & Registration Requirements."* Please order from:

ISPA, 501 Wythe Street
Alexandria, VA 22314-1917 USA

8. Why do feather and down products not use the normal FTC textile standards?

The normal FTC Textile Standard allows only a 3% tolerance. This means that a product labeled "DOWN" would require 97% down to meet the normal FTC textile labeling guides.

The FTC agrees that down and feathers need special guidelines. However, if reasonable labeling standards are not adopted, the FTC might enforce the normal textile standards.

9. What is the purpose of the sub-label in the USA ABFLO-developed standard?

The new USA-ABFLO/ADA standard allows four general categories in the label:

DOWN
FEATHERS & DOWN
DOWN & FEATHERS
FEATHERS

These labels would be used to generally describe products. These terms could be used in **advertising and marketing** of products.

The SUB-LABEL allows consumers and retail buyers to distinguish between different qualities of product within a general category.

For example, with the proposed sub-labeling two products might be labeled:

DOWN (Minimum Down 90%)
or (90 Cluster)

DOWN (Minimum Down 75%)
or (75 Cluster)

Both products are "DOWN" but the 90% product is normally a better product.

10. Is the sub-label for "DOWN" products optional or required?

The current ABFLO standard requires sub-labels for "DOWN" products. ADA and some ABFLO members have discussed a "compromise" sub-label for "DOWN" products. This would allow manufacturers a text rather than % option

This option for "DOWN" PRODUCTS is in discussion only and has not been officially approved by ABFLO or any state agency.

IDFL recommends that until otherwise notified, manufacturers should plan on using one of the following sub-labels

1. **MINIMUM DOWN XX %**
(or)
2. **XX CLUSTER**

11. Why has the minimum allowance for damaged feathers increased?

The old FTC requirement of no more than 2% damaged feather was fine for down products, but unrealistic for high feather content products.

The International Down and Feather Bureau (IDFB) completed a study which determined that a 7-9% allowance (of the feather portion) for damaged feathers is realistic.

12. What about threadcount and downproof claims?

Threadcount and downproof claims fall under normal FTC guides for textiles and honest advertising. Threadcount claims should have no more than 3-5% tolerance. The use of double-yarn to double threadcount is not accurate. (There is disagreement about double yarns)

QUESTIONS AND ANSWERS - USA STANDARDS (continued)

13. What about "hyper-clean" or "super-clean" or "hypo-allergenic" claims?

The FTC requires that such claims be carefully documented.

14. What if a product has more than 10% down or feather fiber?

The new USA standard requires that if down or feather fiber exceeds 10%, such fiber must be listed separately on the label. Single fibers are inferior to down or feathers.

An example label for a product exceeding the fiber minimums would be:

DOWN & FEATHERS
Down 60%
Feathers 25%
Feather Fiber 15%

15. Why is the oxygen number standard more strict than before?

The majority of products produced in the USA are below a 10 oxygen. Most of industry and government feel that a tightening of the rule was acceptable.

16. How does the new USA labeling standard compare to other countries?

JAPAN Similar to the new USA standard. Japan includes Fill Power on the label.

CHINA The Chinese have a standard close to the new USA standard.

CANADA Canada has always required 75% for down products.

EUROPE The new European labeling standard is more strict than the old European. Europe's new label will contain more information than the new USA label.

17. What are the official USA test methods?

The new USA standards require the IDFB test methods. The IDFB test methods were developed by IDFL and Hohenstein Institute.

As the consulting lab to the International Down and Feather Bureau, IDFL has spent years researching and refining test methods for down and feather products. The IDFB test methods supersede any previous FTC/USA test methods.

18. Is there a USA standard for Fill Power?

No requirement exists for labeling of fill power on the law tag label. However, if fill power is used in advertising or packaging materials, the accepted tolerance for fill power is $\pm 5\%$.

The official IDFB fill power method uses the Lorch machine. IDFL has tested 1,000 samples with both the USA cylinder and the Lorch machine. The average variance between the two cylinders is 0.4%.

19. What about testing tolerances or manufacturing variances?

ABFLO and ADA agree that the average results of multiple tests of a product must meet or exceed the labeled contents.

However, a single test result for a product may have a variance of 5% (relative to the down content) for "DOWN" products and 10% (relative to the down content) for "BLENDED" products.

20. What is the penalty for mis-labeling down products?

Each individual state has separate regulations for action against manufacturers and retailers.

The FTC may also initiate action.

In the past, manufacturers/retailers have been fined and been subject to court action or products have been removed from shelves.

IMPORTANT CONTACTS FOR USA LABELING STANDARDS

The following organizations are involved in the development and enforcement of USA labeling guides. IDFB is involved in the development of international testing standards. IDFL maintains regular contact and or membership with these groups.

Federal Trade Commission (FTC). For 30 years the FTC has published guidelines for down and feather products. In September 1998 the FTC rescinded its guidelines and stated that the industry and state regulatory groups develop more accurate labeling standards. In January 1999 the FTC published a brochure outlining what the FTC would deem reasonable in a new labeling standard.

Carol Jennings
Federal Trade Commission
600 Pennsylvania Ave NW
Washington, DC 20580

Michael Bloom
Federal Trade Commission
One Bowling Green, Suite 318
New York, NY 10004
Tel: (212) 607-2829
Fax: (212) 607-2822

Association of Bedding & Furniture Law Officials (ABFLO). Members of ABFLO are the individual state government agencies that develop and enforce labeling laws for down and feather products.

Historically, state laws and policies have been based upon the FTC guidelines. Because the FTC dropped its guidelines, ABFLO developed new standards during its March 1999 meeting. Individual states will now change state law and policies to conform to the standards agreed to by ABFLO. California will be among the first to officially change its labeling law. Other states will merely make a policy change that does not require legislative action.

Larry Brown, ABFLO President
c/o Ohio Dept of Commerce, Bedding Section
6606 Tussing Road
Reynoldsburg, OHIO 43068

Tel: (614) 644 2253
Fax: (614) 644 2428

American Down Association (ADA). The ADA is a national trade association of down and feather related companies. ADA members are down suppliers, down processors, manufacturers, importers, retailers, and others. Stephen Palmer of United Feather and Down is president of the ADA.

The ADA has reviewed the new ABFLO standards and is responding with suggested changes. The ADA and ABFLO are discussing possible changes.

Mr. Jeff Helms, Association Manager
American Down Association
3216 Eastwood Road
Sacramento, CA 95821-3101 USA

Tel: (916) 971 1135
Fax: (916) 971 3151

International Down and Feather Bureau (IDFB). IDFB is the international trade association for the down and feather industry. IDFB is based in Frankfurt, Germany and promotes feather and down products world-wide. IDFB also establishes international test methods and international standards.

Mr. Willi Jaxtheimer, Secretariat
International Down and Feather Bureau
Röderweg 31
D-63739 Aschaffenburg GERMANY

Tel: 0049 6021 91267
Fax: 0049 6021 96922

New USA Standards - Down & Feather Products (Jan/Feb 2000)

This guide for labeling and advertising of down and feather products is based on the following:

1. ABFLO 1999 Guidelines. "Labeling of Down and Feather Products"
2. January 1999 FTC Bulletin. "Advertising and Labeling of Feather and Down Products"
3. IDFB Technical Manual. IDFB is the international trade association (International Down & Feather Bureau)

Down Products. Any product with a minimum 75% down/plumules may be labeled "DOWN." The actual down (cluster) must be listed.

Down/Feather Blends. The actual down (cluster) content of

b
l
e
n
d
e
d
p
r
o
d
u
c
t
s
m
u
s
t
b
e
l
a
b
e
l
e
d
.
N
o
t
o
l
e
r
a
n
c
e
i
s
a
l
l
o
w
e
d
.

Residue
 Maximum 2%
 Down Fiber
 Maximum 10%
 Feather Fiber
 Maximum 10%
 Quill Feathers >4" (10cm)
 Maximum 0%
 Landfowl Feathers & Fibers.....
 Maximum 5% **
 Damaged & Broken Feathers...
 Maximum 7% **
 ** (5% or 7% of feather portion - but no less than 2%)
Effective Date. These guidelines are effective April 1, 2000
 (12 months is allowed for sale of previously labeled products.)

Feather Products. The label "WATERFOWL FEATHERS" may be used if the product has at least 80% waterfowl feathers.

Labeling of Other Components. If other components exceed the following maximums, the component % must be labeled.

Specie (GOOSE or DUCK)

Products can be labeled by specie if --
90% of the plumage is of that species.

FTC Cleanliness Requirement

OXYGEN NUMBERMaximum of 10.

Fill Power Claims

Fill Power is tested on down before production of finished products. After proper conditioning the fill power value of finished products should be within ± 5% of claim.

Fabric Claims

See FTC guide: *"Threading Your Way Though the Labeling Requirements Under the Textile and Wool Acts."*

Other Product Claims

The FTC law requires that claims in advertising or labeling must have proof to back up both express and implied claims.

LABELING EXAMPLES	Minimum Required Cluster***	Maximum Landfowl Feathers	Maximum Damaged Feathers*	Maximum Residue*	Maximum Down Fiber *	Maximum Feather Fiber *
DOWN (Minimum 90% down) or (90 Cluster)**	90 %	2.0 %	2.0 %	2 %	10 %	10 %
DOWN (Minimum 85% down) or (85 Cluster)**	85	2.0	2.0	2	10	10
DOWN (Minimum 80% down) or (80 Cluster)**	80	2.0	2.0	2	10	10
DOWN (Minimum 75% down) or (75 Cluster)**	75	2.0	2.0	2	10	10
DOWN & FEATHERS (Min 70% down)****	70	2.0	2.1	2	10	10
DOWN & FEATHERS (Min 65% down)	65	2.0	2.5	2	10	10
DOWN & FEATHERS (Min 60% down)	60	2.1	2.8	2	10	10
DOWN & FEATHERS (Min 55% down)	55	2.3	3.2	2	10	10
DOWN & FEATHERS (Min 50% down)	50	2.5	3.5	2	10	10
FEATHERS & DOWN (Min 40% down)	40	3.0	4.2	2	10	10
FEATHERS & DOWN (Min 30% down)	30	3.5	4.9	2	10	10
FEATHERS & DOWN (Min 20% down)	20	4.0	5.6	2	10	10
FEATHERS & DOWN (Min 10% down)	10	4.5	6.3	2	10	10
FEATHERS & DOWN (Min 5% down)	5	4.8	6.7	2	10	10
FEATHERS	--	5.0	7.0	2	7	5

* If Components exceed listed Maximum -- Such component percentages must be clearly labeled

** ABFLO and ADA have discussed alternative labeling which allow for a special text instead of down or cluster count.

*** CLUSTER is defined as the sum of down clusters, nestling downs and plumules.

**** Alternate Sub-labels for Blends (70% Down/30% Feathers) or (Minimum 70 Cluster) or (70%Cluster/30% Feathers)

EXAMPLE LABELS: DOWN (Minimum 75% Down) or (75 Cluster)
 DOWN (Minimum 90% Down) or (90 Cluster)
 DOWN AND FEATHERS (60% Down, 40% Waterfowl Feathers) or (Minimum 60 Cluster)
 DUCK FEATHERS AND DOWN (10% Duck Down, 90% Duck Feathers)

SAMPLE LABELS FOR "DOWN" PRODUCTS

DOWN
(Minimum 75% Down)
or
(75 Cluster)

DOWN
(Minimum 90% Down)
or
(90 Cluster)

A "compromise" label making the minimum down % optional has been discussed **but not approved.**

DOWN
This product contains an amount of waterfowl feathers not exceeding that allowed by law.

SAMPLE LABELS FOR DOWN & FEATHER BLENDS

These are sample labels for Down & Feather or Feather & Down "BLEND" Products:

DOWN & FEATHERS
(60% Down)
(40% Waterfowl Feathers)

GOOSE FEATHERS & DOWN
(90% Goose Feathers)
(10% Goose Down)

Compiled by: **International Down & Feather Testing Laboratory (IDFL)**
1455 South 1100 East
Salt Lake City, UTAH 84105 USA
Tel: (801) 467-7611
Fax: (801) 467-7711