



May 8, 2013

REGULATORY BULLETIN: FTC BAMBOO ORDER & VENDOR ACTION REQUIRED

U.S. Federal Trade Commission Prohibits Labeling Textiles as “Bamboo” Except in Very Limited Circumstances

Macy's/Bloomingdale's and the Federal Trade Commission (FTC) have settled an investigation relating to textile fiber products labeled or advertised as “bamboo”.¹ The FTC's opinion is that most – if not all -- textile products labeled as “bamboo” are likely made from regenerated plant cellulose, and are, in fact, rayon or viscose. In addition, the FTC has expressed concern regarding unsupported environmental claims on textiles, such as “antimicrobial” and “ecofriendly”-type claims, as discussed further below.

Macy's and Bloomingdale's Terms and Conditions of Sale require all items to be labeled in compliance with applicable law. All vendors are advised to STOP sale of textile fiber products labeled as “bamboo” to our companies.

The FTC brochure found at the link below explains the FTC's position that most textiles labeled as “bamboo” are, in fact, rayon or viscose. The only instance in which the FTC believes that a textile fiber product could properly be labeled as simply “bamboo” is if the product is made from mechanically processed bamboo. Most textile fiber products made from bamboo that are sold to consumers for clothing and household items are produced from chemically processed bamboo. It is this chemical processing that, per the FTC, changes the properties of the plant and prevents it from being called “bamboo” as a final product. See link to FTC brochure regarding textiles labeled as “bamboo.” <http://business.ftc.gov/documents/alt172-how-avoid-bamboozing-your-customers>. We also provide some further information on the pages that follow

VENDOR ACTION REQUIRED: All vendors of textile fiber, wool, and fur products must provide Macy's, Bloomingdale's, and all their affiliates with a continuing guaranty signed by a principal of the vendor's company or other executive authorized to sign on behalf of the vendor's company. If your company has not yet provided a continuing guaranty, we ask you to do so now. To provide a continuing guaranty electronically, you must become a Registered User at www.macysnet.com. Once registered, click on Document Acceptance, review the material, and accept and provide the continuing guaranty on line.

All vendors must contact their own US legal counsel for legal advice.

¹ The FTC order is applicable only to textile fiber products and does NOT affect products such as cutting boards, spatulas, or frames made from bamboo wood.

For other questions, please contact the Vendor Services help desk 513-782-1470.

Background: Textile Fiber Content Labeling Requirements

Assuming that bamboo is the plant source for rayon or viscose, then the fiber content label may call out the source of the cellulose with wording such as “Rayon from Bamboo” or “Rayon made from bamboo” or “Viscose from bamboo” or “Viscose made from bamboo”. Note that there is NO requirement that the cellulose source be called out, and thus “rayon” or “viscose” are acceptable fiber names for such fabrics.

Example of **acceptable** label (assuming the raw material plant source is bamboo):

80% RAYON FROM BAMBOO 20% COTTON

OR ALTERNATIVELY

Example of **acceptable** label:

80% RAYON 20% COTTON

Example of an **unacceptable** label:

80% BAMBOO 20% COTTON

Antibacterial, Antimicrobial, Antifungal, and Eco-Friendly Product Claims

The FTC has also expressed concern regarding unsupported environmental product claims on textile items, such as claims about antimicrobial, eco-friendly, and biodegradable properties.

The FTC’s position is that the natural antimicrobial properties of the bamboo plant are not retained after the chemical manufacturing process converts bamboo cellulose into rayon or viscose, so “naturally antibacterial”, “antimicrobial”, or “antifungal” or other claims regarding these properties are not permitted.

Further, a “rayon from bamboo” product is not biodegradable because it will not break down in a reasonably short time after customary disposal. Most clothing and textiles are disposed of either by recycling or by sending them to a landfill. Neither method results in quick biodegradation.

Below are examples of some of the claims that have been the basis of recent FTC enforcement actions:

- “100% Bamboo Fiber”
- “Pure Bamboo”

- Claims that the products retain the bamboo plants natural antimicrobial, antibacterial, or antifungal properties.
- Environmentally friendly manufacturing processes (“Eco-friendly”).
- Products are biodegradable (and quickly break down).

Do NOT use these marketing terms for untreated rayon from bamboo or viscose from bamboo textiles. However, if a textile is marketed as “antimicrobial” based on a chemical treatment applied to the fabric, then the vendor must have test reports and substantiation. “Antibacterial” may not be used as it is considered a health or medical claim.