



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20580

Division of Enforcement
Bureau of Consumer Protection

February 7, 2001

Mr. Wilford Lieber
International Down and Feather Testing Laboratory
1455 South 1100 East
Salt Lake City, Utah 84105

Dear Mr. Lieber:

I am writing in response to your inquiry of February 2, 2001, regarding the labeling of down jackets, vests, and other garments.

As you know, the 1971 FTC Guides for the labeling of down and feather filled products were rescinded in 1998 (63 Fed. Reg. 44553, Aug. 20, 1998). The Commission took this action because it believed the 30% tolerance afforded by the Guides was outdated, unwarranted, and did not promote truthful advertising and labeling practices.

In rescinding the Guides, the FTC stated that the general principles of the FTC Act would apply to the marketing of down products. Section 5(a)(1) of the Act, 15 U.S.C. 45(a)(1), prohibits deceptive acts or practices in commerce. Accordingly, a jacket labeled 80% down should in fact contain 80% down (within a very few percentage points).

The Commission also indicated that rescission of the Guides did not signal a withdrawal from its efforts to prevent deception in the labeling and advertising of down products. Accordingly, the Federal Register notice stated that FTC enforcement actions may be warranted if deceptive practices in labeling or advertising prove to be a problem in this industry.

Yours truly,

A handwritten signature in cursive script that appears to read "Carol J. Jennings".

Carol J. Jennings