

CARE LABELLING

A GUIDE TO COMPLYING WITH THE CONSUMER INFORMATION STANDARD

The purpose of the care labelling Consumer Information Standard is to make sure that:

- consumers are aware of the method and cost of caring for textile products when they are buying them;
- a cleaner can confidently use the information to take care of the textiles;
- the textile's life is not shortened by inappropriate care information or no information; and
- the textile is not damaged or destroyed by inappropriate care.

It is mandatory under the Consumer Information Standards (Care Labelling) Regulations 2000 for many new textile goods supplied in New Zealand to comply with specific sections of the Standard AS/NZS 1957:1998 *Textiles – Care labelling*. It is illegal to supply textile goods that do not comply with this Standard and the Regulations.

The Regulations set out the types of textile goods covered by the Standard and what parts of the Standard apply to New Zealand.

The Standard sets out the words, terms and symbols to use on a label to show the correct way to care for textile goods, including dry-cleaning and washing.

The Regulations are issued under section 27 of the Fair Trading Act 1986.

WHO DO THE REGULATIONS APPLY TO?

Any person supplying, offering to supply or advertising the supply of new textiles, that require care labelling information, must comply with the Regulations. Any person includes retailers, importers, distributors and manufacturers.

Types of supply include textile goods for sale in a shop, on internet auction sites, at markets or stalls or in craft shops.



WHAT TEXTILE ITEMS HAVE TO BE LABELLED WITH CARE INFORMATION?

The care labelling Standard contains more details and requirements, some of which are very technical. You should read both the Regulations and the Standard to make sure you understand all the labelling requirements.

The Standard and Regulations cover most types of textiles, including:

- clothing, household textiles, furnishings, upholstered furniture, bedding, mattresses and bed bases;
- piece goods and yarns made from textiles;
- plastics and plastic-coated fabrics; and
- suede, skins, hides, grain leathers and furs.

Regardless of whether the item was made in New Zealand or overseas, or was made by machine or hand-made, it must comply with this Standard.

WHAT TEXTILE ITEMS DO NOT REQUIRE CARE LABELLING?

- Second-hand goods;
- Footwear (except hosiery) and textile materials used to manufacture footwear;
- Floor cloths, dish cloths, dusters, cleaning cloths and pressing cloths;
- Haberdashery such as elastic, elastic threads, ribbons, zips and velcro-type fasteners;
- Jute products; and
- Goods intended for medical and surgical use as bandages, dressings, sanitary pads, and any materials that form part of manufactured medical and surgical goods.

A complete list of textile items that do not require a care label is set out in Schedule 2 of the Regulations.

HOW MUST THE INFORMATION APPEAR ON THE LABEL?

All care labelling must be legible and in English. Internationally recognised symbols (eg, for drycleaning) can be used but written instructions are also required. The label cannot use symbols alone to describe how to care for the item.

The care label should cover general cleaning and care instructions, including, where appropriate and necessary textile maintenance (eg, air regularly) and any warnings against inappropriate treatment (eg, do not tumble dry).

The Standard also sets out specific rules for:

- Drycleaning: there must be drycleaning instructions and drycleaning symbols on the label.
- Colourfast: there must be a warning if the item is not colourfast.
- Tumbledrying: there must be a warning if tumbledrying would cause shrinkage. Items must not have a 'Do not tumble dry' warning if they can be dried this way.
- Trims (eg, a fur collar): if any special treatment is required, the label must specify this.
- Ironing instructions may be needed for a 'dryclean only' item, if it can be pressed between drycleaning treatments.

HOW IS THE CORRECT CARE INFORMATION DETERMINED?

AS/NZS 2621:1998 *Textiles – Guide to selection of correct care labelling instructions* from AS/NZS 1957, although not part of the Regulations, provides information and useful examples on what care each type of textile requires. It also sets out a useful flow chart for working out the appropriate care instructions.

Suppliers need to be familiar with the information in both AS/NZS 2621 and AS/NZS 2392:1999 *labelling of clothing household textiles and furnishings* to determine the correct care information for the types of textiles they supply.

As a guide, the correct care instructions depend on:

- fibre used;
- construction and potential for shrinkage (eg, knit);
- colour-fastness;
- special treatments applied (eg, fire retardants) or that are likely to be applied (eg, waterproofing);
- design of the item (eg, colourfastness of trims); and
- the normal care of the item (eg, dryclean only is not suitable for a cotton/polyester school shirt).

WHAT ARE THE OTHER LABEL REQUIREMENTS?

PERMANENT LABELS

Care labels must be permanent. Labels must be able to withstand the care treatment that item requires. The information on the label should remain readable and the label should remain attached to the item through the item's useful life.

Labels for leather and fur clothing, upholstered furniture and bedding require information to be given on a choice of cleaning methods and instructions for those methods of care.

ITEMS NOT REQUIRING A PERMANENT LABEL

Some textile items *do not* require a permanent label but still need care instructions provided – for example on a label or ticket attached to the wrapping or packaging.

Examples of textiles not requiring a permanent label include:

- fashion accessory items such as collars, gloves, mittens, hosiery, neckwear, incontinence garments, shawls, reversible jackets and fur garments;
- babywear accessories such as gloves, mittens, bibs, washable nappies, squares of flannelette, terry towelling or muslin;
- drapery items such as face washers, serviettes, doilies, tablecloths, tray cloths and runners, tea towels and place mats;
- haberdashery such as elastic, elastic threads, ribbons, zips and velcro-type fasteners
- trims – eg, lace edging;
- shower curtains; and
- gardening gloves.

A complete list of items not requiring a permanent label is set out in Schedule 2 of the Regulations.

All care labelling must be legible and in English. Internationally recognised symbols (eg, for drycleaning) can be used but written instructions are also required.

LABEL MUST BE ACCESSIBLE

The label must be easy to find by consumers examining the item.

Where it is not possible for consumers to see the care label because of the way the item is packaged, displayed or folded, you must also provide the information on:

- a removable ticket, label or pamphlet attached to the goods; or
- the item's packaging or wrapping.

The Standard also sets out specific labelling options for piece goods textiles and for the labelling of yarns – such as the use of removable tickets or labels on wrappings or packaging.

ITEMS IN MORE THAN ONE PIECE

If an item comes in more than one piece (eg, a suit) each piece must have its own label.

POSITION OF LABEL

Guidance on where the label should be placed is available in the Standard AS/NZS 2392:1999. Most clothing should be labelled at the top centre back of the garment.

WHO IS RESPONSIBLE FOR MAKING SURE GOODS HAVE A LABEL?

Although the manufacturer or supplier of the goods may supply goods with care labels, the seller is responsible for making sure the goods that are supplied, offer to be supplied or advertised for supply comply with the Standard and the Regulations.

The seller should not assume that goods comply with the Standard and the Regulations because the supplier is offering them for sale. If you have any concern that the goods you supply are not carrying the correct care labels, ask your supplier for more information about the tests that goods have been put through to check the appropriate care.

CAN I REPLACE AN INCORRECT CARE LABEL WITH THE RIGHT CARE LABEL?

Yes, you can replace an incorrect label with a new label stating the correct care information. The new label must comply with the Regulations.

WHAT HAPPENS IF I SUPPLY AN ITEM WITH NO CARE LABEL OR AN INCORRECT CARE LABEL?

You will have breached the Regulations.

It is an offence under section 28 of the Fair Trading Act to supply or offer to supply textile goods without a care label.

The Commerce Commission, which enforces the Fair Trading Act, may take a prosecution against you in Court. Companies can be fined up to \$200,000 for each breach of the Act. Individuals can be fined up to \$60,000. For more information on the range of enforcement actions, from warnings through to prosecutions, see the Commission's website at www.comcom.govt.nz

WHERE CAN I GET MORE INFORMATION ON THE STANDARD AND THE REGULATIONS?

The Standards AS/NZS 1957:1998 *Textiles - Care labelling*, AS/NZS 2621:1998 *Guide to selection of correct care labelling Instructions*, and AS/NZS 2392:1999 *Textiles – labelling of clothing, household textiles and furnishings* are available to buy from Standards New Zealand by calling 0800 782 632, or via its website: www.standards.co.nz (enter number of Standard as keyword).

You can access the Regulations and the Fair Trading Act online at the government's legislation website www.legislation.govt.nz

The information on this website is free.

You can buy a copy of the Regulations and the Fair Trading Act from selected bookshops.

For further information on the Fair Trading Act, you can visit the Commission's website at www.comcom.govt.nz

DO TEXTILES REQUIRE ANY OTHER TYPES OF LABELS?

Some textiles must also comply with these Consumer Information or Product Safety Standards:

- new clothing and footwear requires country of origin labelling;
- many textiles require fibre content labelling; and
- children's nightwear (and a limited range of children's daywear) must comply with a Product Safety Standard, as well as the country of origin and fibre content labelling Consumer Information Standards.

Fact sheets are available for all consumer information and product safety standards from the Commission's website at www.comcom.govt.nz

EXAMPLES

- A trader was fined for selling clothing with care labelling provided that only symbols to explain the care instructions. Although symbols can be used, the care instructions must also be in English.
- A trader sold clothing with the care labelling in Korean. A settlement was reached with the trader who agreed to correctly re-label all the clothing in English.

USEFUL TERMS

- Breach – to break the law or not comply with an Act or Regulations
- Comply – to meet obligations and rules, eg, as set out in an Act or Regulations
- Consumer – a person who buys from a retailer, an end-user
- In trade – a person who runs a business selling goods or services such as a retailer, manufacturer or importer
- Mandatory – making a set of rules or guidelines compulsory, that *must* be followed
- Piece goods – textiles, such as fabrics, supplied in standard widths and lengths
- Regulations – legislation made under an Act, in this case the Fair Trading Act Retailer – the seller who sells to end-consumers
- Supply – supply by sale, gifting, exchange, lease, hire, or hire purchase
- Textiles – items made from natural or synthetic materials (eg, cotton, nylon, wool)

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CONTACT

Contact the Commerce Commission with information about false or misleading trading practices.

TELEPHONE

Our Contact Centre during office hours on 0800 943 600

WRITE

To us at Contact Centre,
PO Box 2351, Wellington 6140

EMAIL

Us at contact@comcom.govt.nz

This fact sheet is a guideline only, and reflects the Commission's view. The publication is not intended to be definitive, and should not be used instead of legal advice. It is traders' responsibility to remain up to date with legislation.

The purpose of the Commerce Commission is to promote dynamic and responsive markets so that New Zealanders benefit from competitive prices, better quality and greater choice. The Commission does this by enforcing legislation that promotes competition in New Zealand markets and prohibits misleading and deceptive conduct by traders.

Only the courts can make an authoritative ruling on breaches of the Fair Trading Act. Courts may fine companies found guilty of breaching provisions of the Fair Trading Act up to \$200,000 and individuals up to \$60,000.