



Industry Canada

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Mr. Raymond Pierce
Deputy Commissioner
Fair Business Practices Branch
Competition Bureau Canada
Place du Portage 1
50 Victoria Street
Gatineau, Quebec K1A 0C9

Dear Mr. Pierce:

Thank you for your letter of January 18, 2007, inviting the Office of Consumer Affairs to provide a response to the Competition Bureau's discussion paper, "*Amending the Textile Labelling and Advertising Regulations.*"

As you know, the Canadian consumer movement was very active in encouraging the government to adopt textile labelling rules as early as the 1940s, and was instrumental in assisting with the development of the current legislation passed in the 1970s. We are therefore pleased to see that the Bureau is proposing measures to modernize and streamline these regulations to make them more responsive to consumers' needs in light of current marketplace realities and technological advancements.

We note that some of the items in the discussion paper are technical or legal housekeeping issues that respond to specific recommendations from the Standing Joint Committee for the Scrutiny of Regulations. For these matters, we assume legal advice has been sought and the Bureau will carry out the analysis needed to determine the appropriate actions. We have therefore limited our comments below to what we believe are the most substantive consumer issues raised in the paper.

Item 3: Exemption - Custom Made Articles and Floor Coverings

We believe consumers would benefit most from a removal of this exemption and defaulting to the standard disclosure label requirements. This would mean that custom made articles would bear the same labels required for most other consumer textile articles, and consumers would therefore have ready access to fibre and related information without having to search for invoices and receipts.

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Item 4: Imported Consumer Textile Articles

It is our understanding that under most federal labelling regimes, imported consumer products destined for retail consumption are required to be labelled before arriving in the country. Unless it can be shown that this exemption is needed by industry, is widely used, and procedures for notifying authorities and making corrections to unlabelled goods before offering them for sale are routinely followed, we would support removal of the exemption.

Item 5: Exemption - Second Hand Articles

Removing this exemption will require second-hand articles to bear the same disclosure labels as new articles, but will remove onus on the retailer to identify which articles in the store are second hand. Removing requirements for information instrumental in helping consumers make informed choices is contrary to the objectives of sound consumer policy and we would, therefore, not support revocation.

However, should the Bureau proceed with removing this section, we would propose the introduction of a new regulation requiring that second-hand consumer textile articles be prominently and clearly identified as such, either by signage, point-of-sale labels or permanent labels.

Item 7: Bilingual Labelling

We agree with the Standing Joint Committee's comments that mandatory labelling requirements pertaining to health, safety and consumer protection need to appear in both French and English, with no exceptions. Certain textile fibres with very different French/English nomenclature such as wool (laine), glass (verre), rubber (caoutchouc), rabbit hair (poil de lapin) etc. would not be recognizable by Canadian consumers who understand only one official language. Similarly, required sectional disclosure terminology such as fill (remplissage), lining (doublure), and sleeves (manches) would not be understood.

We would further note that the calculation used to determine if an official language is used continuously in one area in order to know if an exemption applies is probably not well understood by retailers or consumers.

Finally, given the minimal mandatory statements required by the Act and the fact that many consumer textile articles sold in Canada are imported and nationally distributed, and thus already require bilingual labelling, we believe that removal of the exemption would not prove to be onerous for the retail sector, and would be ultimately beneficial for consumers.

Item 10: Recognition of Equivalent Identification Number Systems

If foreign registration number systems provide the same level of information regarding the dealer's name and address as the Canadian CA registration system, there should be no objection to apparel labelled with the foreign system. However, if this regulation is accepted, consumers should be made aware of how to access information from these systems, and access should be as readily available to both English and French speaking Canadian consumers as it is via the current CA number system.

Item 12: Down and Feather

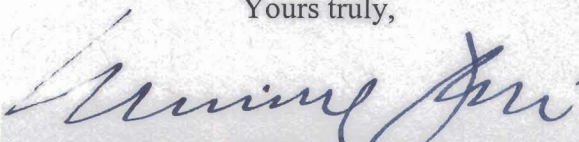
We concur that if technology has improved to the point that industry can now offer a more accurate representation of the down content in a down-filled article, they should be under the same or similar restrictions as the rest of the textile and apparel industry.

Requiring accurate disclosures of down content would allow consumers to compare prices based on the actual quantity of down present in the article without having to calculate the amount of down allowable by law that is actually present.

With regard to the use of the terms "all" or "pure" or "100%," we do not believe these terms are helpful unless it can be guaranteed that the level of contaminant (i.e., feathers and residue) is not more than that which would be found as an acknowledged trace contaminant. Should the Bureau continue to allow these terms to be used by regulation, we would suggest it reach an agreement with industry as to what a reasonable trace contaminant level would be, given current processing methods.

We trust these comments are helpful and we wish you every success in your endeavour to improve consumer protection and consumer awareness by amending these important regulations.

Yours truly,



Michael Jenkin
Director General