



TEXPROCIL

THE COTTON TEXTILES EXPORT PROMOTION COUNCIL
(Sponsored By Government of INDIA)

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E Serve No. 89 of 2017

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Sub: TBT notification issued by USA on textile fiber products

Dear Member,

USA has issued a TBT Notification No G/TBT/N/USA/1299 on textile fiber products.

The Federal Trade Commission, USA has issued this notification concerning rules and regulations under the textile fiber products identification act.

HS Code: 50 to 63

The brief of the regulation is as follows:

Existing Rule:

§ 303.19 Name or other identification required to appear on labels.

(a) The name required by the Act to be used on labels shall be the name under which the person is doing business. Where a person has a word trademark, used as a house mark, registered in the United States Patent Office, such word trademark may be used on labels in lieu of the name otherwise required: Provided, the owner of such word trademark furnishes the Commission a copy of the registration prior to its use. No trademark, trade names, or other names except those provided for above shall be used for required identification purposes.

(b) Registered identification numbers, as provided for in § 303.20 of this part, may be used for identification purposes in lieu of the required name.

Amended Rule

Commission now proposes eliminating the above requirement, that businesses furnish the Commission with registered word trademarks prior to using these marks to satisfy the Textile Rules.

Eliminating this requirement is expected to reduce compliance costs while increasing firms' flexibility.

Specifically, the Textile Fiber Products Identification Act and implementing rules ("Textile Rules") require marketers to, among other things, attach a label to each covered textile product disclosing:

- (1) The generic names and percentages by weight of the constituent fibers in the product;
- (2) the name under which the manufacturer or other responsible company does business or, in lieu thereof, the company's registered identification number ("RN number"); and
- (3) the name of the country where the product was processed or manufactured.

The Commission, therefore, proposes to eliminate the requirement for businesses to file paper copies of the registration with the Commission because it appears unnecessary and could in some cases impose unnecessary costs on businesses.

Rationale

Earlier, when this regulation got formed, neither the US Commission nor consumers could identify easily the owners of word trademarks. Thus, the regulation provided some benefit (i.e., facilitating the identification of trademark owners to address compliance issues or help consumers contact textile product marketers).

Now, Commission staff and consumers can identify trademark owners by searching online or on the USPTO's online database.

For more details, please also refer the TBT notification ([click here](#)) and Regulation ([click here](#)) attached.

Kindly forward your comments or suggestions to the Council at info@texprocil.org latest by 3rd August, 2017.

Regards,

Dr. Siddhartha Rajagopal
Executive Director

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