

# Fact Sheet

## Support the Dog and Cat Fur Prohibition Enforcement Act — H.R. 891 Close the Consumer Deception Loopholes

The Fur Products Labeling Act, passed by Congress in 1951, requires that fur garments be labeled with the name of the species used, manufacturer, country of origin, and other information. The law protects consumers by providing product information and letting them know whether the product is made from real animal fur, and if so, what type of fur. Moreover, the Dog and Cat Protection Act of 2000 prohibits the export, import, manufacture, or sale of dog and cat fur products.

A loophole in the labeling law, however, exempts products with a “relatively small quantity or value” of fur, and allows the Federal Trade Commission (FTC) to establish regulations to determine that value. For several decades, the threshold remained the same—if the amount of fur trim on a garment was worth \$20 or less, no labeling was required. In 1998, the FTC increased the threshold amount by more than a factor of seven—to \$150—and this unreasonably high dollar amount constitutes a major loophole in the law.

Also, investigators have discovered that a type of dog – the “raccoon dog” – is still being killed in China for United States fur markets. Killing methods are particularly gruesome, including being skinned alive. The killing of these raccoon dogs violates the spirit, if not the letter, of the Dog and Cat Protection Act. Domestic dog fur, as well, is still being used.

These loopholes in the current law should be closed—all fur should be labeled regardless of value, and raccoon dogs should be added to the list of prohibited species—for the following reasons:

- **Dog fur is still slipping into the United States.** A recent investigation by The Humane Society of the United States revealed that dozens of designers and retailers – including Andrew Marc, Foot Locker, Lord & Taylor, Neiman Marcus, Macy's, Dillard's, Barney's, and J.C. Penney – were selling fur-trimmed jackets labeled as “faux,” “raccoon,” “coyote,” or not labeled at all, which turned out to be domestic dog, wolf, or raccoon dog fur. Of 25 jackets subjected to mass spectrometry tests, only one contained a label that properly identified the animal (and that coat was falsely advertised as “faux”). The other 24 jackets, or 96% of the sample, were found to contain fur from domestic dogs, wolves, or raccoon dogs. Designers, retailers, and consumers can have no confidence in what type of fur they are getting when it is sourced from China. Some companies have voluntarily pulled these jackets from their stores.
- **Consumers are denied an opportunity to make educated choices.** Many garments—such as jackets, parkas, sweaters, vests, and accessories—are trimmed with fur. If either the manufacturer's selling price of the finished garment *or merely the cost to the manufacturer of the fur pelts* (not including the cost of adding the fur trim to the garment) is \$150 or less, the product does not have to be labeled and consumers are left to guess whether the fur is real. Consumers who may have allergies to fur, ethical objections to fur, a desire to buy American, or a preference for certain species, cannot make informed purchasing choices.
- **The labeling loophole is unreasonable and deceptive.** If a \$500 coat has \$150 worth of mink on the collar and cuffs, it is unfair that this apparel would not require a label. Based on approximate pelt prices after tanning and dressing, an individual garment using the fur from 30 rabbits (\$5 each), 25 ermines (\$6 each), fifteen muskrats (\$10 each), twelve opossums (\$12 each), nine chinchillas (\$16 each), eight skunks (\$18 each), five raccoons (\$28 each), three badgers, beavers, fishers, or minks (\$50 each), three Arctic, grey, or red foxes (\$50 each), two coyotes (\$75 each), one sable (\$90), one otter (\$120), one silver fox or wolverine (\$130), one lynx (\$135), one bobcat (\$140), or one bear or timber wolf (\$150) could be sold without a label.



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- **Fur manufacturing techniques create consumer confusion.** The fur industry uses dyeing and shearing today more than ever before, making the absence of a label especially problematic. If customers see pink, orange, blue, or sheared trim, they often assume it is faux or synthetic because it is not labeled and does not resemble an animal's fur. In 2000, Congress banned the import of fur products made from domestic dogs and cats, but customers are still wary that dog and cat fur is slipping into the U.S. In order to make informed purchases, consumers need to know what they are buying.
- **The existing law does not reflect the present market realities.** When the Fur Products Labeling Act was passed, fur was primarily used for full-length coats and stoles. Fur-trimmed and faux fur items were relatively uncommon. Today, fashions have changed, and the market demand for fur trim is much larger. As many fur-trimmed garments are sold today as full-length fur coats, and the fur industry predicts that the use of fur for trim in the U.S. will soon surpass the use of fur for full-length apparel. With the improvements in synthetic materials, it is also more difficult today to distinguish between real and faux fur. The labeling law has not kept up with the changes in the marketplace.
- **Labeling fur trim will not be economically burdensome for apparel manufacturers or retailers.** According to the FTC (Federal Register 9/28/05), the total number of fur garments, fur-trimmed garments, and fur accessories sold in the United States is estimated at 3,500,000. Of that, approximately 3,000,000 items—or 86 percent—are already required to abide by labeling requirements. It will not present a difficulty to label the additional 14 percent of products using real fur, and it may actually increase the efficiency of the manufacturing process because they will no longer need to determine an item's value for labeling purposes.
- **Laws applying to other garments don't have an exemption like the fur industry.** Although the Wool Products Labeling Act of 1939 provides exemptions for certain non-clothing items (such as carpets, rugs, and mats), it *does not provide any exemptions for apparel based on value or cost*. The labeling of fur garments should be treated no differently.
- **Leaders in the retail and fashion industries support this legislation.** H.R. 891 has been endorsed by Tommy Hilfiger, Burlington Coat Factory, Loehmann's, Buffalo Exchange, House of Deréon, Jay McCarroll, and others. Leading designers and businesses understand the need for clear labeling laws and a ban on raccoon dog fur to protect consumer confidence in their products.