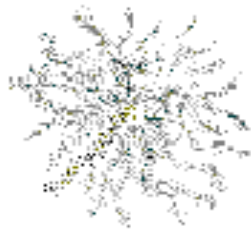


Government
of Canada

Gouvernement
du Canada

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GUIDE TO THE LABELLING OF DOWN AND FEATHERS



Canada

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I. INTRODUCTION

The purpose of these guidelines is to clarify the requirements for the labelling of down and feather filled consumer textile articles under the *Textile Labelling and Advertising Regulations*. This information should be read in conjunction with the appropriate sections of the *Textile Labelling Act* and *Textile Labelling and Advertising Regulations* which will govern.

Printed copies of the *Textile Labelling Act* and *Textile Labelling and Advertising Regulations* may be obtained for a fee at the following address:

Canadian Government Publishing
Public Works Government Services Canada
Ottawa, Ontario
Canada K1A 0S9
Telephone: (819) 956-4802
Facsimile: (819) 994-1498
Internet: <http://publications.pwgsc.gc.ca>

Electronic copies of the *Act* and *Regulations* are available at:

http://canada.justice.gc.ca/loireg/index_en.html

II. THE IMPORTANCE OF ACCURATE LABELLING OF PLUMAGE PRODUCTS

Accurate labelling of down and/or feather-filled consumer textile articles is of importance to both consumers and dealers; it not only enhances the ability of consumers to differentiate among product choices, but protects both consumers and dealers against product misrepresentation.

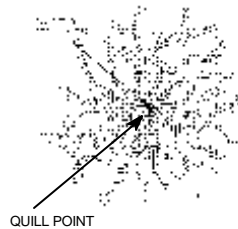
Down fillings, feather fillings and down and feather-filled blends not only differ in cost but also in quality. Therefore, it is important that manufacturers and importers verify the accuracy of the labelling on shipments of fill and/or plumage-filled articles, as the differences in the cost and quality of goods ordered and those actually received may be substantial. In cases where the accuracy of the fibre content labelling has not been verified by the manufacturer or importer, both manufacturers and consumers may be paying a premium price for goods of lesser quality. A documented quality control system will help ensure the accuracy of the fill and/or articles. Quality assurance aims above all at preventing non-conformity. It allows the company to promptly detect cases of noncompliance, correct them and prevent their reoccurrence. A good quality control program leads to cost savings.

It is also suggested that identifying numbers or codes, such as lot numbers, be provided on the product label. This makes the identification of the supplier or manufacturing line easier and assists in separating product lines should corrections be required.

III. PROPERTIES OF DOWN AND FEATHERS

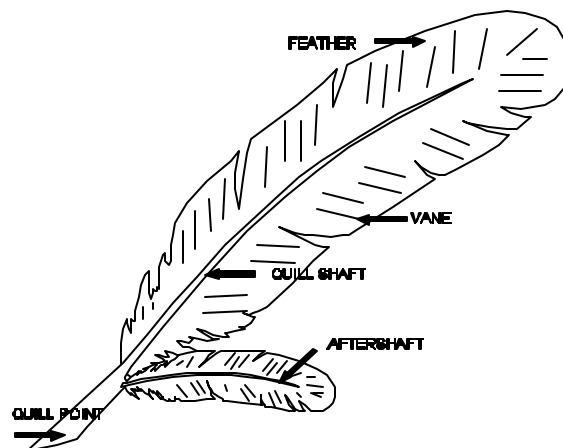
“Down” is the undercoating of waterfowl (goose, duck or swan) and consists of light, fluffy filaments growing from a central quill point, thereby creating a three dimensional structure which traps air and gives down insulating ability. The properties of down which make it so popular are its light weight, compressibility, recovery power, resilience and breathability.

DOWN



“Feathers” are the individual horny structures which form the outer body covering of birds and consist of a quill point, quill shaft, vanes and usually an aftershaft. Feathers share the same properties as down, however, since they are two-dimensional structures, they do not trap air as efficiently and are, therefore, generally not as good insulators. As a rule, waterfowl feathers are superior to landfowl feathers with respect to both filling power and resilience.

FEATHER



IV. LABELLING OF PLUMAGE PRODUCTS

1. Down Fillings

Sections 29(3) and 38.1 Regulations

A dealer is permitted by the *Regulations* to label a plumage product as “**down**” if it meets either the appropriate definition for “**down**” or for “**commercial down**” (see items d) or j) of Appendix A).

The definition of “commercial down” incorporates realistic tolerances, which are intended to accommodate the imprecise nature of processing and manufacturing non-homogeneous down and feather mixtures. The tolerances are not to be construed to permit intentional adulteration. The declaration “down” may not be preceded by words or figures indicating one hundred percent on a plumage product filled with “commercial down”. In addition, the declaration “down”, in such products, must be accompanied by the following statement:

“Note: This product contains an amount of feathers not exceeding that allowable by law.”

The purpose of this statement is to alert the consumer to the fact that a product labelled as “down” may nonetheless contain some feathers. This statement should not be used on products containing a blend of down and feather.

2. Feather Fillings

Sections 29(3) and 38.1 Regulations

The *Regulations* allow a dealer to label feather-filled products as “feather” if it meets the appropriate definition for “commercial feather” (see items g) or k) and l) of Appendix A).

The definition, which incorporates realistic tolerances, intended to accommodate the imprecise nature of processing and manufacturing non homogeneous feather and down products and not intentional adulteration, can be used whether the feather is used by itself or in a blend. The declaration “feather” on a label must always be preceded by the word “waterfowl”, “landfowl” or “the name of the bird” of origin, whichever is preferred, due to the differences in quality and price between the different types of feathers.

The definition for “commercial feather” incorporates realistic tolerances. Therefore, the declaration “feather” may not be preceded by words or figures indicating one hundred percent in a plumage product filled with “commercial feather”.

3. Down Blends

Section 30 Regulations

The statement “down blend” may refer to a blend of different species of down, ie., duck and goose, or to a blend of down and polyester or some other fibre.

The usual 5% tolerance which applies to the percentage disclosures on blends does not apply to blends of commercial down and/or feather. This prevents a double tolerance from applying to blends of down and/or feather: firstly a tolerance on the composition of both the down and feather; and secondly, a general tolerance on blends. The 5% tolerance does apply, however, to blends of commercial down and any other fibre except feather, for example, a blend of commercial down and polyester.

4. Crushed Feathers

“Crushed feathers” are feathers which have been processed by a curling, crushing or chopping machine which has changed the original form of the feather without removing the quill. Crushed feathers do not come under the definition for residue (see item i) of Appendix A). Articles filled with crushed feathers should be disclosed as:

Fill: Crushed _____ feathers
name of bird, waterfowl or landfowl

Remplissage: Plumes _____ broyées
nom de l’oiseau, aquatiques ou terrestres

5. Reclaimed Fibre

Section 33 Regulations

When down or any other fibre which is required to be shown by its generic name is a reclaimed fibre, the word “reclaimed”, “reprocessed” or “reused” must be shown immediately preceding the generic name.

Examples of labels for plumage products have been provided in Appendix B.

The fibre content information is required to be bilingual unless the article is sold in an area where only one official language is used by consumers when making purchases.

V. FALSE AND/OR MISLEADING REPRESENTATIONS ON PLUMAGE PRODUCTS

Section 5 Act

False or misleading representations in the labelling of consumer textile articles are prohibited by section 5 of the *Textile Labelling Act*. False or misleading representations include:

- any expressions, words, figures, depictions or symbols which may be likely to deceive any person as to the textile fibre content of the article or imply that it contains any fibre, fur or hair not contained in the product, and
- any description of the type, quality, performance, origin or method of manufacture or production that may reasonably be regarded as likely to deceive any person as to the matter described. For example:

1. Bird of Origin

Section 45 Regulations

Whenever a statement as to the bird of origin of down or feathers is made, the plumage must be at least 90% from the stated bird. For example, if a label refers to down as “duck down” and the product contained less than 90% duck plumage, it would be considered false and misleading. Furthermore, if a label states “eider duck down”, 90% of the plumage must be from the eider duck.

2. Use of Words “All”, “Pure” or “100%”

Section 29 Regulations

It is clearly misleading to label products containing commercial down, commercial waterfowl feather or commercial landfowl feather as “100%”, “pure” or “all” down or feather, when tolerances are permitted due to the practical commercial difficulty of obtaining “pure” down or feathers; therefore using these words is prohibited on these products. Only when the down or feather meets the generic definitions (an unlikely situation) can the modifiers “100%”, “pure” or “all” be used.

3. Filled Articles Where the Fillings in Various Sections of the Article Differ

Section 37 Regulations

Articles in which the body fill is down but other sections such as the sleeves, hood, collar or pocket are filled with another material and in which these latter sections could be mistaken for down due to their appearance, should not be labelled as “down-filled”. It would be considered false and misleading to label the product as “down-filled” unless it is clear that it is only the body of the garment which is down-filled, e.g., “body down filled”.

4. Expressions such as “Down-like”

If an expression such as “down-like” is used to describe a product and the product *does* not have some of the properties of a down product, the expression would be considered misleading. If the product does in fact have some of the properties of a down product, the expression “down-like” may be used to describe the product as long as there is a clear indication that the fill is not down, e.g., “down-like polyester fibrefill”.

The misleading advertising and deceptive marketing practices provisions of the *Competition Act* may also apply. Generally speaking these provisions prohibit making a materially false or misleading representation for the purpose of promoting a product or business interest.

VI. DEALER IDENTITY

Sections 11 & 12 Regulations

Dealer identity information is also required on the label. This information consists of the name and complete postal address of the manufacturer, processor, finisher, importer or retailer. Alternatively, a dealer residing in Canada may purchase a registered identification number commonly known as a CA number, and use this number as dealer identity information in lieu of the full name and address on the label. A CA number can be obtained from most Competition Bureau, Industry Canada offices.

VII. ADVERTISING

Section 23 Regulations

Dealers involved in the advertising of down-filled and/or feather-filled consumer textile articles should consult The Guide to the Advertising of Consumer Textile Articles.

VIII. PRODUCT TESTING

For product testing of down and feathers, there is only one known Canadian laboratory which does such testing on a commercial basis. For further information please contact:

Bodycote ORTECH Inc.
Textile Department
Sheridan Park
2395 Speakman Drive
Mississauga, Ontario
L5K 1B3
Telephone: (905) 822-4111
Facsimile: (905) 823-1446

IX. PROVINCIAL UPHOLSTERED AND STUFFED ARTICLES LEGISLATION

All manufacturers of upholstered or stuffed articles (furniture, pillows, outerwear, etc.) whose goods are destined for sale in the provinces of Ontario, Quebec or Manitoba should contact the respective office listed in Appendix C.

X. FURTHER ASSISTANCE

Copies of our other publications and further assistance concerning the labelling of down and feathers may be obtained from your nearest Competition Bureau office of Industry Canada listed in Appendix D. Also electronic copies can be obtained from our Internet site or by E-mail.

Internet: <http://competition.ic.gc.ca>

E-mail: compbureau@ic.gc.ca

Telephone: 1-800-348-5358

APPENDIX A

LIST OF PLUMAGE RELATED DEFINITIONS

(Reference Section 25 and 26 of the *Textile Labelling and Advertising Regulations*)

- a) **Plumage**
The term “plumage” means the outer covering of birds.
- b) **Landfowl Plumage**
The term “landfowl” plumage means the plumage of chickens, turkeys or other landfowl.
- c) **Waterfowl Plumage**
The term “waterfowl plumage” means the plumage of ducks, geese, swans or other waterfowl.
- d) **Down**
The term “down” refers to the undercoating of waterfowl, including goose, duck or swan, consisting of light fluffy filaments (barbs) growing from a quill point but without a quill shaft.
- e) **Down Fibre**
The term “down fibre” means detached barbs from down and plumule or from the basal end of a feather quill shaft that are indistinguishable from the barbs of down.
- f) **Plumule**
The term “plumule” means waterfowl plumage with underdeveloped soft and flaccid quill and with barbs indistinguishable from those of down.
- g) **Feather**
The term “feather” refers to the individual external horny structure that forms the body covering of birds and consists of a quill point, quill shaft and vanes, with or without an aftershaft.
- h) **Feather Fibre**
The term “feather fibre” means feather barbs that have been completely separated from the quill shaft and any aftershaft and that are not joined or attached to each other.
- i) **Residue**
The term “residue” means quill pith, feather fragments, trash or foreign matter.

j) Commercial Down

The term “commercial down” refers to the plumage that conforms to the following composition requirements:

- a) down and plumules 75% minimum
- b) waterfowl feathers not more than 60 mm in length 25% maximum
- c) waterfowl feather fibre and down fibre 20% maximum
- d) residue (including landfowl feather and landfowl feather fibre) 5% maximum

where the components referred to in paragraph b) to d) do not exceed 25% of the plumage.

k) Commercial Landfowl Feather

The term “commercial landfowl feather” refers to plumage that conforms to the following composition requirements:

- a) feathers, feather fibre, down and down fibre 95% minimum
- b) residue 5% maximum

l) Commercial Waterfowl Feather

The term “commercial waterfowl feather” refers to plumage that conforms to the following composition requirements:

- a) waterfowl feathers, waterfowl feather fibre, down and down fibre 95% minimum
- b) residue (including landfowl feather and landfowl feather fibre) 5% maximum

APPENDIX B

EXAMPLES OF LABELS FOR PLUMAGE PRODUCTS

- a) An acceptable disclosure label for a down filled nylon ski jacket would be as follows:

Outer Shell:	100% nylon	Extérieur:	100% nylon
Fill:	down	Remplissage:	duvet
Note: This product contains an amount of feathers not exceeding that allowable by law		À noter: La quantité de plumes dans ce produit satisfait aux exigences de la loi	
CA00000			

The down filling of a product labelled as above must conform to the following composition requirements:

- a) down and plumules 75% minimum
- b) waterfowl feathers not more than 60 mm in length 25% maximum
- c) waterfowl feather fibre and down fibre 20% maximum
- d) residue 5% maximum

b) **An acceptable disclosure label for a 50% down and 50% waterfowl feather filled nylon ski jacket would be as follows:**

Outer Shell:	100% nylon	Extérieur:	100% nylon
Fill:	50% down 50% waterfowl feathers	Remplissage:	50% duvet 50% plumes d'oiseaux aquatiques
CA00000			

The fill for a product labelled as above must conform to the following composition requirements:

- a) down and plumules 37.5% minimum
- b) residue 5.0% maximum
- c) remainder 47.5% minimum*
 - i) waterfowl feathers not more than 60 mm in length,
when present 62.5% maximum
 - ii) waterfowl feathers more than 60 mm in length,
when present 50.0% maximum
 - iii) waterfowl feather fibre and down fibre,
when present 60.0% maximum

NOTE: No additional tolerance is allowable on a blend of down and feathers (see section IV, item 3, “Labelling of Plumage Products - Down Blends”).

*This fraction could consist entirely of i) or ii) or iii) or any combination thereof, providing that the total is greater than or equal to 47.5%.

c) **An acceptable disclosure label for a 50% down and 50% polyester filled nylon ski jacket would be as follows:**

Outer Shell:	100% nylon	Extérieur:	100% nylon
Fill:	50% down	Remplissage:	50% duvet
	50% polyester		50% polyester
CA00000			

The fill for this product must conform to the following composition requirements:

- a) polyester 45.0% to 55.0%
- b) down and plumules 32.5% to 42.5%
- c) waterfowl feathers not more than 60 mm in length 17.5% maximum
- d) waterfowl feather fibre and down fibre 15.0% maximum
- e) residue 2.5% maximum

NOTE: **An additional tolerance of plus or minus 5% has been incorporated on the blend of polyester and down (see section IV, item 3, “Labelling of Plumage Products - Down Blends”).**

APPENDIX C

OFFICES DEALING WITH THE PROVINCIAL REQUIREMENTS FOR UPHOLSTERED AND STUFFED ARTICLES

Location		Telephone and Fax #
Quebec	Ministère de l'Industrie, du Commerce, de la Science et de la Technologie Direction du développement des réseaux commerciaux 380 ouest, rue St-Antoine 4 ^e étage Montréal, (Québec) H2Y 3X7	Tel: (514) 499-2176 Fax: (514) 499-2191
Ontario	Technical Standards and Safety Authority Upholstered and Stuffed Articles Program 3300 Bloor Street West The Mutual Group Centre, 4th Floor West Tower Etobicoke, Ontario M8X 2X4	For labelling: Tel: (416) 325-0381 Fax: (416) 326-8248 For registration Tel: (416) 325-4088 Fax: (416) 326-1663
Manitoba	Consumer's Bureau Dept. of Consumer and Corporate Affairs 258 Portage Avenue, Room 302 Winnipeg, Manitoba R3C 0B6	Tel: (204) 945-3800 Fax: (204) 945-0728 Toll free in Manitoba 1-800-782-0067

APPENDIX D

COMPETITION BUREAU, INDUSTRY CANADA OFFICES

E-Mail: compbureau@ic.gc.ca

Internet: <http://competition.ic.gc.ca>

Region	Location	Telephone and Fax #
Atlantic	50 Brown Avenue Burnside Industrial Park Dartmouth, Nova Scotia B3B 1X8	Tel: (902) 426-5422 Fax: (902) 426-1000
Quebec	6850 Sherbrooke East 1st Floor Montreal, Quebec H1N 1E1	Tel: (514) 283-3109 Fax: (514) 283-3834
Ontario	151 Yonge Street 4th Floor Toronto, Ontario M5C 2W7	Tel: (416) 954-2608 Fax: (416) 973-5092
Prairie	400 St Mary Ave. 4th Floor Winnipeg, Manitoba R3C 4K5	Tel: (204) 983-8905 Fax: (204) 983-5511
Pacific	300 West Georgia Street Room 2000 Vancouver, B.C. V6B 6E1	Tel: (604) 666-2191 Fax: (604) 666-6111
National Capital	Phase 1, Place du Portage 17th Floor 50 Victoria Street Hull, Quebec K1A 0C9	Toll free: 1-800-348-5358 Tel: (819) 997-4282 Fax: (819) 997-0324