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Labeling requirements were developed in an effort to raise awareness and to protect U.S. consumers from misinterpretation of products due to false labeling and identification of goods.

It is imperative that foreign and domestic manufacturers correctly label and identify their goods.

Severe penalties are associated to any infraction of the regulations governed by United States Federal Trade Commission and Customs Service Regulations.

In an effort to aid vendors in assuring that their product meets the labeling requirements set forth by U.S. regulations and various state requirements, we have developed the following matrix and information as a guide. It is important to note that the following information should be reviewed in detail as it pertains to the nature of goods in which you sell. There may be other requirements that apply. We have provided links to the various website's and encourage foreign exporters to review these links to gain further information and guidance.

General Requirements for Labeling By Product Category

THE NEIMAN MARCUS GROUP

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[\[Component id="9b26a7c5-38e2-47a1-8059-2b9eaa33398f:NC9ubWdvcHMgY29udGVudC9nZW5lcmFsIHJlcXVpcmVtZW50cyBmb3IgbGFiZWxpbmcgYnkgcHJvZHVjdCBjYXRIZ29yeQ==" name="nmgops content/general requirements for labeling by product category"\]](#)

Country of Origin

Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. § 1304)

<http://www.cbp.gov/>

It is a federal requirement for all imported merchandise to bear a label stating the country of origin. According to the above cited section of the Tariff Act of 1930, "Every article of foreign origin imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or its container) will permit, in such a manner as to indicate to the ultimate purchaser in the United States the English name of the country of origin of the article. Part 134, CBP Regulations implements the country of origin marking requirements and exceptions of 19 U.S.C. § 1304."

Definition - Country of Origin

Section 102.11 provides in pertinent part that the country of origin of a good is the country in which:

- Imported products must identify the country where they were wholly processed or manufactured.
- The country of origin is the country where the item took on its initial essence. The addition of buttons, beads, spangles, embroidery, collars, cuffs, pockets, and plackets do not change the country of origin.
- The country of origin for textile and apparel products processed, assembled or manufactured in two or more countries is determined by where the most important processing occurs, and, if that cannot be ascertained, the last country in which an important assembly or manufacturing process occurs. In this situation, guidance from NMG's foreign agents should be obtained.
- If more than 50% of an article is knit to shape, then the country of origin is that country where the knit to shape took place. For example, if a shawl was knit to shape in India and then shipped to England where hemming and fringes are sewn, the country of origin would still be India.

Regulations related to the language

- Must appear in English.
- Must state “**MADE IN** _____” or use verbiage that is equal to this statement.
- Must always be on the front side of the label.

[Component id="d9b396c5-5cfc-4141-8dfd-00a475923b8d:NC9ubWdvcHMgY29udGVudC9kOWIzOTZjNS01Y2ZjLTQxNDEtOGRmZC0wMGE0NzU5MjNiOGQ=" name="nmgops content/d9b396c5-5cfc-4141-8dfd-00a475923b8d"]

Regulations related to the placement

- Must be affixed to the product so that it remains on the article until it reaches the ultimate purchaser.
- Must be located in a conspicuous area of the item.
- In apparel items with a neck, a label disclosing the country of origin (on the front) must be attached to the inside center of the neck midway between the shoulder seams or in that immediate area. **Customs in T.D. 54640 (6).**
- On apparel items (or other kinds of textile products) without a neck, the information must appear on a conspicuous and readily accessible label on the inside or outside of the product. For example:
 - Trousers, jeans, short, skirts, and similar wearing apparel must have a permanent label affixed in a location such as the inside of the waistband. **Customs in T.D. 71-264(3).**

Care Labeling

<http://business.ftc.gov/documents/bus50-clothes-captioning-complying-care-labeling-rule>

Wearing apparel and textile products commonly used in a household are covered by the labeling requirements of the FTC. The main requirements for care labeling are:

- It must be permanently attached to the item and placed conspicuously in an area easily identified and accessible by the consumer.
- Provide complete instructions about regular care for the garment, or provide warnings if the garment cannot be cleaned without harm.
- Ensure that care labeling instructions, if followed, will cause no substantial harm to the product.
- Warn consumers about certain procedures that they may assume to be consistent with the instructions on the label, but that would harm the product. For example, if a pair of pants is labeled for washing, consumers may assume they can iron them. If the pants would be harmed by ironing, the label should read, "Do not iron."
- Ensure that care labels remain attached and legible throughout the useful life of the product.

Goods covered by the Care Labeling Rule are apparel items intended to be worn and cover the body. Items that are exempt from this rule are:

- Shoes
- Gloves
- Hats

Items that are exempt are:

- Handkerchiefs, belts, suspenders, and neckties
- Non-woven garments made for one time use because they do not require ordinary care

For further information about country of origin, care, and other rules relating to the labeling of textile products for fiber content, country of origin and manufacturer identity, see the FTC publication, [Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts](#).

Fair Packaging and Labeling

[15 U.S.C. §§ 1451-1461](#)

FTC Regulations: 16 C.F.R. Parts [500](#), [501](#), [502](#), [503](#)

<http://www.ftc.gov/os/statutes/fplajump.shtm>

The Fair Packaging and Labeling Act of 1966 ensures that consumers have the information they need to choose products wisely and with understanding. This labeling provides consumers with the opportunity to compare value.

Requirements for labeling

- Vendor product labels must include basic information such as:
 - Product Identification
 - Maker of the product
 - Address/place of business of the manufacturer

- Quantity in the package by net weight or some form of measurement

Fur Products Labeling Act

16 CFR Part 301

Please reference details here: [Fur Labeling Act](#)

Textiles Product Identification Act

16 CFR Part 303

<http://www.ftc.gov/os/statutes/textile/textlact.htm>

The Textiles Product Identification Act requires importers to label clothing and other textile merchandise with disclosure as to where the final product is manufactured in the U.S., regardless of where materials earlier in the manufacturing process (for example, the yarn and fiber) came from. Textile products that are imported must be labeled as required by the Customs Service.

Wool Products Labeling Act

15 U.S.C. § 68

<http://www.ftc.gov/os/statutes/textile/woolact.htm>

The FTC that requires labels be affixed to wool products denoting the percentages of new wool, reused or reprocessed in addition to other fibers or fillers that are used. It is important to note that the regulation of less than 5% of a fiber content does not apply if wool is used in the component makeup of an item. In short, wool must be disclosed on the label regardless of the percentage content.

California Prop 65

<https://oehha.ca.gov/proposition-65/proposition-65-list>

A Proposition 65 warning is a notice at the state level that informs California consumers that a product may expose them to chemicals that are potentially cancer causing or could cause birth defects. Warning language and methods are included in many Proposition 65 settlements. Reviewing such settlements is advised before determining if or how you should provide Proposition 65 warnings in California for tableware, ceramics, crystal, and other various home décor items identified in the matrix above.

Products sold in the state of California that contain more than the allowed amount of any **listed chemical**, must provide a warning label on the product. For Example:

WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm.

Food and Drug Administration

<http://www.fda.gov/>

Due to the depth of the Food and Drug Administration requirements for labeling, NMG must defer all questions to their website. We can guide you to general information in an effort to begin your search for guidance based on the commodity listing below:

Food and Nutrition Labeling:

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/default.htm>

Ceramics and Tableware:

<http://www.fda.gov/ICECI/ComplianceManuals/CompliancePolicyGuidanceManual/ucm074516.htm>

Heavy Metal Glass and Ceramic ware:

<http://www.unleadeddecal.com/>

Medical Devices/sunglasses:

<http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/ucm073951.htm>

Cosmetics: General Labeling Guidance - Determine if the item is a cosmetic, drug or soap:

www.fda.gov/Cosmetics

SGCD - Society of Glass and Ceramic Decorators

<http://www.sgcd.org>

Glassware and ceramics are occasionally decorated with paints that contain heavy metals. When used in relation to food and beverage contact areas, these metals can leach out of the decorations and with prolonged exposure or repeated use can result in chronic poisoning.

Products containing these metals may require labeling to alert consumers of the potential exposure to lead and cadmium. The warnings must include verbiage that cautions to the negative health exposures and environmental impacts they may cause such as in the example below.

WARNING: The materials used as colored decorations on the exterior of this product contain lead and/or cadmium, chemicals known to the State of California to cause birth defects or other reproductive harm.

The Society of Glass and Ceramic Decorators (SGCD) is an association of companies that decorate glass and ceramic ware and can be a useful source [for guidance to the FDA and EPA established national guidelines](#) as well as individual state laws.

Consumer Product Safety Commission

15 U.S.C. §1261(p)

<http://www.cpsc.gov/>

The Federal Hazardous Substance Act

16 CFR 1500 through 1512

<http://www.cpsc.gov/BUSINFO/fhsa.pdf>

The Federal Hazardous Substance Act (FHSA) and the Consumer Product Safety Improvement Act (CPSIA) provide specific guidelines, regarding precautionary labeling related to consumer products that include home décor, furniture, and children's articles.

The FHSA requires that certain hazardous household products bear cautionary labeling to alert consumers to the potential hazards that those products present and to inform them of the measures they need to protect themselves. Any product that is toxic, corrosive, flammable or combustible, an irritant, a strong sensitizer, or that generates pressure through decomposition, heat, or other means, requires labeling, if the product may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonable foreseeable handling or use, including reasonable foreseeable ingestion by children.

The CPSC has authority under the FHSA to ban a hazardous substance if the CPSC determines that cautionary labeling is inadequate to protect the public. Any toy or other article that is intended for use by children and that contains a hazardous substance is also banned under the FHSA if a child can gain access to the substance. In addition, the FHSA gives the CPSC authority to ban any toy or other article intended for use by children which presents a mechanical, electrical or thermal hazard.

The label on the immediate package of a hazardous product, and any outer wrapping or container that might cover up the label on the package must have the following information in English:

- The name and business address of the manufacturer, packer, distributor, or seller.
- The common or usual or chemical name of each hazardous ingredient.
- The signal word "Danger" for products that are corrosive, extremely flammable, or highly toxic.
- The signal word "Caution" or "Warning" for all other hazardous products.
- An affirmative statement of the principal hazard or hazards that the product presents, for example, "Flammable", "Harmful if Swallowed", "Causes Burns", "Vapor Harmful", etc.
- Precautionary statements telling users what they must do or what actions they must avoid to protect themselves.
- Where it is appropriate, instructions for first aid treatment to perform in the event that the product injures someone.
- The word "Poison" for a product that is highly toxic, in addition to the signal word "Danger".
- If a product requires special care in handling or storage, instructions for consumers to follow to protect themselves; and
- The statement "Keep out of the reach of children".

The CPSC has issued regulations under the provision for FHSA relating to electrically operated toys. Dangers such as electric shocks and burns are of concern especially if the product has a heating element.

The labeling requirements specify that certain precautionary information shall be listed on labels on children's electrical products. The labeling is designed to help buyers choose the right toy for the right age and to warn the user of potential hazards.

- The package of every such product must carry a cautionary message and a minimum age recommendation.
- No item with a heating element may be recommended for children under 8 years of age.

Certain areas of the product itself must also be labeled:

- Accessible surfaces that exceed certain specified temperatures must carry a warning of the danger:
- Toys with replaceable electric lights must carry a warning of the maximum safe wattage for a replacement bulb and a notice to disconnect the plug before changing the bulb.
- Products with non-replaceable lights will be so marked; and products not designed to be immersed in water must carry a notice to that effect.

United Laboratories

<http://www.ul.com>

NMG requires all manufacturers of electrical products to obtain a United Laboratories (UL) certification and associated labeling for their products. UL labels provide consumers with alerts to warnings, cautions, instructions and product classifications if needed. The purpose for this label is to provide consumers with assurance that the product meets the recognized industry performance standards and is safe for household use.

The [various UL marks are country specific](#). The most commonly used UL marks in North America are:

There are specific performance standards to the UL label itself. The label must be designed in such a way that it remains permanently affixed to the product while keeping all safety information visible and intact.

The most commonly used standards for UL labeling is [UL 969](#). [Manufactures](#) can obtain further information related to UL on their website.