

MISLABELLED AND MISLEADING

Fur labelling problems in the EU market:

Why consumers need clear
labelling of all real fur products



EVA-BRITT SVENSSON MEP, May 2011¹

“We’re always saying that consumer power is important, but if we’re serious about this, we have to live up to it and give consumers a chance to use their power. We have to ensure that they have enough product information so that they can make a conscious, informed choice.”

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EXECUTIVE SUMMARY

Consumers need clear and accurate labelling to make informed buying choices. This is especially so in the fur fashion market, where real animal fur and faux fur garments are becoming increasingly similar in their look, feel and price. Consumers, the majority of whom reject real fur on welfare grounds², need to be provided with sufficient information to enable them to make ethical choices with confidence.

In May 2012, new labelling requirements came into effect across the European Union for textile items containing real animal fur. Garments that contain fur and fall within the scope of the EU's Textile Labelling Regulation (1007/2011)³ are required, under Article 12 of the Regulation, to carry the wording "contains non textile parts of animal origin".

Fur Free Alliance member groups conducted investigations, across ten Member States, to check compliance with these labelling rules. In total, researchers examined 667 items containing real animal fur, from a variety of outlets and across a wide range of price points, 453 (68 percent) of those items were found to be non-compliant.

Fur garments without the required Article 12 wording were found in every one of the ten countries studied with the level of non-compliance ranging from 49 percent in Austria to 93 percent in the United Kingdom. In five out of the ten countries, non-compliance was recorded at a rate of more than 70 percent.

Whilst non-compliance was found in all price brackets, the problem was found to be more acute at the lower-priced end of the market, with consistently high non-compliance in items costing less than €50. This finding is particularly concerning because consumers often

assume that a low price indicates faux fur.

If an item contains real animal fur consumers, understandably, expect to see such information clearly marked on the main content label⁴, Article 12 does not provide that assurance.

The current labelling system – even if it were to be fully complied with - fails to provide a straightforward method to alert customers to the presence of real animal fur.

THAT FAILURE IS FIVE-FOLD:

1. The Article 12 wording does not tell consumers what they need to know in plain language. Consumers want to know whether an item contains real animal fur, and they expect to see that information clearly marked on the label. Instead, they see a fabric label with "100% acrylic" followed by the legalistic notice "Contains non-textile parts of animal origin".
2. The Article 12 notice is not a reliable means of identifying real fur. The Article 12 wording must be used whenever there is any non-textile part present, including leather, down, or a bone button. This makes it impossible to identify real fur from the label if there is another animal product present.
3. Too many products containing real animal fur do not need to be labelled at all. Garments that are comprised of less than 80 percent textile fibres (i.e. more than 20 percent fur) fall outside the scope of the Textile Regulation. Perversely, the more animal fur that is used in a garment, the less the legal requirement for it to be labelled.
4. There is no requirement in the Regulation for the Article 12 wording to be displayed alongside items offered for sale online. As e-commerce continues



to increase in popularity, consumers rely heavily, in the absence of touch and close visual inspection, on accurate descriptive product information supplied by the retailer, the presence of real animal fur should be included in that information.

5. The Regulation covers only textiles and therefore a large number of products, from footwear to handbags and accessories (such as key rings), containing real animal fur continue to be marketed and sold without any requirement for the presence of real animal fur to be identified.

Fixing the fur labelling problem means either amending or augmenting the existing Regulation. The current Regulation has recognised the concerns of consumers, identified the need for clear information to allow consumers to make an informed choice and established the requirement that the presence of animal products, including real animal fur, needs to be marked. This was an important first step, but unfortunately - even if it were to be implemented correctly - in its current form the Regulation is not able to provide the clear and consistent information that consumers need to make an informed buying choice.

The absence of a clear fur labelling system is failing the consumer and ultimately this lack of consumer confidence could compromise the European market for fake fur. Faced with a growing body of evidence that there is no reliable way for them to avoid real animal fur, many ethical consumers may elect to avoid all forms of fur trim.

The Fur Free Alliance calls for the European Commission to take action to ensure consumer confidence and choice with regard to the purchase of fur items.

RECOMMENDED ACTIONS FOR THE EUROPEAN COMMISSION

To put in place a new legislative requirement that ensures EU consumers can be confident of avoiding products placed on the internal market, which they find morally unacceptable. The introduction of meaningful labelling on all products that contain real animal fur, irrespective of the type of item or the percentage of fur included in the product, would provide clear information to assist purchasing decisions across the European Union.

The new labelling law should require the inclusion of product information detailing:

- the species from which the fur derives (both the common and scientific name)
- the country of origin of the fur (where the animal was bred or hunted and killed)
- how the animal was reared and killed (whether the animal was caught by trapping or reared in a cage with a wire floor, for example)

This information should be mandatory for all products that contain real animal fur, including all clothing, handbags, footwear and accessories, irrespective of the value of the product or the percentage, or weight, of the fur involved. It should be clearly visible, printed on the main fabric content label sewn in to the product and also written clearly within the main product description of all items placed for sale online or in a printed catalogue.

1. MISLABELLED: THE EU TEXTILE LABELLING REGULATION RULES ARE BEING FLOUTED

Article 12 of the 2011 Regulation requiring non-textile parts of animal origin to be clearly labelled on textile items is not being implemented, with high levels of non-compliance found in all ten Member States investigated for this report. Real fur products requiring the Article 12 wording were often found not to carry it, despite the industry having had over four years to implement the rules.

The legislation entered into force on 8th May 2012 for products being newly manufactured or imported into the European Union. Products already in the market could remain so without updated labelling, but only until 9th November 2014. For more than two years now, all qualifying textile products in the EU should have been clearly marked with the Article 12 wording.

CURRENT LABELLING REQUIREMENTS FOR GARMENTS WITH REAL ANIMAL FUR

Since 2012, newly manufactured or imported products in the EU have had to comply with the EU Textile Regulation (EU No 1007/2011). The regulation sets out the requirements for the labelling of textile products, including provisions relating to fur and other parts of animal origin. It is currently the only legislation governing the labelling of fur products in the EU.

The Regulation classifies real animal furs as “non-textiles”. This puts it in the same category as the metal in a zipper or wood in a button. As a result, there is no requirement for real fur to be listed on a product’s primary information label, the fabric content label.

However, special provisions were included in the Regulation with the aim of helping consumers identify

the inclusion of animal parts in products. If an item contains a non-textile part that is from an animal, such as real fur, Article 12 comes into effect. This requires the product to carry the wording “Contains non-textile parts of animal origin”. The regulator has specifically clarified that this applies to even very small quantities of animal product being used.⁵

Paradoxically, products with even a moderate amount of fur are exempt from this labelling requirement. If a product is made up of less than 80 percent by weight of textile fibres, it is no longer considered to be a textile product for the purposes of the Regulation, and is therefore exempt from the Article 12 requirement. For example, a coat containing more than 20 percent real fur would not be classified as a textile product and would therefore not be required to carry the wording, or indeed any label, to inform consumers of the presence of real animal fur. A coat made primarily from polyester with a real fur trim would be considered a textile product, and would need to carry the Article 12 wording.

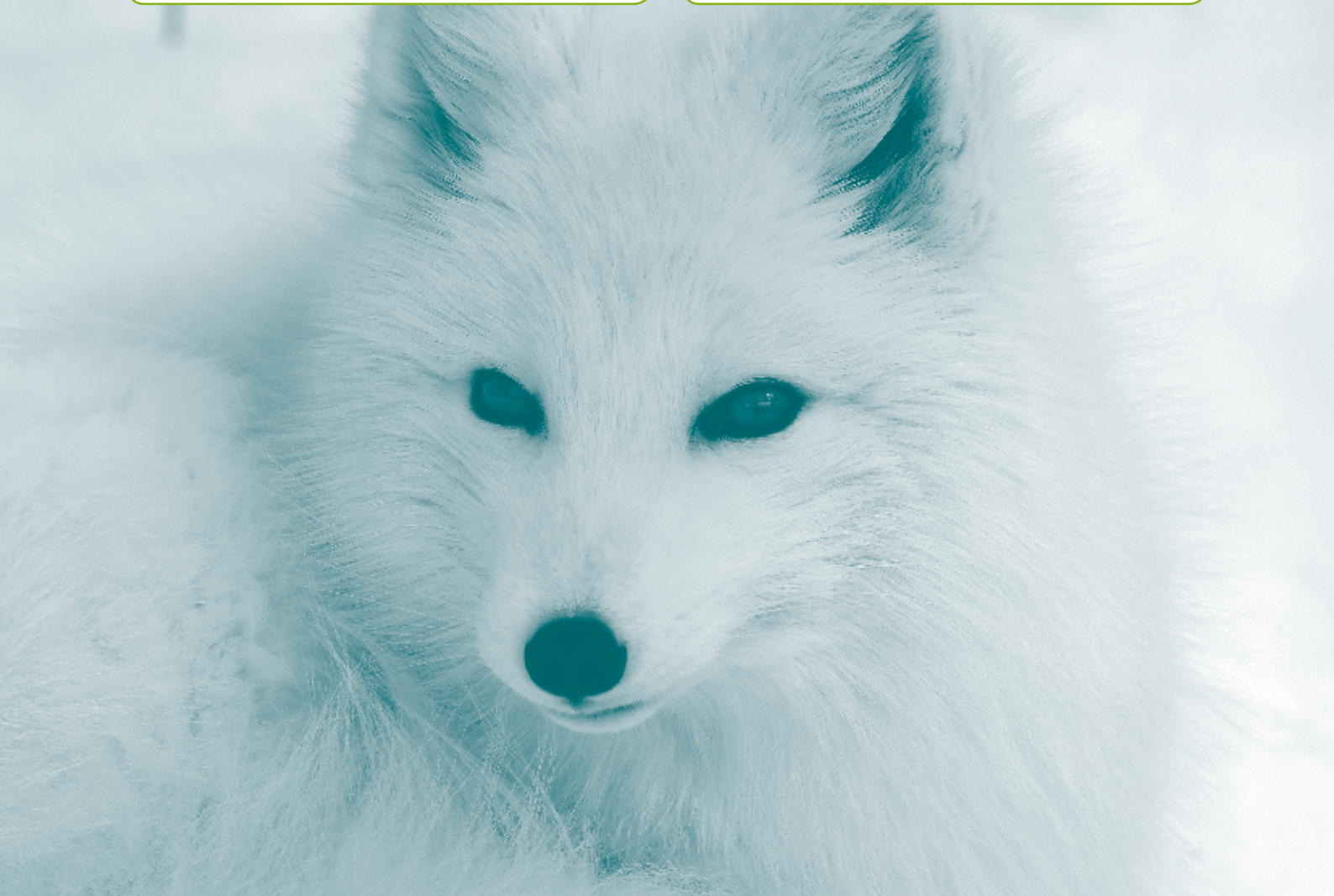
The law does not present consumers with clear, comprehensive or consistent details to make informed buying choices. These problems, and potential fixes, are explored in section 3 and 4 below. Nonetheless, full manufacturer and retail sector compliance with the Article 12 provision would arguably have been some small improvement on a complete absence of fur labelling. Unfortunately, our investigation has shown extremely poor compliance with Article 12 for items containing real animal fur, and we have also gathered insights, which indicate that a significant percentage of the buying public are confused and/or feel that the lack of clarity is against their consumer rights.



> 20% FUR
DOES NOT REQUIRE
ARTICLE 12 WORDING



< 20% FUR
DOES REQUIRE
ARTICLE 12 WORDING



2. THE INVESTIGATION INTO FUR LABELLING PRACTICES

To investigate the labelling of products containing real animal fur in the marketplace, and to better understand the product information available to consumers, a number of Fur Free Alliance member groups undertook research, during winter 2016, in retail establishments in ten countries: Austria, Czech Republic, Denmark, Finland, France, Germany, Lithuania, Poland, Sweden and the United Kingdom.

The researchers in each country identified popular shopping areas containing a broad mix of retail outlets such as street or market stalls, independent boutiques, high street retailers, international stores and fashion brands. They focused on fur-trimmed clothing items, of the type that would qualify to carry the Article 12 wording. Shoes, handbags and accessories such as keyrings, items not covered by the Regulation, were excluded.

Researchers identified real fur by means of visual examination of the hair strands and skin base, they then examined the garments individually to seek out the Article 12 wording and to note the fabric content and other descriptions readily available to a consumer inspecting the product.

INVESTIGATION FINDINGS, NON-COMPLIANCE OF ARTICLE 12

The results show that widespread non-compliance of Article 12 was found in all ten countries (figure 1). Of the 667 products identified as likely requiring Article 12 wording researchers were unable to locate that wording in 453 (68 percent) of cases. In other words, a

large number of items were identified, which we believe potentially breach the current labelling law.

In every one of the ten countries, a large percentage, from 49% in Austria to 93% in the United Kingdom, of real fur garments that should have displayed the Article 12 wording were not seen to carry it. Non-compliance was noted at more than 70 percent in five out of the ten countries.

The results of the investigations carried out in each Member State are provided in more detail over the following pages.

INVESTIGATION FINDINGS, NON-COMPLIANCE BY PRICE

Whilst non-compliance was found in all price brackets, our findings show that the problem was more acute at the lower-priced end of the market: the lower price, the lower the rate of compliance. Across all ten countries, a consistently high level of non-compliance was recorded items costing less than €50.

In the lowest price bracket, items costing less than €10, all 12 items examined were found to be non-compliant. Of the 189 items examined in the €10-50 price bracket, 169 (89 percent) were found to be non-compliant, as were 76 percent of the 100 items examined in the €50-100 price range (figure 2).

This finding is particularly concerning because opinion polling⁶ and interviews with members of the public in the UK have shown that consumers tend to assume that low cost is a good indicator that the product does not contain real fur. In fact, data from this investigation clearly shows that not to be the case, with real animal fur identified on items retailing for less than €10.

NON COMPLIANCE BY COUNTRY

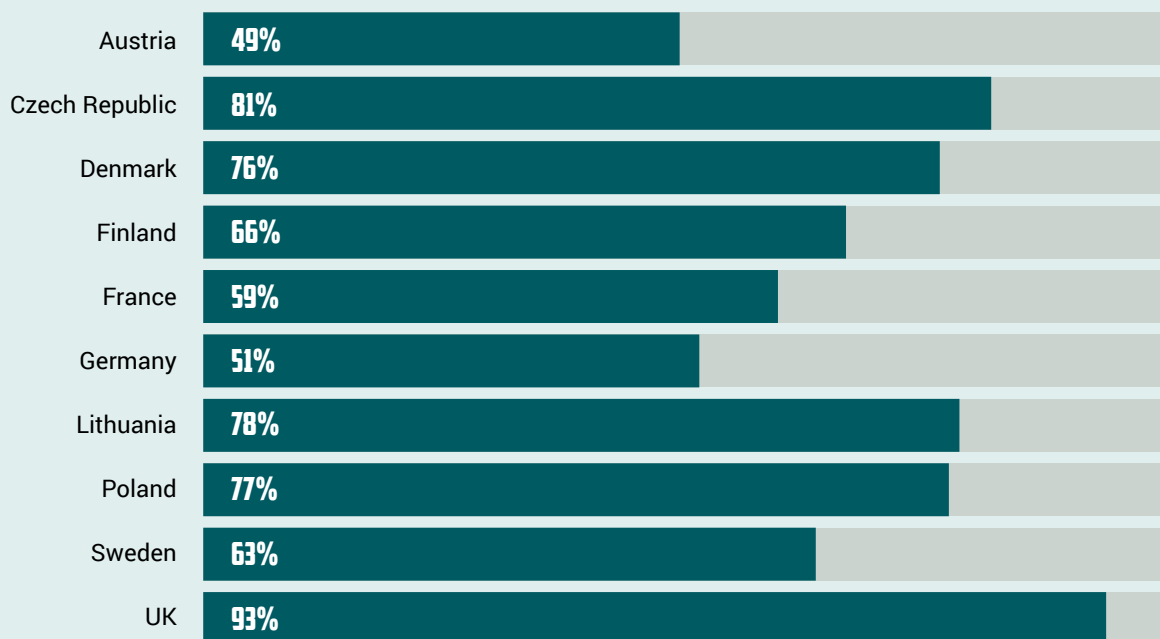


figure 1

NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



453 out of 667 items examined were non-compliant

NON-COMPLIANCE BY PRICE

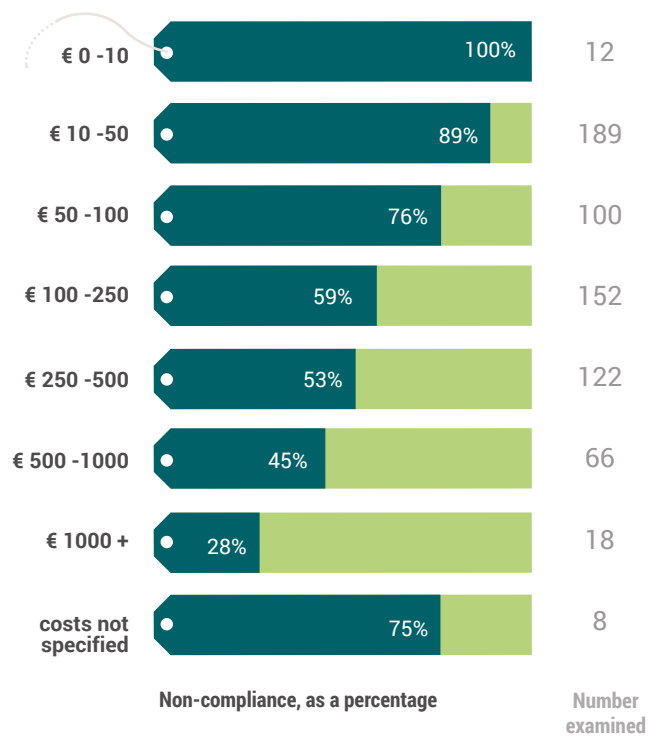



figure 2 (data from all ten countries combined)



Widespread non-compliance of Article 12 was found in all ten countries

Non-compliance in the price category €100-250 was recorded at 59 percent and in the €250-500 category the figure was 53 percent. In the €500-1000 price category non-compliance was recorded at 45 percent and in the category containing items costing more than €1000, the level of non-compliance was 28 percent.

INVESTIGATION FINDINGS: REAL FUR NOT DISCLOSED ON THE FABRIC CONTENT LABEL

With fur classed as a “non-textile” rather than a fabric or textile, there is no requirement for it to be listed on the fabric content label, the primary label detailing the percentage make-up of each product. Our investigation revealed items containing real animal fur which carried a fabric content label stating the item was made from “100% Acrylic” or “100% Polyester” or similar.

Whilst entirely legal, this is highly confusing and likely to lead consumers, quite naturally, to assume the fur part of the item must therefore be made from artificial, or faux fur.

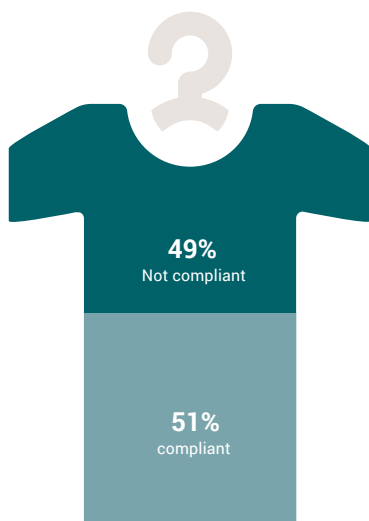
In order to more closely compare the information supplied to the consumer by way of the main fabric

content label in relation to the fur element of the item, a small number of non-compliant items in each country (approximately 5% of items examined) were purchased and sent for laboratory testing. The results were then compared to the labelling information. It is of great concern to note that while real animal fur was detected in every item tested, there was no indication at all on the vast majority of those items (32 out of 36 items) that the product contained animal fur.

Details of the label descriptions and the laboratory test results carried out in each country are provided in more detail over the following pages.

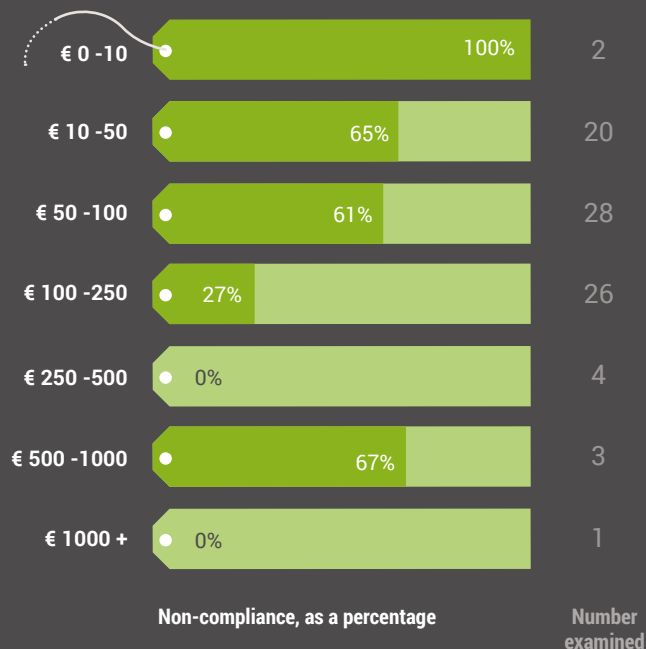
It should be noted that on some non-compliant items the term “real fur” or the name of the species was stated, in some way, on the garment. Although this does provide consumers with some more information, which we would applaud, the wording was sporadic, in terms of regularity of use, language used (in some cases the use of raccoon instead of raccoon dog, for example), and how and where the information was presented. It does, however, indicate that manufacturers have the ability to label real animal fur if they so wish, an action legislators should take advantage of by introducing a standard format for that information and making it mandatory for all products containing real animal fur.

NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



41 out of 84 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

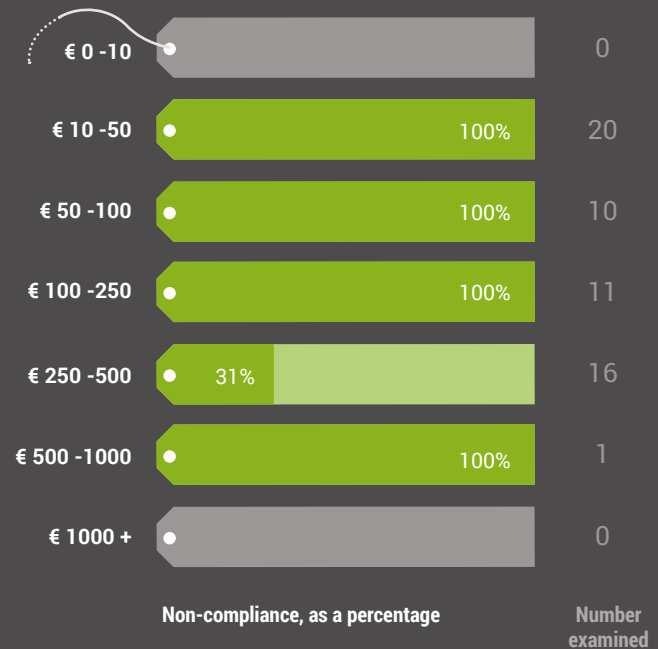
ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Gloves with fur detail	No label on garment	€19,90	Real animal fur - rabbit
Gloves with fur detail	No label on garment	€10	Real animal fur - mink
Knitted hat with fur pom pom	No label on garment	€18	Real animal fur - raccoon dog
Knitted hat with fur pom pom	100% acrylic	€20,75	Real animal fur - raccoon dog



NON-COMPLIANCE WITH ARTICLE 12
LABELLING REQUIREMENTS

47 out of 58 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Knitted hat with fur pom pom	30% wool, 70% acrylic	€35	Real animal fur – most consistent with raccoon dog
Gloves with fur trim	100% cotton	€15	Real animal fur - most consistent with rabbit
Scarf with fur trim	70% polyacryl, 30% wool	€63	Real animal fur - most consistent with rabbit

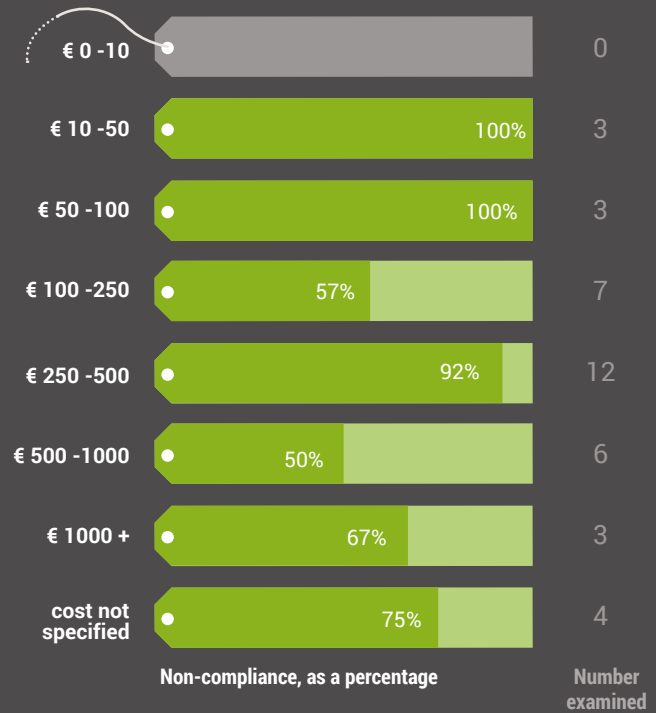


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



29 out of 38 items examined were non-compliant

NON-COMPLIANCE BY PRICE



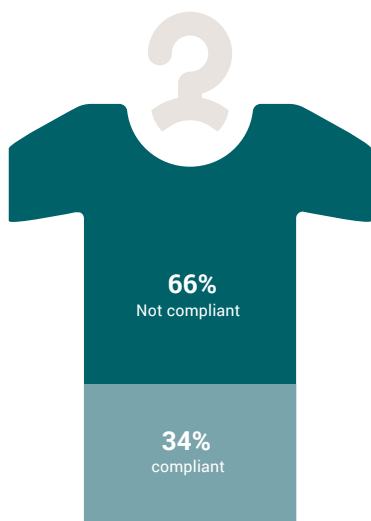
CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Gilet	30% wool, 70% acrylic	€67	Real animal fur - most consistent with chinchilla
Jacket	100% polyester	€94	Real animal fur - most consistent with raccoon dog

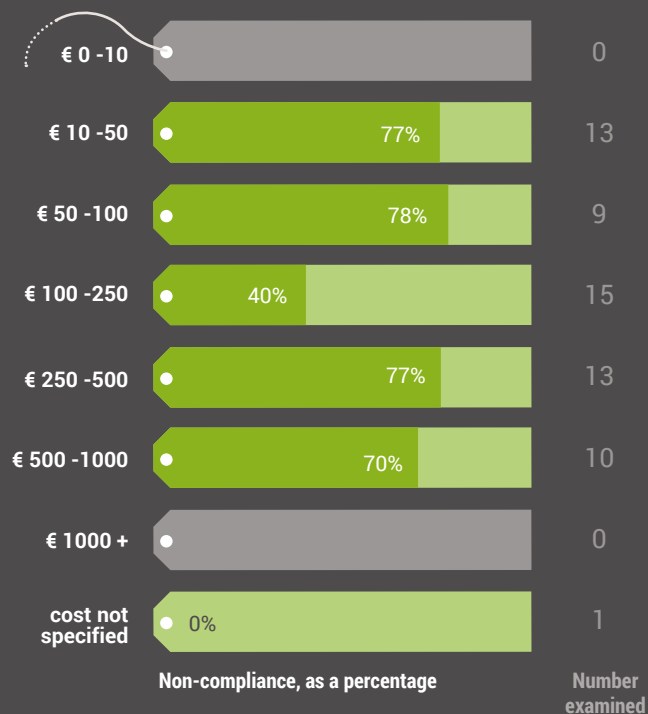


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



40 out of 61 items examined were non-compliant

NON-COMPLIANCE BY PRICE



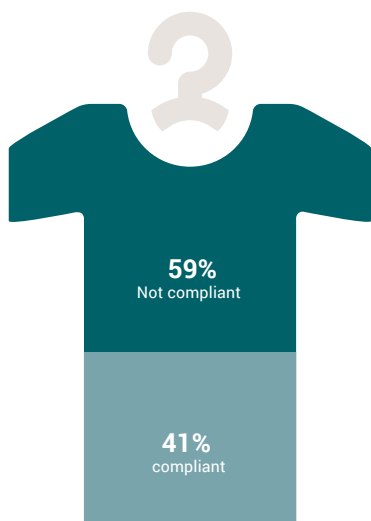
CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Coat with fur trimmed hood	100% polyester	€49,90	Real animal fur - most consistent with raccoon dog or dog
Cardigan with fur trimmed hood	30% wool, 70% acrylic	€29	Real animal fur - most consistent with rabbit
Knitted hat with fur pom pom	30% wool, 70% acrylic	€69,90	Real animal fur - most consistent with blue or silver fox
Knitted hat with fur pom pom	30% wool, 70% acrylic	€49,90	Real animal fur - most consistent with blue or silver fox

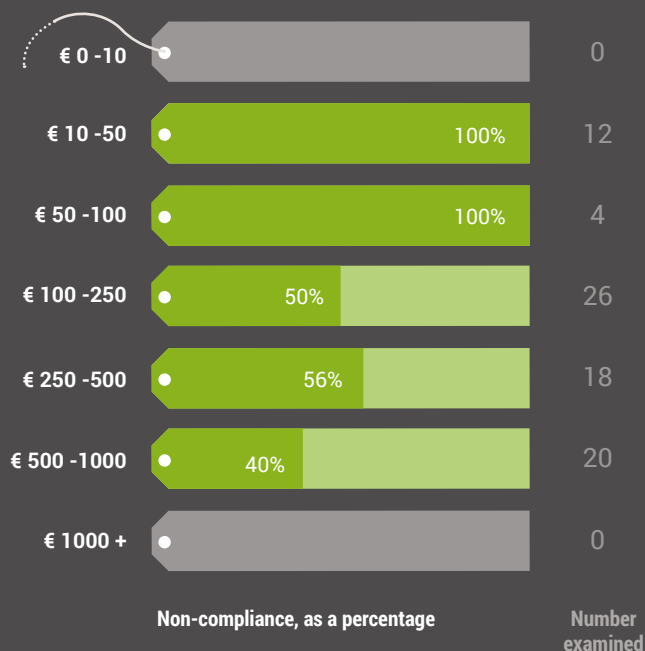


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



47 out of 80 items examined were non-compliant

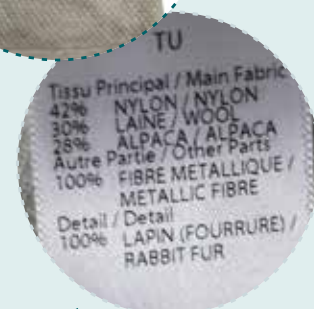
NON-COMPLIANCE BY PRICE



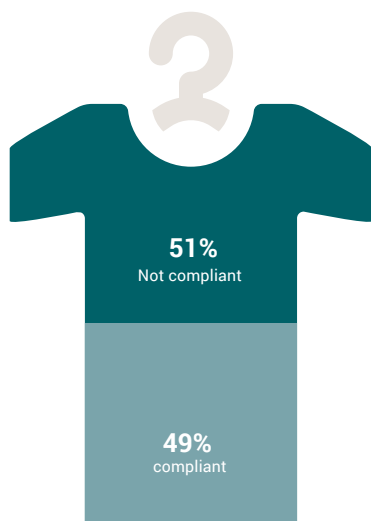
CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DESCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Jacket with fur hood	100% coton; Lining: 100% polyester; Hood: raccoon fur; Accessories: 100% polyurethane	€79,99	Real animal fur - most consistent with raccoon dog, though some are closer to fox.
Grey hat with white fur pom pom	2% nylon, 30% wool, 28% alpaca; Other parts: 100% metallic fibre; Detail: 100% rabbit fur	€35	Real animal fur - most consistent with rabbit
Brown poncho with fur pom pom and lining	100% acrylic; Fur: 100% rabbit	€69,90	Real animal fur - most consistent with rabbit
Scarf with fur pom pom	Shell: main fabric 55% viscose, 45% acrylic; Tweed stop; Secondary fabric: 100% rabbit fur	€22,95	Real animal fur - most consistent with rabbit

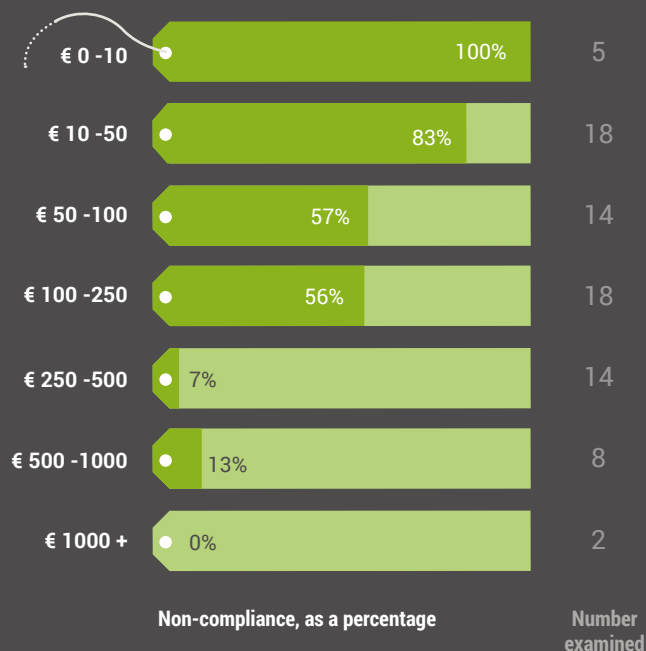


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



40 out of 79 items examined were non-compliant

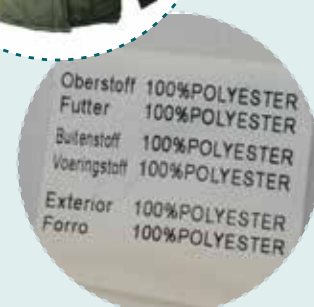
NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

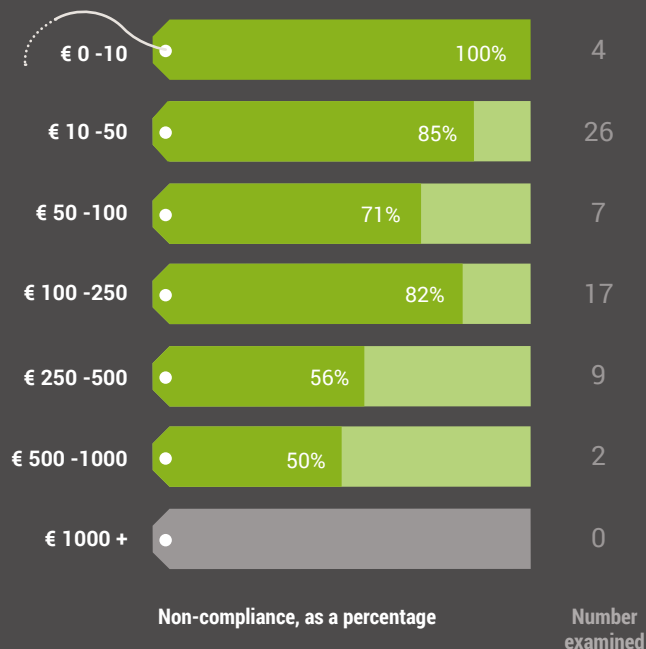
ITEM DESCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Gloves with fur trim	65% acrylic, 35% wool, 80% viscose	€10	Real animal fur - rabbit
Cardigan with fur collar	50% cotton, 30% polyester, 20% polyamid	€39,95	Real animal fur - raccoon dog
Coat with fur collar	Outer fabric: 100% polyester; Lining: 100% polyester	€99,90	Real animal fur - raccoon dog
Hat with fur pom pom	70% acrylic, 30% cashmere	€39,95	Real animal fur - raccoon dog



NON-COMPLIANCE WITH ARTICLE 12
LABELLING REQUIREMENTS

51 out of 65 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DESCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Gloves with fur trim	30% cotton, 70% polyester	€7,90	Real animal fur
Hat with fur trim	20% cashmere, 50% acrylic, 30% cotton	€27	Real animal fur
Hat with fur trim	40% viscose, 25% polyamid, 25% wool, 5% angora, 5% cashmere; Lining: 100% cotton	€29,49	Real animal fur

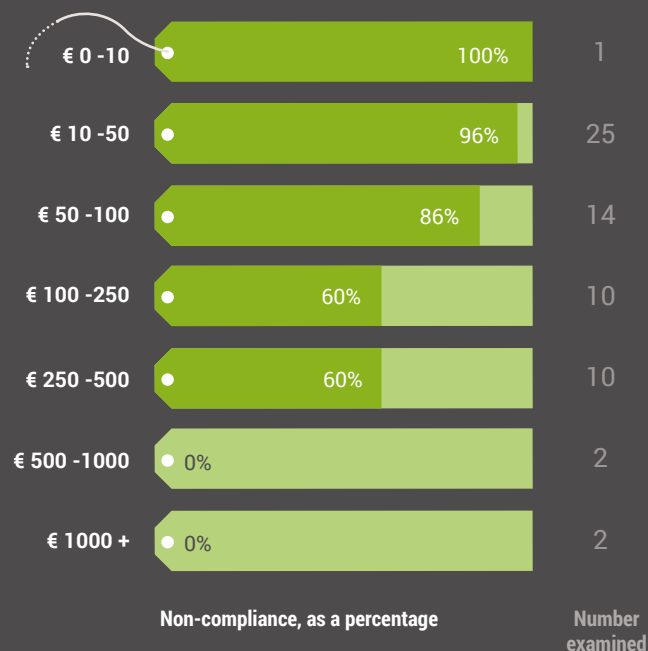


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



49 out of 64 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Hat with fur pom pom	No label on garment	€16	Real animal fur
Scarf with fur trim	No label on garment	€15	Real rabbit fur
Coat with fur trimmed hood	Shell: 57% nylon, 43% polyester; Lining 100% polyester; Filler: 100% polyester; Knit:100% acrylic	€17	Real animal fur
Gloves with fur pom pom	No label on garment	€9	Real rabbit fur

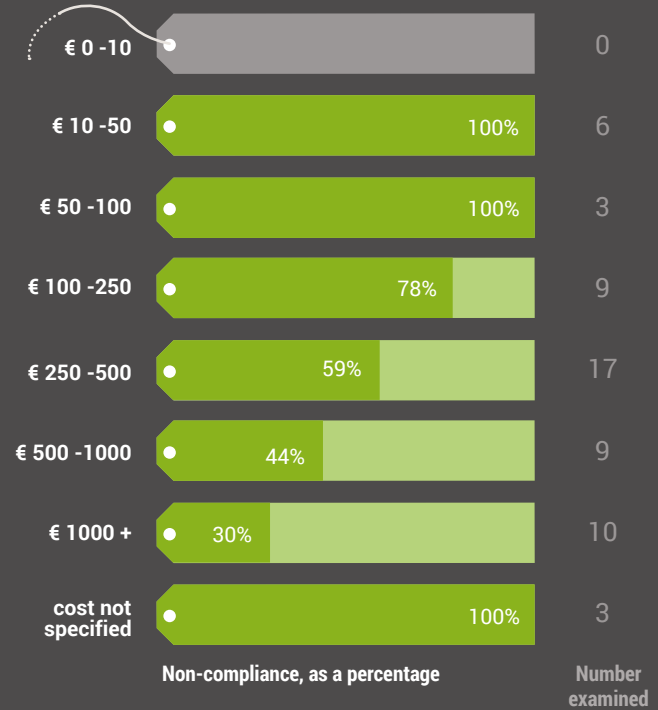


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



36 out of 57 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Jacket with fur trim	93,5% polyester, 6,5% cotton, 100% polyester, 100% fur	€97,39	Real animal fur - most consistent with fox
Cardigan with fur trim	60% viskos, 30% polymide, 10% elastane	€48,65	Real animal fur - most consistent with raccoon dog
Cardigan with fur trim	80% acrylic 20% nylon	€48,17	Real animal fur - most consistent with chinchilla
Hat with fur pom pom	100% acrylic	€27,90	Real animal fur - most consistent with raccoon dog

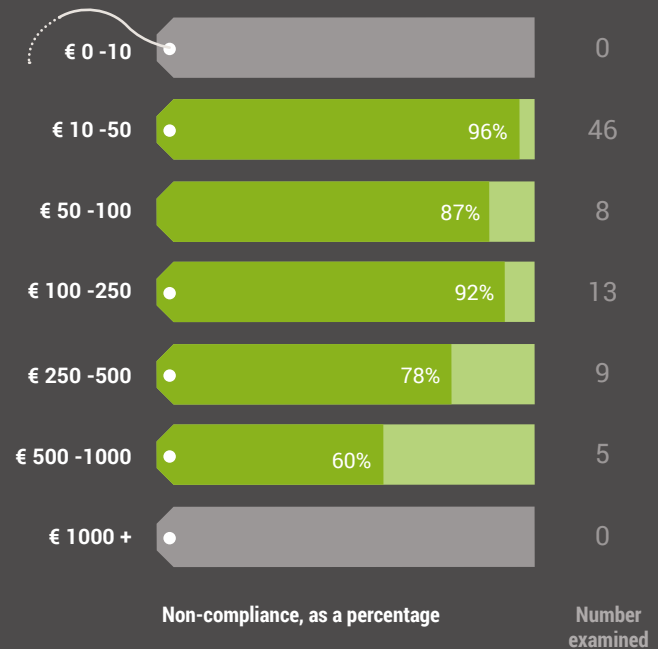


NON-COMPLIANCE WITH ARTICLE 12 LABELLING REQUIREMENTS



73 out of 81 items examined were non-compliant

NON-COMPLIANCE BY PRICE



CONTAINS REAL ANIMAL FUR

Some examples of non-compliant items examined

ITEM DISCRIPTION	WORDING ON LABEL	COST	LAB TEST RESULT
Jumper with small fur pom poms	80% viscose, 20% elastane	€35	Real animal fur - most consistent with mink
Knitted hat with fur pom pom	Mixed wool	€32	Real animal fur - most consistent with fox
Long scarf with two fur pom poms	100% viscose	€18	Real animal fur - most consistent with rabbit
Men's padded jacket with fur trimmed hood	Shell: 100% nylon; Lining: 100% nylon; Filling: 70% down, 30% feather	€47	Real animal fur - most consistent with raccoon dog





The absence of a clear fur labelling system is failing the consumer.

3. MISLEADING: THE EU FUR LABELLING RULES ARE FAILING CONSUMERS

Consumers deserve clear, unambiguous labelling in order to provide them with the confidence to make informed buying decisions. Many consumers wish to avoid products made from cruel production methods, including real fur.

However, as real animal fur is becoming more common in the form of trim and decoration, as opposed to the more traditional full-length coat style of previous generations, and technological advances are creating softer faux fur, the two materials are becoming increasingly similar in their look, their feel and alarmingly, their price. This blurring of the traditional means often used by consumers to distinguish between real and faux fur makes the urgent need for clear, unambiguous labelling even more imperative.

The current Regulation has recognised the concerns of consumers, identified the need for clear information to allow consumers to make an informed choice and established the requirement that the presence of real animal fur needs to be identified. As then Parliamentary Under-Secretary at the Department for Business, Innovation and Skills in the United Kingdom, Jo Swinson MP, said in March 2015⁷: “It is important that consumers have accurate information to enable them to make informed choices when they are buying textile products that contain non-textile parts of animal origin.”

However, the current labelling regime is failing consumers. Not only is it demonstrably not being implemented (see section 2), even if it were to be implemented fully, it is still not fit for purpose. Some fur items are exempt from labelling altogether because they are not considered “textile products”. In other instances, the “animal origin” label is ambiguous, potentially referring to other animal products on a garment. Even without these complications, the current label uses

legalistic language obscuring the simple fact that a product contains real animal fur.

In countries where concerns regarding non-compliance of Article 12 have already been raised, politicians have called for the need for clear fur labelling.

GERMANY:

“We... see a need for action in the case of fur labelling. The buyer should be able to see where the fur trim on his clothing is coming from and how the fur was produced.”

Christlich Demokratische Union Deutschlands (CDU) Party, 2015⁸

“The labelling of food from welfare friendly husbandry and clothes with “non-textile parts of animal origin” (e.g. fur, leather, down) has to be consistent, transparent, simple and consumer friendly.”

Sozialdemokratische Partei Deutschlands (SPD), 2015⁹

“Labelling schemes must be improved so that imported fur products are clearly identifiable from which animal they are derived and where and under which conditions the animals have been kept.”

Bündnis 90/Die Grünen, 2016¹⁰

UK:

“[There is] a lot of public concern that we are importing cruelty and that fur can be mislabelled. Customers have a right to know what they are buying, and want assurances that the UK will not be complicit in such unnecessary suffering.”

Kerry McCarthy MP, United Kingdom¹¹

There is a strong need for a better labelling system, and there are good precedents, set by other countries, to fix this problem. Clear and effective fur labelling systems are already in place in the US and Switzerland. In the United States, the labelling of real fur has been the law since 1951, it was updated in 2010. It is in both consumer and industry interests to have a consistent, harmonised labelling system.

DISTINGUISHING BETWEEN REAL AND FAUX FUR IS IMPORTANT TO CONSUMERS

Retailers and designers around the world are heeding public concern about the use of real animal fur and are rejecting it in favour of other materials¹². Findings from many countries across the European Union show that the majority of the public is opposed to the farming of animals for their fur¹³. For instance, when polled, 86 percent of German citizens and 80 percent of Austrian citizens disagreed with the statement “The keeping and killing of animals for production of fur for the fashion industry is justifiable”.¹⁴

The desire to avoid real fur is not a trivial consumer preference or passing fashion. It comes from ethical objections to the brutal realities of the fur industry. Animals raised for fur spend their short lives in small wire cages, only to be gassed or electrocuted when their pelts are at their prime. In the wild, traps inflict great pain and anguish, both to the target animals and to unintended victims such as companion animals and endangered species.

The serious ethical problems of fur are reflected in EU law. To date, legislation to ban or restrict fur farming has been enacted in 16 Member States, including Austria, Czech Republic, Denmark, Germany, Netherlands, Spain, Sweden and the United Kingdom. The issue is also being debated in other Member States, including Belgium and Luxembourg.¹⁵ In 2007, the trade in cat and dog fur was banned by the European Union.¹⁶ Two years later, the commercial trade in seal products, including fur, was similarly banned¹⁷. If a product is concerning enough for its production and distribution to be partially banned, then surely consumers deserve to be able to accurately identify it in the marketplace. The lack of clear and consistent labelling requirements, a lack of implementation of the current regulations by manufacturers, and a lack of surveillance by enforcement authorities, is likely to result in consumers being duped into purchasing real animal fur, items many of them would wish to avoid on ethical grounds.



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Information as per 29 August 2017, for updates see: furfreealliance.com/fur-bans

Consumers cannot differentiate animal fur from faux fur based on appearance or price

Faux fur is an alternative material that many consumers, retailers and designers opposed to animal cruelty turn to as a fashionable, ethical alternative. However, a lack of clear labelling means that consumers cannot readily tell if product contains real animal fur.

In a poll, commissioned by Humane Society International/UK (HSI/UK), Britons reported that to determine whether or not an item contained faux fur, they relied on whether it felt synthetic (50 percent), whether it looked synthetic (45 percent) and whether it was cheap (47 percent)¹⁸. These are becoming increasingly unreliable indicators.

The look and feel of faux fur has become much closer to the real thing in recent years. This is the result of significant technological innovation in the manufacturing of faux fur, driven by the strong faux fur market. However, the same poll also revealed that 60 per cent agreed with the statement “I would not buy an item containing fur, if I wasn’t sure that it was fake fur”. This lack of confidence due to absence of clear labelling could lead consumers to reject real and fake fur, so compromising the fake fur industry. Confusion extends beyond consumers too: The imitation can be so convincing that even high street retailers with no fur policies have been found retailing real fur as faux fur.¹⁹

Low cost is likewise an increasingly poor predictor of whether or not an item contains real fur. HSI/UK has found real raccoon dog fur trim being sold wholesale from just €0.31; raccoon dog fur “pom pom” keyrings from €0.71, decorative bobbles made of real mink fur from €0.19, and of real rabbit fur from just €0.09.²⁰ Such availability is leading to real fur being used in many low cost garments, as can be seen from the number of items examined by researchers that cost less than €50 and, in some cases, even retailing as cheaply as €10.

The label does not tell consumers what they need to know in plain language

The current approach to informing consumers about real fur content is cumbersome and ineffective. The shopper must first find the Article 12 wording (which is often printed on a separate tag to the fabric content label), understand what is meant by “non-textile parts” and then realise that it is referring specifically to real animal fur.

This also supposes that they have not already concluded, incorrectly, that no fur is present from looking at the main fabric content label. That label will often make no mention of any real fur and instead list

only the textile fibres. If the label says “100% polyester”, consumers are likely to conclude 0% fur.

Consumers rightly expect better. The poll for HSI/UK showed that 85 percent of UK consumers expect an item containing real animal fur to have this information clearly marked on its label²¹. When asked whether “Fur products should be labelled with clear indication of the species, geographical origin and keeping conditions of the animals”, 86 percent of German consumers agreed²² as did 86 percent of Austrian consumers²³, in polling conducted in 2014 by Integral for Vier Pfoten.

The current system is opaque and does not work. Real animal fur should be described as “real animal fur”, and written clearly in the place consumers expect to find it.

The Article 12 wording doesn't always indicate real fur

Even when required, the Article 12 wording is not a reliable guide as to whether or not a product contains real fur. The label must be used whenever a product contains any type of non-textile item of animal origin. This includes leather (widely used as trim), down and feathers (commonly used as jacket padding), as well as bone, horn and pearl (often used in buttons or decorations). If a consumer is trying to decide whether or not a product contains real fur, and that product contains any other non-textile animal product, the current labelling system is of no help.

The problem is illustrated in (figure 3). All three jackets should carry the Article 12 wording despite two of them being jackets with faux fur trim.

Many fur products still do not require any label

When a product is made up of less than 80 percent by weight of textile fibres, it is no longer considered to be a textile product for the purposes of the EU Textile Labelling Regulation and therefore not subject to Article 12 labelling requirements. This means a large part of the fur clothing market, including full fur coats, falls outside of any labelling requirements. With its exclusive focus on textiles, this Regulation is failing to provide the consumer with basic information about non-textiles, particularly fur.

Article 12 wording is not required to be used when advertising products online

The increasing popularity of e-commerce causes an additional problem for consumers wishing to avoid real animal fur. Unable to inspect items by touch or close visual inspection, consumers need to be able to rely

	JACKET WITH REAL FUR	JACKETS WITH FAUX FUR	
Lining	Polyester	Down*	Polyester
Outer shell	Polyester	Polyester	Polyester
Trim	Real fur*	Faux fur	Faux fur
Logo tag	Plastic	Plastic	Leather*
Illustrative clothing label	100% polyester	100% polyester	100% polyester
	Contains non-textile parts of animal origin	Contains non-textile parts of animal origin	Contains non-textile parts of animal origin

* Trigger for the article 12 label "contains non-textile parts of animal origin"

on clear, detailed and accurate product descriptions. The Regulation states that the Article 12 wording must appear on item itself, but it does not specify its use in online sales descriptions. Although this investigation did not extend to online products, researchers in the UK have found examples of misleadingly described real fur items being sold via online sales platforms. In Germany, the implementing regulation explicitly mentions that Article 12 does not apply to products sold electronically.²⁴

Use of fur in shoes and accessories

Real animal fur is also being used as decoration on shoes, on handbags and for accessories such as keyrings. Although this investigation excluded these items, earlier research by HSI/UK in 2015 found many of these types of items were not marked or labelled in any way, leaving consumers without any information regarding the presence of fur. Footwear legislation states that labelling need only identify materials used when they make up at least 80 percent of the upper, lining or sole; decorative trims on shoes are excluded from any labelling requirement. Accessories such as the currently fashionable "pom pom" keyrings and handbag charms do not appear to require labelling at all. Researchers in the UK and in Germany have found examples of unlabelled keyrings, priced identically, some made of real animal fur and some made of faux fur, placed for sale side-by-side on the same display rack.

Options for additional measures by Member States

In France, a long-standing piece of legislation introduced in 1991 requires all real fur products sold in that country,

regardless of the amount of fur present, to be clearly identified and the name(s) of the species listed on the product's label.

In relation to the Textile Labelling Regulation, we understand this to mean that the existing national legislation continues to be in force for items containing more than 20 per cent real animal fur (i.e. where the textile fibre element is less than 80 percent, and therefore outside the scope of the Regulation). However, items that contain less than 20 percent real animal fur (i.e. where the textile fibre element is more than 80 per cent, and therefore within the scope of the Regulation) must, when sold in France, carry the Article 12 wording "contains non-textile parts of animal origin".

Whilst additional legislation requiring real fur to be clearly marked is to be applauded, and shows that manufacturers have the ability to label some products that contain real animal fur when offered for sale in certain national jurisdictions, the use of such labelling in some countries and not in others, not to mention the labelling discrepancy within those countries caused by the percentage of fur used in an item, could easily create confusion, not only for consumers, but potentially for manufacturers and retailers too.

We are concerned that the current Regulation may only offer Member States a small opportunity to initiate stronger legislation for some real fur items (those containing more than 20 per cent real fur), which would not address the major issue relating to items containing real fur as trim (i.e. less than 20 per cent real fur, such as hats, gloves, scarves, hood trim etc).



4. CASE STUDIES

The public debate generated by the complaints demonstrated the need for the textile industry to provide clarity to Dutch consumers about what exactly is included in their garments.

The Dutch government commented that if the industry could not be required to clearly label real fur by European law, it should be asked to cooperate voluntarily and it requested that the Dutch textile industry include animal welfare in a new agreement on International Corporate Social Responsibility.²⁶ The agreement has since been signed by Dutch retailers, branch organisations, labour unions and animal welfare organisations. A plan of action and steps for the textile industry to take are due to be published in 2017.

THE NETHERLANDS

In 2014, researchers from Dutch animal welfare organisation Bont voor Dieren (BvD) identified a number of jackets in stores in Amsterdam which, despite the collars containing real raccoon dog fur, did not carry any reference to the real fur.

Concerned at these potential breaches of the legislation, the organisation reported its finding to the Food and Consumer Product Safety Authority (NVWA). When it received no response, it lobbied successfully for written questions and secured several political debates in parliament on the issue of fur labelling.

In response to a Written Question on the issue, dated 15 January 2016, the Minister stated²⁵:

"There are known instances of clothing not being labelled according to the labelling rules established in the Textile Regulation 1007/2011... [When the European Commission evaluated the Textile Regulation in 2014] the Netherlands submitted that the labelling should be more understandable for the consumer and that garments and textile products in which fur is incorporated should be labelled as 'contains fur'. Further to this, it was requested that the Swiss labelling method should be taken into consideration ... In Switzerland, the label must state the animal from which the textile product or garment is made, the method of production and the country of origin of the animal product. On the basis of the responses received from the Member States, the Commission decided not to amend the Regulation."

After the debate, the NVWA investigated Bont voor Dieren's complaints and found that the legislation had not been observed. The companies concerned were given written warnings.

Whilst voluntary action is to be applauded, consumers deserve a European Commission-led mandatory system of clear fur labelling, operating throughout the European Union.

Bont voor Dieren continues to call on the Dutch government to raise its concerns, regarding both the lack of enforcement and the inherent failures of Article 12, with the European Commission.



Whilst voluntary action is to be applauded, consumers deserve a European Commission-led mandatory system of clear fur labelling, operating throughout the European Union.



UNITED KINGDOM

In 2015, Humane Society International/UK undertook an investigation to determine the prevalence of Article 12 wording in real fur trimmed products for sale in the United Kingdom.

The results showed a high-level of non-compliance: Of 188 items determined to require the Article 12 wording, researchers were unable to locate that information in 87 percent of the items. The data also showed a complete lack of compliance in all items costing less than £50 (€58).

Numerous complaints, by HSI/UK and members of the public, have been submitted to Trading Standards, the UK consumer protection agency. Whilst HSI is aware that, following information it gathered and supplied to the authorities, a small number of retailers have been contacted or written to 'to remind them of their responsibilities', it continues to find widespread non-compliance of Article 12. As this report shows, the level of non-compliance found in 2015 was 87 percent, in 2016 is was 93 percent.

HSI/UK submitted its 2015 findings of non-compliance, and its concerns that Article 12 is not fit for purpose, to the then Department of Business, Innovation and Skills (BIS), and encouraged it to raise the issue with the European Commission. The BIS did update its guidance to retailers, to include a description of the type of animal products, including fur, which Article 12 covers.

There is demonstrable non-compliance with Article 12 wording on products containing fur in the UK, coupled with a lack of effective enforcement of this regulation. HSI/UK continues to encourage action at both national and EU level to deliver a comprehensive, clear and effectively enforced fur labelling regulation.







“By providing information about the used animal species, the origin of the fur and the keeping conditions/method of production consumers should be able to make an informed and even more conscious purchase decision and thus ultimately influence the market by their consumer behavior.” ²⁹

5. BETTER LABELLING SYSTEMS THE EU COULD EMULATE

The 2011 EU Textile Labelling Regulation introduced the first mandatory labelling requirement for fur products in the European Union. Its implementation recognised the concerns of consumers, identified the need for clear information to allow consumers to make an informed choice and established the requirement that the presence of real animal fur needs to be identified. It was an important first step, but - even when implemented correctly - in its current form it is not able to provide the clear and consistent assurances consumers need to make an informed buying choice.

The US and Switzerland both offer working models of better fur labelling systems. Requirements vary, but both systems mandate the disclosure of the animal species name and country of origin for all products containing real fur, regardless of size or value.²⁷ The US labelling system, which has been in force in the 1950s, also requires details on processing.

The Swiss Regulation, dated December 2012 and fully in force since 2014, is particularly effective at empowering consumers by requiring disclosure of how the animal was farmed or caught, such as “Caught by trapping” or “Cage rearing with wired floors.”²⁸ This was added with the deliberate objective of creating consumer-led changes on animal welfare. According to the Federal Food Safety and Veterinary Office, “By providing information about the used animal species, the origin of the fur and the keeping conditions/ method of production consumers should be able to make an informed and even more conscious purchase decision and thus ultimately influence the market by their consumer behavior.”²⁹ The same approach could be applied to allow informed consumer choice to influence the volume and type of fur that is imported and sold in the European Union.

EU

Example of a label compliant with EU legislation



UNITED STATES

Example of a label compliant with US legislation



SWITZERLAND

Example of a label compliant with Swiss legislation



6. RECOMMENDATIONS: CLEAR AND CONSISTENT LABELLING OF FUR PRODUCTS IN THE EU

Physical retail stores and online retailers are selling a significant volume of animal fur, supporting an industry that causes suffering to millions of animals. A significant proportion of this fur is likely being purchased by consumers who do not consider the possibility that the trim on their new coat, or the bobble on their new €20 hat from the market, might be real animal fur.

It has become clear that the Article 12 labelling requirement is inadequate and confusing for consumers. The exemptions allowed and the lack of explicit information on the presence of fur means that consumers are unable to make informed decisions about purchasing products that may contain real animal fur. Furthermore, there is also evidence that this labelling requirement is being widely flouted by manufacturers and the legislation is not being properly enforced.

As can be seen from the investigations carried out in this report, there is a high level of non-compliance of Article 12 in all ten of the Member States featured, and it is highly likely that this is a situation being playing out in other EU countries. EU consumers deserve better. The time has come for clear and consistent labelling rules, which would allow consumers to distinguish real animal fur from faux fur.

The Fur Free Alliance calls on the European Commission to put in place a new legislative requirement for a clear and consistent fur labelling standard for all items placed on the internal market across the European Union.

THE NEW LABELLING LAW SHOULD REQUIRE THE INCLUSION OF PRODUCT INFORMATION DETAILING:

- the species from which the fur derives (both the common and scientific name)
- the country of origin of the fur (where the animal was bred or hunted and killed)
- how the animal was reared and killed (whether the animal was caught by trapping or reared in a cage with a wire floor, for example)

This information should be mandatory for all products that contain real animal fur, including all clothing, handbags, footwear and accessories, irrespective of the value of the product or the percentage, or weight, of the fur involved. It should be clearly visible, printed on the main fabric content label sewn in to the product and also written clearly within the main product description of all items placed for sale online or in a printed catalogue.

The introduction of such a standard would ensure better consumer protection is afforded to all EU consumers, allowing them to make truly informed choices with confidence. It would also be of benefit to manufacturers and retailers operating across multiple jurisdictions.

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ACKNOWLEDGEMENTS

This report has been compiled and written with the support of many people, including project leader and report editor, Shely Bryan, Humane Society International/UK and project co-ordinator, Brigit Oele, Fur Free Alliance.

Many thanks to all the organisations involved in the research and collation of data, including Vier Pfoten, Austria; Freedom for Animals, Czech Republic; Anima, Denmark; Animalia, Finland; One Voice, France; Vier Pfoten and Deutscher Tierschutzbund, Germany; Open Cages, Lithuania; Open Cages, Poland; Djurens Rätt, Sweden; Humane Society International/UK, United Kingdom, plus Four Paws Europe, Humane Society International/Europe and Bont voor Dieren for their support.

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Photo source front cover and page 21: Illia Bondar / Alamy Stock Photo

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