



**THE FAIR TRADING ACT (WOOL PRODUCTS CONSUMER
INFORMATION STANDARD) REGULATIONS 1987**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 21st day of April 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 27 (1) of the Fair Trading Act 1986, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on a recommendation of the Minister of Consumer Affairs, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fair Trading Act (Wool Products Consumer Information Standard) Regulations 1987.

(2) These regulations shall come into force on the 1st day of May 1987.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“Container”, in relation to any wool product, means any wrapper, binder, container, or other means of packing in which the product is contained while it is being displayed, exposed, or offered for sale:

“Floor covering” means any product or portion of a product which is capable of use as a covering for a floor or any portion thereof; but does not include a pile fabric:

“Label or mark”, in relation to any wool product or other substance, means any stamp, tag, label, band, ticket, mark (including trade mark), or method of displaying information which is sewed or stapled or attached or annexed to, or woven into, or printed or stencilled or branded or marked upon, the product or substance, and which states or purports to state the trade description of the product or substance or any part thereof, or the fibre or material of which the product, substance, or part is made; and the expression “labelled or marked” has a corresponding meaning:

“Partly manufactured wool product” means any top, slubbing, yarn, or other wool product or portion of a wool product (whether produced in New Zealand or elsewhere) which is not completely manufactured and which has to undergo further processing or manufacture before it is sold and delivered to the ultimate consumer:

“Pile fabric” means any fabric in which warp or weft threads are made to project from the ground structure in such a manner as to form a pile on the surface; and includes fabrics in which the projecting threads are yarn loops or are cut to form a fibrous surface, and fabrics with a surface pile produced by incorporating special pile yarns; but does not include fabrics in which a fibrous surface or nap is produced by teasing a knitted or woven structure so as to cause some of the fibres to be drawn to the surface of the fabric:

“Trade description”, in relation to any product or substance or any part thereof, means the name by which it is customarily known to those who trade in the product or substance:

“Wool” means the natural fibre from the fleece of any variety of sheep:

“Wool product” means every product and every portion of a product (whether in the form of piece goods or made-up goods, and whether produced in New Zealand or elsewhere) which contains wool, except the following:

(a) Any such product or portion of a product which contains less than 50 percent by weight of wool and which is not labelled, marked, advertised, described, or represented as woollen or worsted or as containing wool:

(b) Footwear (other than socks and stockings) of any type or description:

(c) Any partly manufactured wool product which is intended to be further processed before it is delivered to the ultimate consumer:

(d) Any worn or used made-up goods offered for resale:

(e) Any portion of any wool product the weight of which, does not require to be taken into account under these regulations in determining the percentage by weight of wool in the product.

3. Consumer information standard for wool products prescribed—The following consumer information standard is hereby prescribed for wool products—

- (a) Every wool product supplied or resupplied or offered for supply otherwise than in a sealed container shall be labelled or marked in English so as to show—
- (i) The trade description of the main fabric in the product:

- (ii) In the case of any pile fabric or floor covering the pile or other surface yarn of which contains wool, the percentage by weight of wool in the pile or other surface yarn:
 - (iii) In the case of any other wool product, the percentage by weight of wool in the product:
- (b) In the case of a wool product supplied or resupplied or offered for supply in a sealed container, unless the wool product is labelled or marked in the manner prescribed in paragraph (a) of this standard and the label or mark is clearly visible, the container shall be labelled or marked in English so as to show—
 - (i) The trade description of the main fabric in the product:
 - (ii) In the case of any pile fabric or floor covering the pile or other surface yarn of which contains wool, the percentage by weight of wool in the pile or other surface yarn:
 - (iii) In the case of any other wool product, the percentage by weight of wool in the product:
- (c) Every sample, swatch, or specimen of a wool product, unless it is a sample, swatch or specimen which is not more than 450 millimetres in length or width and which is cut or taken in the presence of a prospective purchaser or consumer of the product, from a bolt or piece which is labelled or marked in accordance with this standard, which is used in relation to or in connection with the supply of any wool product shall be labelled or marked in English so as to show—
 - (i) The trade description of the main fabric in the product:
 - (ii) In the case of any pile fabric or floor covering the pile or other surface yarn of which contains wool, the percentage by weight of wool in the pile or other surface yarn:
 - (iii) In the case of any other wool product, the percentage by weight of wool in the product:
- (d) In the case of uniforms, suits, bathing costumes, hosiery, gloves, mittens, and other garments and wearing apparel manufactured and sold for use in units comprising 2 or more pieces, it is sufficient compliance with the requirements of this standard to use one label or mark for all the pieces of any one unit if all the pieces of that unit have the same trade description and contain the same percentage by weight of wool and are sold as one complete unit and the label or mark is clearly applicable to all the pieces and contains the information required to be shown pursuant to this standard:
- (e) In the case of any wool product or part of any wool product which may lawfully be labelled or marked to show that it contains 100 percent by weight of wool, it is sufficient compliance with the requirements of this standard if the label or mark relating to the product shows in English the trade description of the main fabric in the product and describes it as “all wool” or “pure wool” or by a description to that effect:
- (f) Notwithstanding anything in paragraph (e) of this standard, in the case of any wool product or part of any wool product which contains not less than 80 percent by weight of wool and otherwise only contains natural fibres of cashmere or mohair, or hair of alpaca, camel, llama, or vicuna, it is sufficient compliance with the requirements of this standard if the label or mark

relating to the product shows in English the trade description of the main fabric in the product and describes it as "all wool" or "pure wool":

- (g) In any case where, for the purpose of reinforcing any wool product or for any other useful purpose in connection with any wool product, a small proportion of fibre or material other than wool is superimposed or added to the product in distinct areas or sections, it is sufficient compliance with the requirements of this standard if the product is labelled or marked in English so as to show—
- (i) The trade description of the main fabric in the product; and
 - (ii) The percentage by weight of wool in the portions of the product other than the areas or sections specified in the label or mark; and
 - (iii) The names of the fibres or materials superimposed or added in those areas or sections:
- (h) For the purposes of this standard every label or mark—
- (i) Shall be such as is appropriate to the nature of the product, container, sample, swatch, or specimen with which it is used:
 - (ii) Shall be sewed or stapled or attached or annexed to, or woven into, or printed or stencilled or branded or marked upon, the product, container, sample, swatch, or specimen with which it is used securely and with sufficient permanency and durability to remain on it in a conspicuous, clear, and plainly legible condition until the product, container, sample, swatch, or specimen is received by the consumer or intended consumer:
 - (iii) Shall show the information required by this standard in a manner which is not likely to deceive; and the information shall not be minimised or rendered obscure or so placed as to be likely to be unnoticed or unseen by purchasers or consumers or prospective purchasers or consumers by reason of small or indistinct type, or the use of larger or more prominent type with reference to fibres or materials other than wool, or insufficient background contrast, or crowding, intermingling, or obscuring with designs, vignettes, or other written, printed, or graphic matter, or in any other way:
- (i) For the purposes of this standard—
- (i) In calculating the percentage by weight of wool in any product no account shall be taken of the weight of any of the following portions of the product, namely, the linings, interlinings, padding, stiffening, facings, trimmings, borders, selvages, buttons, labels, trade marks which form part of the product and any other ornamentation in the material up to 7 percent by weight of the balance of the wool product exclusive of the portions to which the foregoing relate:
 - (ii) The percentage by weight of the wool in the balance of the product (exclusive of the portions to which the last preceding subparagraph relates) in relation to the total weight of that balance shall be deemed to be the percentage by weight of wool in the product:
 - (iii) Any label or mark shall be deemed to state accurately the percentage by weight of wool in any wool product to which it relates if—

- (A) The percentage stated is within one percent of the correct percentage calculated in accordance with this standard in cases where the label or mark states or infers that the product contains 100 percent by weight of wool; or
- (B) The percentage stated is within 3 percent of the correct percentage calculated in accordance with this standard in other cases.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 May 1987, prescribe, under section 27 of the Fair Trading Act 1986, a consumer information standard for wool products. The standard specifies the consumer information required to be disclosed in relation to wool products and requirements as to labelling and marking to ensure such disclosure in terms which are in all material respects identical with the requirements of the Wool Labelling Act 1949. That Act is repealed by the Fair Trading Act 1986 on 1 May 1987. Under the Fair Trading Act 1986 it is an offence for any person to supply, or offer to supply or advertise to supply goods in respect of which a consumer information standard is prescribed otherwise than in compliance with that consumer information standard.

In addition, the remedies available in civil proceedings under Part V of the Act may be sought against such a person.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 April 1987.

These regulations are administered in the Department of Trade and Industry.