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JUDGE COTE

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

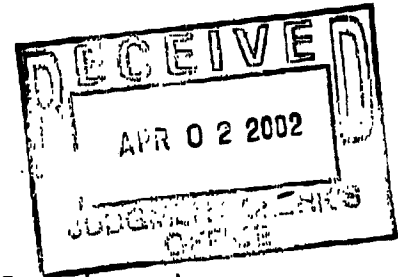
v.

JONES APPAREL GROUP, INC.,
a corporation,

Defendant.

CONSENT DECREE

02 Civ.



CONSENT DECREE

WHEREAS: Plaintiff, the United States of America, has commenced this action by filing the complaint herein; defendant has waived service of the summons and complaint; the parties have been represented by the attorneys whose names appear hereafter; and the parties have agreed to settlement of this action upon the following terms and conditions, without adjudication of any issue of fact or law and without defendant admitting liability for any of the matters alleged in the complaint;

THEREFORE, on the joint motion of plaintiff and defendant, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. This Court has jurisdiction of the subject matter and of the parties.

2. The complaint states a claim upon which relief may be granted against the defendant under Sections 5(a)(1), 5(m)(1)(A), 13(b), and 16(a) of the Federal Trade Commission Act, 15 U.S.C. §§ 45(a)(1), 45(m)(1)(A), 53(b), and 56(a).

CIVIL PENALTY

3. Defendant Jones Apparel Group, Inc., its successors and assigns, shall pay to plaintiff a civil penalty, pursuant to Section 5(m)(1)(A) of the Federal Trade Commission Act, 15 U.S.C. § 45(m)(1)(A), in the amount of \$300,000.

4. Defendant shall make the payment required by Paragraph 3 within five (5) days of the date defendant receives notice from plaintiff of entry of this consent decree by electronic fund transfer in accordance with the instructions provided by the Civil Division, United States Department of Justice, Washington, D.C. 20530.

5. In the event of any default in payment, which default continues for ten (10) days beyond the due date of payment, the entire unpaid penalty, together with interest, as computed pursuant to 28 U.S.C. § 1961, from the date of default to the date of payment, shall immediately become due and payable.

6. Defendant is hereby required, in accordance with

31 U.S.C. § 7701, to furnish to the Federal Trade Commission its taxpayer identification number, which shall be used for purposes of collecting and reporting on any delinquent amount arising out of defendant's relationship with the government.

INJUNCTION

7. Defendant, its successors and assigns, and its officers, agents, servants, employees and attorneys, and all persons in active concert or participation with any one or more of them who receive actual notice of this consent decree by personal service or otherwise, are hereby enjoined from ever violating, directly or through any corporation, subsidiary, division, or other device, any provision of the Federal Trade Commission's Trade Regulation Rule Concerning the Care Labeling of Textile Wearing Apparel ("Care Labeling Rule"), 16 C.F.R. Part 423, or as the Rule may hereafter be amended. A copy of this Rule is attached hereto as "Appendix A" and incorporated herein as if fully set forth verbatim.

PERSONS AFFECTED; CONTINUING JURISDICTION

8. Defendant, its successors and assigns, shall, within thirty (30) days of the entry of this consent decree, provide a copy of this consent decree, the Care Labeling Rule, and the Statement of Basis and Purpose for that Rule to each of the officers and directors of defendant Jones Apparel Group, Inc., and to all supervisory personnel responsible for compliance with

the Care Labeling Rule, secure from each such person a signed statement acknowledging receipt of a copy of this consent decree, and, within ten (10) days of complying with this paragraph, file an affidavit with the Court and serve the Federal Trade Commission by mailing a copy thereof to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580, setting forth the fact and manner of its compliance, including the name and title of each person to whom a copy of the consent decree has been provided.

9. Defendant, its successors and assigns, shall maintain the following: a record of the instructions on the care labels on all items of textile wearing apparel offered for sale by defendant; a record of any and all care instructions appearing on hangtags attached to textile wearing apparel offered for sale by defendant; a record of the reasonable basis for each such care instruction; copies of all test reports relating to the care of any textile wearing apparel offered for sale by the defendant (including tests of any component thereof), and the actual items that were tested or photographs of the items that were tested; all correspondence to and from customers, suppliers, and consumers relating to the accuracy, adequacy or completeness of the care instructions or any harm to textile wearing apparel which might have been caused by the inaccuracy, inadequacy or

incompleteness of the care instructions; and all documents relating to defendant's compliance with each provision of this decree. All such documents and things shall be maintained for five (5) years from the date the defendant last ships the textile wearing apparel at issue to its customers. Defendant shall have the right to destroy all such documents and things thereafter, unless defendant has received notification from the Federal Trade Commission that such documents and things are relevant to an ongoing investigation of defendant by the Federal Trade Commission. Within forty-five (45) days after receipt of a written request, the defendant shall make such documents and things available for inspection and copying by Federal Trade Commission staff during the defendant's regular business hours at defendant's offices in New York, New York.

10. Within ninety (90) days after the entry of this Consent Decree, defendant shall develop written policies and procedures for complying with the Care Labeling Rule that are designed reasonably to prevent and detect violations of the Rule, including but not limited to violations of the type alleged in this action. Such policies and procedures shall also include a defined organizational and reporting structure for compliance with the Care Labeling Rule.

11. Within one hundred twenty (120) days after entry of this Consent Decree, defendant shall provide a written report to

the Federal Trade Commission, sworn to under penalty of perjury, setting forth in detail the manner and form in which defendant has complied and is complying with this Consent Decree. This report shall include but not be limited to a copy of the written policies and procedures developed as required by paragraph 10 of this Consent Decree. Defendant shall mail this written report to: the Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580.

12. Defendant, its successors and assigns, shall notify the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580, at least thirty (30) days, or as soon as practicable thereafter, prior to any change in defendant's business, including, but not limited to, merger, incorporation, dissolution, assignment, sale resulting in the emergence of a successor corporation, the creation or dissolution of a subsidiary or parent, or any other change that may affect defendant's obligations under this consent decree.

13. This Court shall retain jurisdiction of this matter for the purposes of enabling any of the parties to this consent decree to apply to the Court at any time for such further orders or directives as may be necessary or appropriate for the interpretation or modification of this consent decree, for the

enforcement of compliance therewith, or for the punishment of violations thereof.

JUDGMENT IS THEREFORE ENTERED in favor of plaintiff and against defendant, pursuant to all the terms and conditions recited above.

Dated: April __, 2002

SO ORDERED:


UNITED STATES DISTRICT JUDGE

The parties, by their respective counsel, hereby consent to the terms and conditions of the consent decree as set forth above and consent to the entry thereof. Defendant waives any rights that may arise under the Equal Access to Justice Act, 28 U.S.C. § 2412, as amended by Pub. L. 104-121, 110 Stat. 847, 863-64 (1996).


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16 CFR PART 423 – CARE LABELING OF TEXTILE WEARING APPAREL AND CERTAIN PIECE GOODS, AS AMENDED , EFFECTIVE SEPTEMBER 1, 2000

Sec.

423.1 Definitions.

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Appendix A to Part 423 -- Glossary of Standard Terms

Authority: 38 Stat. 717, as amended; (15 U.S.C. 41, et seq.)

Source: 48 FR 22743, May 20, 1983; 48 FR 24869, June 3, 1983, unless otherwise noted.

423.1 Definitions.

(a) Care label means a permanent label or tag, containing regular care information and instructions, that is attached or affixed in such a manner that it will not become separated from the product and will remain legible during the useful life of the product.

(b) Certain Piece Goods means textile products sold by the piece from bolts or rolls for the purpose of making home sewn textile wearing apparel. This includes remnants, the fiber content of which is known, that are cut by or for a retailer but does not include manufacturers' remnants, up to ten yards long, that are clearly and conspicuously marked pound goods or fabrics of undetermined origin (i.e., fiber content is not known and cannot be easily ascertained) and trim, up to five inches wide.

(c) Dryclean means a commercial process by which soil is removed from products or specimens in a machine which uses any common organic solvent (e.g. petroleum, perchlorethylene, fluorocarbon). The process may also include adding moisture to the solvent, up to 75% relative humidity, hot tumble drying up to 160 degrees F (71 degrees C) and restoration by steam press or steam-air finishing.

(d) Machine Wash means a process by which soil is removed from products in a specially designed machine using water, detergent or soap and agitation. When no temperature is given, e.g., warm or cold, hot water up to 145 degrees F (63 degrees C) can be regularly used.

(e) Regular Care means customary and routine care, not spot care.

(f) Textile Product means any commodity, woven, knit or otherwise made primarily of fiber, yarn or fabric and intended for sale or resale, requiring care and maintenance to effectuate ordinary use and enjoyment.

(g) Textile Wearing Apparel means any finished garment or article of clothing made from a textile product that is customarily used to cover or protect any part of the body, including hosiery, excluding footwear, gloves, hats or other articles used exclusively to cover or protect the head or hands.

423.2 Terminology.

(a) Any appropriate terms may be used on care labels or care instructions so long as they clearly and accurately describe regular care procedures and otherwise fulfill the requirements of this regulation.

(b) Any appropriate symbols may be used on care labels or care instructions, in addition to the required appropriate terms so long as the terms fulfill the requirements of this regulation. See § 423.8(g) for conditional exemption allowing the use of symbols without terms.

(c) The terminology set forth in Appendix A may be used to fulfill the requirements of this regulation.

423.3 What this regulation does.

This regulation requires manufacturers and importers of textile wearing apparel and certain piece goods, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, to provide regular care instructions at the time such products are sold to purchasers through the use of care labels or other methods described in this rule.

423.4 Who is covered.

Manufacturers and importers of textile wearing apparel and certain piece goods are covered by this regulation. This includes any person or organization that directs or controls the manufacture or importation of covered products.

423.5 Unfair or deceptive acts or practices.

(a) Textile wearing apparel and certain piece goods. In connection with the sale, in or affecting commerce, of textile wearing apparel and certain piece goods, it is an unfair or deceptive act or practice for a manufacturer or importer:

(1) To fail to disclose to a purchaser, prior to sale, instructions which prescribe a regular care procedure necessary for the ordinary use and enjoyment of the product;

(2) To fail to warn a purchaser, prior to sale, when the product cannot be cleaned by any cleaning procedure, without being harmed;

(3) To fail to warn a purchaser, prior to sale, when any part of the prescribed regular care procedure, which a consumer or professional cleaner could reasonably be expected to use, would harm the product or others being cleaned with it;

(4) To fail to provide regular care instructions and warnings, except as to piece goods, in a form that can be referred to by the consumer throughout the useful life of the product;

(5) To fail to possess, prior to sale, a reasonable basis for all regular care information disclosed to the purchaser.

(b) Violations of this regulation. The Commission has adopted this regulation to prevent the unfair or deceptive acts or practices, defined in paragraph (a) of this Section. Each manufacturer or importer covered by this regulation must comply with the requirements in 423.2 and 423.6 through 423.8 of this regulation. Any manufacturer or importer who complies with the requirements of 423.2 and 423.6 through 423.8 does not violate this regulation.

(Approved by the Office of Management and Budget under control number 3084 - 0046)

423.6 Textile wearing apparel.

This section applies to textile wearing apparel.

(a) Manufacturers and importers must attach care labels so that they can be seen or easily found when the product is offered for sale to consumers. If the product is packaged, displayed,

or folded so that customers cannot see or easily find the label, the care information must also appear on the outside of the package or on a hang tag fastened to the product.

(b) Care labels must state what regular care is needed for the ordinary use of the product. In general, labels for textile wearing apparel must have either a washing instruction or a drycleaning instruction. If a washing instruction is included, it must comply with the requirements set forth in paragraph (b)(1) of this section. If a drycleaning instruction is included, it must comply with the requirements set forth in paragraph (b)(2) of this section. If either washing or drycleaning can be used on the product, the label need have only one of these instructions. If the product cannot be cleaned by any available cleaning method without being harmed, the label must so state. [For example, if a product would be harmed both by washing and by drycleaning, the label might say "Do not wash - do not dryclean," or "Cannot be successfully cleaned."] The instructions for washing and drycleaning are as follows:

(1) Washing, drying, ironing, bleaching and warning instructions must follow these requirements:

(i) **Washing.** The label must state whether the product should be washed by hand or machine. The label must also state a water temperature - in terms such as cold, warm, or hot - that may be used. However, if the regular use of hot water up to 145 degrees F (63 degrees C) will not harm the product, the label need not mention any water temperature. [For example, Machine wash means hot, warm or cold water can be used.]

(ii) **Drying.** The label must state whether the product should be dried by machine or by some other method. If machine drying is called for, the label must also state a drying temperature that may be used. However, if the regular use of a high temperature will not harm the product, the label need not mention any drying temperature. [For example, "Tumble dry" means that a high, medium, or low temperature setting can be used.]

(iii) **Ironing.** Ironing must be mentioned on a label only if it will be needed on a regular basis to preserve the appearance of the product, or if it is required under paragraph (b)(1)(v) of this section, **Warnings**. If ironing is mentioned, the label must also state an ironing temperature that may be used. However, if the regular use of a hot iron will not harm the product, the label need not mention any ironing temperature.

(iv) **Bleaching.** (A) If all commercially available bleaches can safely be used on a regular basis, the label need not mention bleaching.

(B) If all commercially available bleaches would harm the product when used on a regular basis, the label must say "No bleach" or "Do not bleach."

(C) If regular use of chlorine bleach would harm the product, but regular use of a non-chlorine bleach would not, the label must say "Only non-chlorine bleach, when needed."

(v) Warnings. (A) If there is any part of the prescribed washing procedure which consumers can reasonably be expected to use that would harm the product or others being washed with it in one or more washings, the label must contain a warning to this effect. The warning must use words "Do not," "No," "Only," or some other clear wording. [For example, if a shirt is not colorfast, its label should state "Wash with like colors" or "Wash separately." If a pair of pants will be harmed by ironing, its label should state "Do not iron."]

(B) Warnings are not necessary for any procedure that is an alternative to the procedure prescribed on the label. [For example, if an instruction states "Dry flat," it is not necessary to give the warning "Do not tumble dry."]

(2) Drycleaning. -- (i) General. If a drycleaning instruction is included on the label, it must also state at least one type of solvent that may be used. However, if all commercially available types of solvent can be used, the label need not mention any types of solvent. The terms "Drycleanable" or "Commercially Dryclean" may not be used in an instruction. [For example, if drycleaning in perchlorethylene would harm a coat, the label might say "Professionally dryclean: fluorocarbon or petroleum."]

(ii) Warnings. (A) If there is any part of the drycleaning procedure which consumers or drycleaners can reasonably be expected to use that would harm the product or others being cleaned with it, the label must contain a warning to this effect. The warning must use the words "Do not," "No," "Only," or some other clear wording. [For example, the drycleaning process normally includes moisture addition to solvent up to 75% relative humidity, hot tumble drying up to 160 degrees F and restoration by steam press or steam-air finish. If a product can be drycleaned in all solvents but steam should not be used, its label should state "Professionally dryclean. No steam."]

(B) Warnings are not necessary to any procedure which is an alternative to the procedure prescribed on the label. [For example, if an instruction states "Professionally dryclean, fluorocarbon," it is not necessary to give the warning "Do not use perchlorethylene."]

(c) A manufacturer or importer must establish a reasonable basis for care information by possessing prior to sale:

(1) Reliable evidence that the product was not harmed when cleaned reasonably often according to the instructions on the label, including instructions when silence has a meaning. [For example, if a shirt is labeled "Machine wash. Tumble dry. Cool iron.," the manufacturer or importer must have reliable proof that the shirt is not harmed when cleaned by machine washing (in hot water), with any type of bleach, tumble dried (at a high setting), and ironed with a cool iron]; or

(2) Reliable evidence that the product or a fair sample of the product was harmed when cleaned by methods warned against on the label. However, the manufacturer or importer need not have proof of harm when silence does not constitute a warning. [For example, if a shirt is

labeled "Machine wash warm. Tumble dry medium", the manufacturer need not have proof that the shirt would be harmed if washed in hot water or dried on high setting]; or

(3) Reliable evidence, like that described in paragraph (c)(1) or (2) of this section, for each component part of the product in conjunction with reliable evidence for the garment as a whole; or

(4) Reliable evidence that the product or a fair sample of the product was successfully tested. The tests may simulate the care suggested or warned against on the label; or

(5) Reliable evidence of current technical literature, past experience, or the industry expertise supporting the care information on the label; or

(6) Other reliable evidence.

423.7 Certain piece goods.

This section applies to certain piece goods.

(a) Manufacturers and importers of certain piece goods must provide care information clearly and conspicuously on the end of each bolt or roll.

(b) Care information must say what regular care is needed for the ordinary use of the product, pursuant to the instructions set forth in 423.6. Care information on the end of the bolt need only address information applicable to the fabric.

423.8 Exemptions.

(a) Any item of textile wearing apparel, without pockets, that is totally reversible (i.e., the product is designed to be used with either side as the outer part or face) is exempt from the care label requirement.

(b) Manufacturers or importers can ask for an exemption from the care label requirement for any other textile wearing apparel product or product line, if the label would harm the appearance or usefulness of the product. The request must be made in writing to the Secretary of the Commission. The request must be accompanied by a labeled sample of the product and a full statement explaining why the request should be granted.

(c) If an item is exempt from care labeling under paragraph (a) or (b), of this section the consumers still must be given the required care information for the product. However, the care information can be put on a hang tag, on the package, or in some other conspicuous place, so that consumers will be able to see the care information before buying the product.

(d) Manufacturers and importers of products covered by 423.5 are exempt from the requirement for a permanent care label if the product can be cleaned safely under the harshest procedures. This exemption is available only if there is reliable proof that all of the following washing and drycleaning procedures can safely be used on a product:

- (1) Machine washing in hot water;
- (2) Machine drying at a high setting;
- (3) Ironing at a hot setting;
- (4) Bleaching with all commercially available bleaches;

(5) Drycleaning with all commercially available solvents. In such case, the statement "wash or dry clean, any normal method" must appear on a hang tag, on the package, or in some other conspicuous place, so that consumers will be able to see the statement before buying the product.

If a product meets the requirements outlined above, it is automatically exempt from the care label requirement. It is not necessary to file a request for this exemption.

(e) Manufacturers and importers need not provide care information with products sold to institutional buyers for commercial use.

(f) All exemption granted under 423.1(c) (1) or (2) or the Care Labeling Rule issued on December 9, 1971, will continue to be in effect if the product still meets the standards on which the original exemption was based. Otherwise, the exemption is automatically revoked.

(g) The symbol system developed by the American Society for Testing and Materials (ASTM) and designated as ASTM Standard D5489-96c, Standard Guide for Care Symbols for Care Instructions on Textile Products may be used on care labels or care instructions in lieu of terms so long as the symbols fulfill the requirements of this regulation. In addition, symbols from the symbol system designated as ASTM Standard D5489-96c may be combined with terms so long as the symbols and terms used fulfill the requirements of the regulation. Provided, however, that for the 18-month period following the effective date of this section, such symbols may be used on care labels in lieu of terms only if an explanation of the meaning of the symbols used on the care label in terms is attached to, or provided with, the item of textile wearing apparel. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of ASTM Standard D5489-96c, Standard Guide for Care Symbols for Care Instructions on Textile Products may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or may be inspected at the Federal Trade Commission, room 130, 600 Pennsylvania Avenue, N.W., Washington, DC, or at the Office of the Federal Register, suite 700, 800 North Capitol Street, N.W., Washington, DC.

423.9 Conflict with flammability standards.

If there is a conflict between this regulation and any regulations issued under the Flammable Fabrics Act, the Flammable Fabrics regulation govern over this one.

423.10 Stayed or invalid parts.

If any part of this regulation is stayed or held invalid, the rest of it will stay in force.

16 CFR Part 423, Appendix A

Glossary of Standard Terms

1. Washing, Machine Methods:

- a. "Machine wash" - a process by which soil may be removed from products or specimens through the use of water, detergent or soap, agitation, and a machine designed for this purpose. When no temperature is given, e.g., "warm" or "cold," hot water up to 145 degrees F (63 degrees C) can be regularly used.
- b. "Hot" - initial water temperature ranging from 112 to 145 degrees F [45 to 63 degrees C].
- c. "Warm" - initial water temperature ranging from 87 to 111 degrees F [31 to 44 degrees C].
- d. "Cold" - initial water temperature up to 86 degrees F [30 degrees C].
- e. "Do not have commercially laundered" -- do not employ a laundry which uses special formulations, sour rinses, extremely large loads or extremely high temperatures or which otherwise is employed for commercial, industrial or institutional use. Employ laundering methods designed for residential use or use in a self-service establishment.
- f. "Small load" -- smaller than normal washing load.
- g. "Delicate cycle" or "gentle cycle" -- slow agitation and reduced time.
- h. "Durable press cycle" or "permanent press cycle" -- cool down rinse or cold rinse before reduced spinning.
- i. "Separately" -- alone.
- j. "With like colors" -- with colors of similar hue and intensity.
- k. "Wash inside out" -- turn product inside out to protect face of fabric.
- l. "Warm rinse" -- initial water temperature setting 90° to 110° F (32° to 43° C).
- m. "Cold rinse" -- initial water temperature setting same as cold water tap up to 85° F (29° C).
- n. "Rinse thoroughly" -- rinse several times to remove detergent, soap, and bleach.
- o. "No spin" or "Do not spin" -- remove material start of final spin cycle.

p. "No wring" or "Do not wring" -- do not use roller wringer, nor wring by hand.

2. Washing, Hand Methods:

a. "Hand wash" -- a process by which soil may be manually removed from products or specimens through the use of water, detergent or soap, and gentle squeezing action. When no temperature is given, e.g., "warm" or "cold", hot water up to 150° F (66° C) can be regularly used.

b. "Warm" -- initial water temperature 90° to 110° F (32° to 43° C) (hand comfortable).

c. "Cold" -- initial water temperature same as cold water tap up to 85° F (29° C).

d. "Separately" -- alone.

e. "With like colors" -- with colors of similar hue and intensity.

f. "No wring or twist" -- handle to avoid wrinkles and distortion.

g. "Rinse thoroughly" -- rinse several times to remove detergent, soap, and bleach.

h. "Damp wipe only" -- surface clean with damp cloth or sponge.

3. Drying, All Methods:

a. "Tumble dry" -- use machine dryer. When no temperature setting is given, machine drying at a hot setting may be regularly used.

b. "Medium" -- set dryer at medium heat.

c. "Low" -- set dryer at low heat.

d. "Durable press" or "Permanent press" -- set dryer at permanent press setting.

e. "No heat" -- set dryer to operate without heat.

f. "Remove promptly" -- when items are dry, remove immediately to prevent wrinkling.

g. "Drip dry" -- hang dripping wet with or without hand shaping and smoothing.

h. "Line dry" -- hang damp from line or bar in or out of doors.

i. "Line dry in shade" -- dry away from sun.

- j. "Line dry away from heat" -- dry away from heat.
- k. "Dry flat" -- lay out horizontally for drying.
- l. "Block to dry" -- reshape to original dimensions while drying.
- m. "Smooth by hand" -- by hand, while wet, remove wrinkles, straighten seams and facings.

4. Ironing and Pressing:

a. "Iron" -- Ironing is needed. When no temperature is given iron at the highest temperature setting may be regularly used.

- b. "Warm iron" -- medium temperature setting.
- c. "Cool iron" -- lowest temperature setting.
- d. "Do not iron" -- item not to be smoothed or finished with an iron.
- e. "Iron wrong side only" -- article turned inside out for ironing or pressing.
- f. "No steam" or "Do not steam" -- steam in any form not to be used.
- g. "Steam only" -- steaming without contact pressure.
- h. "Steam press" or "Steam iron" -- use iron at steam setting.
- i. "Iron damp" -- articles to be ironed should feel moist.
- j. "Use press cloth" -- use a dry or a damp cloth between iron and fabric.

5. Bleaching:

- a. "Bleach when needed" -- all bleaches may be used when necessary.
- b. "No bleach" or "Do not bleach" -- no bleaches may be used.
- c. "Only non-chlorine bleach, when needed" -- only the bleach specified may be used when necessary. Chlorine bleach may not be used.

6. Washing or Drycleaning:

a. "Wash or dryclean, any normal method" -- can be machine washed in hot water, can be machine dried at a high setting, can be ironed at a hot setting, can be bleached with all commercially available bleaches and can be drycleaned with all commercially available solvents.

7. Drycleaning, All Procedures:

a. "Dryclean" -- a process by which soil may be removed from products or specimens in a machine which uses any common organic solvent (for example, petroleum, perchlorethylene, fluorocarbon) located in any commercial establishment. The process may include moisture addition to solvent up to 75% relative humidity, hot tumble drying up to 160° F (71° C) and restoration by steam press or steam-air finishing.

b. "Professionally dryclean" -- use the drycleaning process but modified to ensure optimum results either by a drycleaning attendant or through the use of a drycleaning machine which permits such modifications or both. Such modifications or special warnings must be included in the care instruction.

c. "Petroleum", "Fluorocarbon", or "Perchlorethylene" -- employ solvent(s) specified to dryclean the item.

d. "Short cycle" -- reduced or minimum cleaning time, depending upon solvent used.

e. "Minimum extraction" -- least possible extraction time.

f. "Reduced moisture" or "Low moisture" -- decreased relative humidity.

g. "No tumble" or "Do not tumble" -- do not tumble dry.

h. "Tumble warm" -- tumble dry up to 120° F (49° C).

i. "Tumble cool" -- tumble dry at room temperature.

j. "Cabinet dry warm" -- cabinet dry up to 120° F (49° C).

k. "Cabinet dry cool" -- cabinet dry at room temperature.

l. "Steam only" -- employ no contact pressure when steaming.






































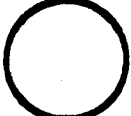








m. "No steam" or "Do not steam" -- do not use steam in pressing, finishing, steam cabinets or wands.

8. Leather and Suede Cleaning:

a. "Leather clean" -- have cleaned only by a professional cleaner who uses special leather or suede care methods.

[48 FR 22743, May 20, 1983; 48 FR 24868, June 3, 1983; 48 FR 27225, June 14, 1983]

ASTM GUIDE TO CARE SYMBOLS

 <p>Wash</p>	<p><u>Machine wash cycles</u></p>  normal  permanent press  delicate / gentle  hand wash	<p><u>Warning symbols for laundering</u></p>  do not wash  do not bleach  do not dry (used with do not wash)  do not iron	
 <p>Bleach</p>	 any bleach when needed  only non-chlorine bleach when needed	<p><u>Additional instructions (in symbols or words)</u></p>  do not wring  do not tumble dry  in the shade (added to line dry, drip dry, or dry flat)  no steam (added to iron)	
 <p>Dry</p>	<p><u>Tumble dry cycles</u></p>  normal  permanent press  delicate / gentle  line dry / hang to dry <p><u>Tumble dry heat setting</u></p>  any heat  high  medium  low  no heat / air  drip dry  dry flat	<p><u>Additional instructions (in symbols or words)</u></p>  do not wring  do not tumble dry  in the shade (added to line dry, drip dry, or dry flat)  no steam (added to iron)	
 <p>Iron</p>	<p><u>Iron-dry or steam</u></p>  maximum temperature 200 C (390 F) high  150 C (300 F) medium  110 C (230 F) low	<p><u>Additional instructions (in symbols or words)</u></p>  no steam (added to iron)	
 <p>Dryclean</p>	<p><u>Dryclean - normal cycle</u></p>  any solvent  any solvent except trichloroethylene  petroleum solvent only	 do not dryclean	<p><u>Dryclean - additional instructions</u></p>  short cycle  reduce moisture  low heat  no steam finishing

Note: This Figure illustrates the symbols used for laundering and drycleaning instructions. As a minimum, laundering instructions include, in order, four symbols: washing, bleaching, drying, and ironing; and, drycleaning instructions include one symbol. Additional symbols or words may be used to clarify the instructions.

ASTM D5489-96c FIG. 1 Commercial and Home Laundering and Drycleaning Symbols



Standards for Materials, Products, Systems & Services

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REASONS FOR SETTLEMENT

This statement accompanies the Consent Decree executed by defendant Jones Apparel Group, Inc., in settlement of an action brought to recover penalties and other equitable relief from the defendant for engaging in acts or practices in violation of the Commission's Trade Regulation Rule Concerning Care Labeling of Textile Wearing Apparel and Certain Piece Goods, 16 C.F.R. Part 423 ("Care Labeling Rule").

Pursuant to Section 5(m)(3) of the Federal Trade Commission Act, as amended (15 U.S.C. § 45(m)(3)), the Commission hereby sets forth its reasons for settlement by entry of a Consent Decree and injunction:

On the basis of the allegations contained in the attached Complaint, the Commission believes that the payment of \$300,000 in civil penalties by the defendant constitutes an appropriate amount upon which to base a settlement. The amount should assure compliance with the law by defendant and by others who engage in practices covered by the Care Labeling Rule. Further, defendant is permanently enjoined from engaging in acts or practices that are prohibited by the Care Labeling Rule. With the entry of such Consent Decree the time and expense of litigation will be avoided.

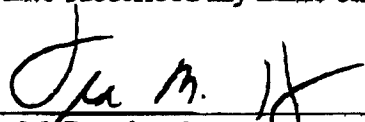
For the foregoing reasons, the Commission believes that the settlement by entry of the attached Consent Decree with Jones Apparel Group, Inc., is justified and well within the public interest.

CERTIFICATE

The undersigned, being the Secretary of Jones Apparel Group, Inc., a Pennsylvania corporation, with principal executive offices located in Bristol, Pennsylvania, do hereby certify that by Unanimous Written Consent dated September 26, 2001, the Board of Directors of the Company adopted the following resolution, which remains in full force and effect on the date hereof:

RESOLVED: that Jackwyn Nemerov, the President of the Company, be and she hereby is, authorized to sign and deliver on behalf of the Company the Consent Decree proposed to be entered in the United States of America v. Jones Apparel Group, Inc. in the District Court for the Southern District of New York, in the form annexed to this Consent and upon the terms and conditions therein, which provides for, among other things, a civil penalty in the total amount of \$300,000.

16th IN WITNESS WHEREOF, I have hereunto subscribed my name on this day of October, 2001.


Ira M. Dansky, Secretary
Jones Apparel Group, Inc.