

## **U.S. vs. Canada Labeling Requirements**

The guidance in this document is for informational purposes only and it is the responsibility of the vendor, seller, or importer to adhere to all applicable local legal regulations.

### **U.S. Regulations**

This is a summary of the most basic legal requirements for labeling in the United States, for the types of merchandise most commonly purchased by Foot Locker for stores in the United States. This does not address details such as the size or visibility of fonts or labels, or the appropriate places for labels.

#### **Country of Origin**

The country-of-origin marking is required on all commodities and must be in accordance with all US Customs regulations. The marking must be in English, permanent, legible and conspicuous to the consumer. The country-of-origin marking must not be obstructed by tags, tickets or packaging, any item individually packaged in individual polybags, must have the country of origin labeling on the bag, if it is not on the item and visible through the bag. If the letters USA or similar wording or a place name in the United States exists on the items packaging or exterior, the country-of-origin marking must be comparable in size, so as not to mislead the consumer. The country-of-origin marking must appear in the following places, for the following commodities:

##### **Footwear**

- The following sites are acceptable for country-of-origin marking on footwear (both shoes must be marked):
  - - one inch from inside top of tongue
  - - near inside topline
  - - heel seat
  - - sole
  - - arch
  - - side of tongue if near top
- In addition, the country-of-origin can be indicated on the end of the individual sale carton where the SKU label, price tag, or other information is provided

##### **Shirts, Sweaters, Jackets, Tops and Coats**

- A fabric label sewn or printed into the garment at the center of the nape of the neck

##### **Trousers, Shorts, Other Bottoms**

- A fabric label sewn or printed into the waistband of the pants at the center of the back of the waist

##### **Socks, Hosiery**

- On the tag or label on the outside of the pair of socks or the front of the package

##### **Accessories & Other commodities**

- Appearing in the same vicinity as the bar code tickets
- If not near bar code, then indicated legible and conspicuous location

### Dealer Identification

- Foot Locker's RN number is 69778

In addition to country-of-origin marking, apparel items require fabric content and care instructions to be visible. All content and care instructions must be in accordance with the accepted Federal Trade Commission standards (FTC). Registry Number (RN) must be visible. Any questions related to marking should be addressed to the International Trade Department's Compliance Contacts in Section 14.

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### **Pre-Packaged, Non-Food Consumer Products (including Cosmetics)**

Basic Requirements: The Fair Packaging and Labeling Act (FPLA) requires each package of household "consumer commodities" that is included in the coverage of the FPLA to bear a label on which there is:

- a statement identifying the commodity, e.g., detergent, shoe polish, etc.;
- the name and place of business of the manufacturer, packer, or distributor.
- and the net quantity of contents in terms of weight, measure, or numerical count (measurement must be in both metric and inch/pound units).
- Cosmetics require additional consideration as the label statements required under the authority of the Federal Food, Drug, and Cosmetic Act (FD&C Act) must appear on the inside as well as any outside container or wrapper

For additional information visit - [Fair Packaging and Labeling Act: Regulations Under Section 4 of the Fair Packaging and Labeling Act | Federal Trade Commission](https://www.fda.gov/cosmetics/cosmetics-labeling/cosmetics-labeling-regulations) and <https://www.fda.gov/cosmetics/cosmetics-labeling/cosmetics-labeling-regulations>

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### **Hazardous Products**

Certain consumer chemical products require danger, warning and caution labels for products that are corrosive, explosive, flammable or poisonous. (see section 8-1)

For further information please refer to both DOT & OSHA regulation standards:

<https://www.phmsa.dot.gov/standards-rulemaking/hazmat/hazardous-materials-regulations>  
<https://www.osha.gov/hazcom>

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### **Precious Metals**

If jewelry is marked with a quality mark (e.g., ".925" for sterling silver), then the following notes of the CFR16 CFR § 23.10 must be followed:

Note 1 to § 23.10:

Legibility of markings. If a quality mark is engraved or stamped on an industry product, or is printed on a tag or label attached to the product, the quality mark should be of sufficient size type as to be legible to persons of normal vision, should be so placed as likely to be observed by purchasers, and should be so attached as to remain thereon until consumer purchase.

Note 2 to § 23.10:

Disclosure of identity of manufacturers, processors, or distributors. The National Stamping Act provides that any person, firm, corporation, or association, being a manufacturer or dealer subject to section 294 of the Act, who applies or causes to be applied a quality mark, or imports any article bearing a quality mark “which indicates or purports to indicate that such article is made in whole or in part of gold or silver or of an alloy of either metal” shall apply to the article the trademark or name of such person. 15 U.S.C. 297.

For further information please refer to - <https://www.ftc.gov/news-events/topics/tools-consumers/jewelry-guides>

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### **Upholstered and Stuffed Articles**

Dealers, importers, manufacturers must comply with U.S. federal labelling requirements as well as any other consumer product safety and protection laws. It is important to note that some states require registration, and sterilization permits with potential special format of labeling rules.

The fibre composition of an article's stuffing or filling must be disclosed on the federal label *unless the filling or stuffing is used in one of the following articles:*

- Upholstery or mattress stuffing that is not reused. If the stuffing is reused, the label must say so.
- Outer coverings of upholstered furniture, mattresses and box springs
- Linings, interlinings, filling or padding used for structural purposes. If used for warmth, though, the fiber must be disclosed. In addition, if you state the fiber content of linings, interlinings, filling or padding, the products are not exempt.
- Stiffenings, trimmings, facings or interfacings
- Backings of carpets or rugs and pads or cushions for use under carpets, rugs or other floor coverings<sup>8</sup>
- Sewing and handicraft threads
- Bandages, surgical dressings and other products subject to the federal Food, Drug and Cosmetic Act
- Waste materials not used in a textile product
- Shoes, overshoes, boots, slippers and all outer footwear. **But**, socks and hosiery are covered; slippers made of wool are covered under The Wool Rules.
- Headwear, including hats, caps or anything worn exclusively on the head. Wool hats are covered under The Wool Rules.
- Textiles used in handbags or luggage, brushes, lampshades, toys, feminine hygiene products, adhesive tapes and adhesive sheets, cleaning cloths impregnated with chemicals, or diapers

For more information please refer to - <https://www.ftc.gov/business-guidance/resources/threading-your-way-through-labeling-requirements-under-textile-wool-acts#fiber>

### Canadian Regulations

This is a summary of the most basic legal requirements for labeling in Canada, for the types of merchandise most commonly purchased by Foot Locker for stores in Canada. This does not address details such as the location, size or visibility of fonts or labels, or the appropriate places for labels.

For more detailed information, contact the appropriate government ministry, which for most issues is Industry Canada. The exceptions are for laws on cosmetics and hazardous products (contact Health Canada), upholstered and stuffed articles (contact provincial governments), and country-of-origin (contact Revenue Canada, Customs Office).

Please note, generally, that labels for apparel/socks; pre-packaged, non-food consumer products (including cosmetics); and footwear must include a statement as to the country-of-origin (e.g., “Made in China”). This statement must be printed in both English and French.

### Apparel/Socks

#### Fiber Content

- Include the generic name of each fiber present, in an amount of 5% or more, as a percentage of total fiber mass of the article, in order of predominance
- This information, as well as descriptive terms used in conjunction with the fiber content, must be printed in both English and French

#### Dealer Identification

- Include the CA number or name and postal address of any one of the manufacturer, processor, finisher, retailer, importer or seller
- Foot Locker’s CA number is 40393

#### Care Labeling

- Although care instructions are not required by law, any use of “Canadian Care Symbols” must comply with the “Canadian Care Labeling Program”. US and Mexican care symbols may be used if words are included, they must be in both English and French.

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### Pre-Packaged, Non-Food Consumer Products (including Cosmetics)

#### Product Identity Declaration

- Include the generic product description, and print it in both English and French
- For cosmetics, this must appear on the product container, rather than just on the box or other outer packaging

#### Declaration of Net Quantity

- Include an expression of volume, weight or numerical count, and print it in both English and French (A metric net quantity declaration using metric symbols is considered bilingual)

### Dealer's Name & Principal Place of Business

- Include the name of the person by or for whom the pre-packaged product was manufactured or produced for sale, and an address sufficient for postal delivery (A postal code alone is not enough)
  - If the dealer is Foot Locker, print the full corporate name in English and French
  - For cosmetics, this must also appear on the product container, rather than just on the box or other outer packaging
  - For accessory items, self-adhesive sticker displaying "Imported by.." must be visible on bottom left corner or back of packaging
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### **Hazardous Products**

Certain consumer chemical products require danger, warning and caution labels for products that are corrosive, explosive, flammable or poisonous. (see section 8-1)

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### **Precious Metals**

If jewelry is marked with a quality mark (e.g., ".925" for sterling silver), it must also be marked for identification purposes with a trade-mark that is registered with the Canadian Trade-Marks Office. The trademark may belong to the manufacturer, importer, wholesaler or retailer.

- Please refer to the Precious Metals guidance from the Canadian Competition Bureau for further direction

<https://competition-bureau.canada.ca/en/labelling/guide-precious-metals-marking-act-and-regulations>

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### **Upholstered and Stuffed Articles**

Recent provincial changes regarding stuffed or filled articles do not affect the Textile Labelling Act (TLA) and Textile Labelling and Advertising Regulations (TLAR). Dealers must comply with federal labelling requirements as well as any other consumer product safety and protection laws. In Canada, a federal label refers to mandatory labeling requirements that apply to all food and non-food products sold across the country.

Items generally fit into three broad categories:

#### 1. Outer covering and shell

The fibre content of an article's outer covering and shell must always be disclosed on the federal label. Examples of articles with an outer covering or shell include pillows, mattresses, or winter jackets.

#### 2. Findings

Findings are textile fibre parts added to a textile article for a functional purpose other than filling, stuffing or providing warmth. Examples include zippers or padding. These **do not require** disclosure of fibre content on the federal label.

However, if a dealer chooses to make a claim or representation about the findings (e.g. "the padding in this costume is made entirely of polyester"), then the fibre contents of the findings must be disclosed on the federal label. This does not apply if the representation is made as part of a provincial label.

Linings and interlinings used for warmth are **not findings** and their fibre composition **must** be stated on the federal label.

### 3. Stuffing or filling

The fibre composition of an article's stuffing or filling must be disclosed on the federal label *unless the filling or stuffing is used in one of the following articles:*

- ☐ mattresses
- ☐ box-springs
- ☐ cushions
- ☐ chair pads
- ☐ pot holders
- ☐ oven mitts
- ☐ place mats
- ☐ mattress protectors, or
- ☐ upholstered furniture

However, if a dealer chooses to make a claim or representation about stuffing or filling used (e.g. "this pillow is stuffed with cotton wadding") in one of the above articles, then the fibre content of the stuffing or filling must be disclosed on the federal label. This does not apply if the claim or representation is made as part of a provincial label.

- ☐ Please refer to the stuffing/filling guidance from the Canadian Competition Bureau for further direction <https://competition-bureau.canada.ca/en/labelling/textile-labelling/guide-labelling-stuffed-or-filled-textile-articles>