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Green Guides Review, Matter No. 954501

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ACT Public Membership as of April 2023: The RealReal, Rent The Runway, thredUP, Arrive, Debrand, Fashionphile, H&M, Recurate, Reformation, Thrilling

The American Circular Textiles Group (ACT) is a circular fashion initiative led by Circular Services Group. Our founding members are some of the leading organizations driving circularity in the US and include **The RealReal, Rent The Runway, thredUP, Arrive, Recurate, Supercircle and Thrilling** and we were **recently joined by H&M, Reformation, and Debrand**, . Together we are a coalition, coming together to establish US leadership in textile waste and circular fashion policy, with a focus on the waste hierarchy. To learn more about our perspective and efforts, please see our recently released white paper, [The United States' Opportunity for Circular Fashion](#), along with [ACT's Beliefs](#).

We support the FTC Green Guides and strongly urge the FTC to strengthen them going forward. We believe measurable and enforceable standards and terminology definitions must be set in order to reinforce responsible consumer behavior and guide best practices for brands and retailers. While “sustainability”, “recyclable”, and “recycling” are important to better define, they focus on production and end-of- life, and leave out overall source reduction through the life extension of existing goods. The Waste Hierarchy is a globally accepted standard that indicates source reduction and reuse are the most sustainable actions, and should be prioritized, then recycling, and finally disposal. Therefore we suggest that product labeling more strongly consider the Waste Hierarchy, and indicate the sustainability of products that are, and are designed to be, reused, rented, repaired, and then finally recycled.

It may be helpful, as the FTC considers improved terminology, and corresponding measurement standards in product labeling, to reference the following from our recently published paper (linked above): ***“Enforceable design standards should be established for durability, reuse, repair,***

disassembly, and recyclability. Terms and definitions should also be standardized. For instance, the terms “recyclable”, “recycled”, and “recycling” are subjective and unproductive in the fashion context without standardized terminology. Standardization should extend to product labeling, digital or otherwise, on new products, with the aim of better informing consumers of care, origins, and material contents of new items. This will in turn facilitate resale, repair, and recycling by consumers and businesses. Increased disclosure through better new product labeling will also improve traceability within reverse and export supply chains, which will aid compliance with import requirements (e.g., the Uyghur Forced Labor Prevention Act) and reduce burdening other economies with our waste.”

Additionally, our comments and suggested modifications are the following:

- **Greenwashing:** Greenwashing, where companies make unsubstantiated claims with respect to their environmental efforts, is still prevalent in the US. The Green Guides helps prevent this from happening and therefore, protects consumers from false and misleading claims. Many of our members use the Green Guides when developing marketing materials, which in turn creates more trust with consumers.
- **Waste Hierarchy:** The Green Guides should incorporate the [Waste Hierarchy](#). Source reduction, reuse, and then recycling, should be prioritized over energy recovery and disposal for end-of-life textiles. Reuse has a 70% lower environmental impact than new textile production¹.
- **The term ‘sustainable’:** We believe this term should be clearly defined and must be comparative in nature. For example, a claim of ‘sustainable’ must be backed up and the data should be shared with consumers, showing there is significantly less impact on the environment compared to the conventional version of the referenced product. We believe reuse should be considered in the definition (reuse: resale, rental, and repair).
- **The term ‘recyclable’:** the guides should be backed up through clear disclosure of the following information: the region in which the final recycling processing is located, and into what material the product will be recycled. Similarly, programs using the terms “Recycling program,” or similar indications that products will be recycled through a collection program,

¹ [EuRIC Textiles/Norion Consult, LCA-based assessment of the management of European used textiles, 2023](#)

should be held to a similar requirement. Additionally, they should include disclosures regarding region destinations and total percentages of reuse vs. repair vs. recycling, should those recycling programs also include reuse and repair. Mailback and drop-off points for products marked “recyclable” and for “recycling programs” should be affordable and convenient to the substantial majority of customers, whether through mailback, collection or dropoff. The term ‘substantial majority’ should be updated from 60% to 75% of communities and consumers.

- The Guides *should* be revised to include clearly accessible disclosure of information for consumers regarding items that are collected by recycling programs but not ultimately recycled (e.g. lack of market demand, insufficient volumes, budgetary constraints, etc)
- **The term “Recycled Content”:** Recycled content must be a legitimate byproduct. There should be a differentiation made between post-industrial and post-consumer percentages. Post-consumer can include secondhand goods, along with damaged returns and factory defects.
- **Enforcement:** The Green Guides should be enforceable through a regulatory body. Without a formal means of direct enforcement, a lack of clarity will remain. With lack of clarity and clear means of enforcement, valuable resources and time are dedicated to litigating matters one-by-one with consumers and related parties.

Thank you for your attention to ACT’s comments. We are happy to work with you on the further development of the Green Guides, especially regarding the above.

Warm regards,



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