

COUNTERFEIT GARMENTS: NON-COMPLIANCE WITH HEALTH & SAFETY NORMS

GOALS

- Perform chemical tests to counterfeit garments to assess their compliance with health and safety norms
- Create awareness among consumers that buying counterfeit garments can be detrimental to their health
- Communication to legislators and enforcement authorities that fighting counterfeit garments not only protects the social and economic interests of legitimate companies but also protects the **health of consumers and the environment**
- Putting pressure on counterfeiters

SUMMARY OF TESTS CONDUCTED IN 2021

Tests	Details
Counterfeit products recovered from 18 countries	Brazil, Bulgaria, China, Germany, Ireland, Israel, Malta, Paraguay, Peru, Philippines, Portugal, Romania, Saudi Arabia, South Africa, South Korea, Vietnam, UAE, USA
7 product types	20 polos, 14 T-shirts, 2 jeans, 1 sweater, 1 jacket, 1 shirt, 1 dress
40 counterfeit products tested	35 compliant, 5 non-compliant = 12,5% of products tested were non-compliant

COMPONENTS TESTED

Focus on components allowing to evaluate **toxicologic risk for consumers and the environment**. Norms tested are identical to those applicable to authentic products.

Phthalates	<ul style="list-style-type: none">• Adverse health impacts including hormone disruption and reproductive and developmental issues• Released to the environment through use or from manufacturing processing facilities (e.g. wastewater)	<ul style="list-style-type: none">• Potential bioaccumulation in smaller aquatic animals such as fishes and oysters
Pah's	<ul style="list-style-type: none">• Toxic to aquatic organisms, can cause long-term adverse effects in the aquatic environment• Above certain levels, long-term exposure may cause cancers	<ul style="list-style-type: none">• Above certain exposure levels, may impair human fertility or cause harm to unborn children• Inhalation can irritate eyes and the respiratory tract
APEO	<ul style="list-style-type: none">• Hormone disruptive properties• Toxic to aquatic organisms	<ul style="list-style-type: none">• Very persistent and difficultly degradable in nature• Problematic as dispersed into surface waters
pH	<ul style="list-style-type: none">• Should be between 4 and 7,5 (on a scale of 0 to 14)• Under 4 and over 10 risk for skin irritation	

NON-COMPLIANT PRODUCTS TESTED IN 2021

- 🦎 Non-compliant products bear “made in Peru” and “made in Bangladesh” labels*
- 🦎 In two products the APEO level was non-compliant (made in Peru label)
- 🦎 In two products the pH level was non-compliant (made in Bangladesh label)
- 🦎 In one product the Phtalates level was not non-compliant (no “made in” label)



* Unknown if these claims of origin are correct

DIFFICULTIES FACED

- 🦎 Testing costs are very high depending on the product composition (800-2000 euros per product tested)
- 🦎 Products once tested are destroyed and cannot be returned to enforcement authorities or consumers
- 🦎 In most of the countries, enforcement authorities do not allow right holders to obtain and alter samples of counterfeits seized

ACTION NEEDED

Advocacy work from associations defending IP owners is needed in order to:

- Encourage enforcement authorities to conduct tests on counterfeits seized
- Convince enforcement authorities to make counterfeits available to right owners for testing purposes without the need to return them
- Communicate on the non-compliance and dangerousness of counterfeit **garments** to raise awareness about the risks for human health and the environment
- Make sure that counterfeit garments are considered as important as other counterfeit product categories by legislators and enforcement authorities

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