

[Third Reprint]

ASSEMBLY, No. 2653

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MAY 12, 2008

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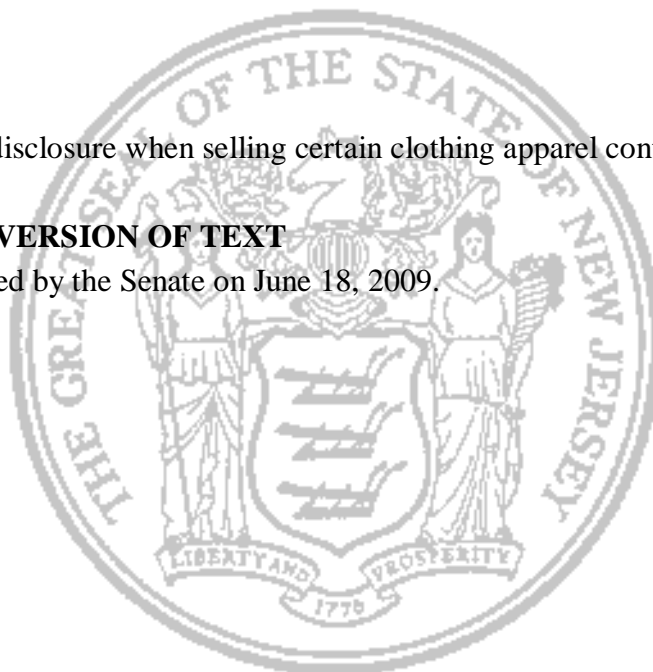
Assemblywoman Vainieri Huttle, Assemblyman Johnson, Senators Van Drew and Cunningham

SYNOPSIS

Requires disclosure when selling certain clothing apparel containing fur.

CURRENT VERSION OF TEXT

As amended by the Senate on June 18, 2009.



(Sponsorship Updated As Of: 6/26/2009)

1 AN ACT concerning the sale of certain fur products and
2 supplementing Title 56 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. No person shall sell or offer to sell ²[' , at retail. ']² any
8 ³new³ coat, jacket, garment or other clothing apparel made wholly
9 or in part of fur, regardless of the price of the clothing apparel or
10 the amount of the value of the fur contained therein, ³[without
11 having] unless it has³ attached and conspicuously displayed a tag or
12 label including the following information:

13 (1) the ¹[name or names] ²[species¹] name or names² of the
14 animal or animals ³that produced the fur^{3 2}, as set forth in the
15 ³[federal]³ Fur Products ³[Labeling Act name] Name³ Guide,²
16 ³[that produced the fur] promulgated by the Federal Trade
17 Commission pursuant to section 7 of the federal "Fur Products
18 Labeling Act," Pub.L.82-110 (15 U.S.C. s.69e)³; and

19 (2) the name of the country of origin of any imported furs used.

20 b. Labeling of ³[an] a new³ article of clothing apparel pursuant
21 to this section shall be accomplished by adding the required
22 disclosures to a permanent or temporary tag attached to the clothing
23 apparel, or by affixing in a conspicuous place a sticker listing these
24 disclosures upon the clothing apparel.

25 ²c.² As used in this section, "fur" means animal skin or part
26 thereof, with hair, fleece, or fibers attached thereto, either in its raw
27 or processed state.

28 ²d. ³[Nothing.] A retail merchant shall not be held liable for a
29 violation of this section if a manufacturer or supplier for the
30 merchant certifies to that merchant, in the invoice or other written
31 document describing the clothing apparel, that any tag or label
32 attached by the manufacturer or supplier conforms to the
33 requirements of this section, unless the retail merchant knew, or
34 reasonably should have known, that the certification is false.

35 e. This section shall only apply to new clothing apparel sold or
36 offered for sale to a retail consumer in the first instance, and shall
37 not apply to the resale of that clothing apparel by any second-hand,
38 consignment, goodwill or similar resale merchant. Additionally,
39 nothing³ contained in this section shall be construed to apply to the
40 isolated or occasional sale of ³new³ clothing apparel by an
41 individual not regularly engaged in the business of selling clothing

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted June 5, 2008.

²Assembly floor amendments adopted September 25, 2008.

³Senate floor amendments adopted June 18, 2009.

1 apparel and who originally purchased the clothing apparel for the
2 individual's personal use.²

3

4 2. A person who violates this act shall be subject to a penalty
5 of not more than \$500 for the first offense and not more than \$1,000
6 for each subsequent offense, to be collected in a civil action by a
7 summary proceeding under the "Penalty Enforcement Law of
8 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

9 Each article of clothing apparel that is not marked in accordance
10 with the provisions of this act shall constitute a separate violation.

11

12 3. The Director of the Division of Consumer Affairs in the
13 Department of Law and Public Safety shall adopt rules and
14 regulations pursuant to the "Administrative Procedure Act,"
15 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the provisions of
16 this act.

17

18 4. This act shall take effect on the first day of the fourth month
19 following enactment.