

STATE OF NEW YORK

6860

IN SENATE

January 31, 2008

Introduced by Sens. MALTESE, TRUNZO -- read twice and ordered printed,
and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to the labeling of certain
articles of apparel

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The labor law is amended by adding a new section 349-b to
2 read as follows:

3 § 349-b. Labeling of articles of apparel. 1. (a) The commissioner
4 shall develop a label or symbol to be used by manufacturers, contrac-
5 tors, retailers or any other persons providing apparel for sale that
6 denotes that such apparel was manufactured without the use of abusive
7 and exploitative labor. The commissioner shall consult with business
8 and labor representatives, including, but not limited to, represen-
9 tatives of the union of needletraders, industrial and textile employees,
10 and the garment industry development corporation regarding the develop-
11 ment of such label or symbol.

12 (b) For purposes of this article the term "label" or "symbol" shall
13 mean the written, printed or graphic matter (1) affixed or attached to
14 or printed on the apparel, or (2) placed on or otherwise made a part of
15 the containers or wrappers of such apparel.

16 2. The commissioner shall promulgate rules and regulations requiring
17 manufacturers, contractors, retailers or other persons providing apparel
18 for sale intending to use such label or symbol to notify the commission-
19 er and department. Such rules and regulations shall include, but not be
20 limited to:

21 (a) that permission must be obtained from the commissioner before such
22 label or symbol may be used; and

23 (b) a nominal fee may be charged to cover any administrative costs
24 incurred in such notification and approval process.

25 3. It shall be a violation for a manufacturer, contractor, retailer or
26 other person providing apparel for sale to use the label or symbol
27 provided for in subdivision one of this section without receiving
28 permission to do so from the commissioner. Any manufacturer, contractor,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 retailer or other person providing apparel for sale who or which is

2 found guilty of violating the provisions of this section shall be
3 subject to such fines and penalties as the commissioner shall prescribe.

4 § 2. This act shall take effect on the one hundred twentieth day after
5 it shall have become a law; provided that the commissioner of labor
6 shall promulgate any rules and regulations necessary for the timely
7 implementation of this act on its effective date on or before such date.