

REVISED LEGISLATIVE DIGEST

(3/20/2018, Amended in Board)

[Health Code - Banning Sale and Manufacture of Animal Fur Products]

Ordinance amending the Health Code to ban the sale and manufacture in San Francisco of animal fur products.

Existing Law

San Francisco law does not presently address the sale or manufacture of products made with animal fur. California Penal Code Section 598a makes it a misdemeanor to possess, import into the State, sell, buy, give away or accept any pelt of a dog or cat with the sole intent of selling or giving away the pelt. California Fish and Game Code Section 3039 provides that goods made from furbearing mammals and nongame mammals trapped lawfully under the authority of a trapping license may be bought or sold at any time.

19 U.S. Code Section 1308 makes it unlawful to import or export any dog or cat fur product, or to engage in interstate commerce, sell, offer to sell, trade, advertise, transport, or distribute in interstate commerce, any dog or cat fur product, punishable via civil penalty of up to \$10,000 per violation.

Amendments to Current Law

This proposal would ban the sale, display for sale, and manufacture of “fur products” in San Francisco. For the purposes of this ordinance, “fur” would include any animal skin or part thereof with hair, fleece or fur fibers attached thereto, either in its raw or processed state, and exclude such skins as are to be converted into leather, which in processing shall have the hair, fleece or fur fiber completely removed, cowhide with hair attached thereto, or lambskin or sheepskin with fleece attached thereto. “Fur products” would include articles of clothing or covering for the body, or any fashion accessory, including handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, and like items, that is made in whole or in part of fur, excluding dog and cat fur products. “Used fur products” would include any fur product a person has acquired for his or her own use and has worn.

The sales ban would not apply to certain sales of used fur products, or the sale of fur products made from furbearing mammals and nongame mammals lawfully taken under the authority of a trapping license, pursuant to California Fish and Game Code Section 3039, subdivision (b). The manufacturing ban would not apply to the manufacture of fur products from fur sourced exclusively from used fur products.

FILE NO. 171317

The ordinance would charge the Director of the Department of Public Health and/or his or her designee(s) with oversight and enforcement. It would become operative on January 1, 2019.

The proposal's enforcement and penalty provisions would not apply to persons selling fur products between January 1, 2019 and December 31, 2019, if the person purchased or obtained the fur products on or before March 20, 2018, so long as the person produces upon the Director's request an invoice showing that the person purchased or obtained the fur product items on or before March 20, 2018.

Background

This legislative digest reflects amendments introduced at the Public Safety and Neighborhood Services Committee on January 24, 2018, and at the Board of Supervisors on March 20, 2018. The ordinance was originally introduced before the Board of Supervisors on December 12, 2017.

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