



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 16 of 1944.

An Act to provide that certain textile products shall bear trade descriptions showing their fibre content, and for purposes incidental thereto.

[Assented to 30th November, 1944.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. This Act may be cited as the "Textile Products Description Act, 1944". Short title
2. This Act shall commence on a day to be fixed by the Governor by proclamation. Commencement of Act.
3. (1) In this Act, unless the context otherwise requires or some other meaning is clearly intended— Interpretation.
 - "fibre" means wool, hair, silk, cotton, fibre of flax, or any other fibre, natural or artificial :
 - "re-processed wool" means wool recovered from woven, knitted or felted material which has not been used :
 - "re-used wool" means wool recovered from woven, knitted or felted material which has been used :
 - "textile product" means—
 - (a) any product (including garments, piece goods and rolls) manufactured from fibre by weaving, knitting, felting, or other process :
 - (b) tops and yarns,
 but does not include any textile product which is exempted from this Act by proclamation :

“virgin wool” means wool other than re-processed wool or re-used wool :

“wool” means fibre of the fleece of any variety of the domestic sheep or lamb (*ovis aries*) :

“wrapping” means any box, paper, carton, band or other wrapping in which textile products are packed or bound, but does not include any such wrapping in which the products are packed or bound by a retailer for delivery to a retail buyer.

(2) The Governor may by proclamation declare that any textile product shall be exempted from this Act and may by proclamation vary or revoke any proclamation for the time being in force under this section.

Duty to label
textile
products.

4. A person shall not sell, offer to sell, expose for sale or deliver on sale any textile product unless a description complying with section 5 of this Act is applied in accordance with that section to that product and to any wrapping in which that product is packed or bound.

Requirements
as to
descriptions.

5. A description applied to textile products pursuant to section 4 of this Act shall comply with the following requirements:—

- (a) It shall be written in English in clearly legible characters :
- (b) It shall be printed on or woven into the product or wrapping or a tag, label, or ticket affixed or attached to the product or wrapping :
- (c) It shall be conspicuously placed so as to be clearly visible :
- (d) It shall show separately the percentage by weight of each of the following ingredients of the textile product:—
 - (i.) virgin wool ;
 - (ii.) re-processed or re-used wool ;
 - (iii.) each fibre other than wool if the percentage by weight of all such fibres is five per cent or more ;
 - (iv.) any non-fibrous loading, filling or adulterating material :
- (e) The word “wool” or any word derived from the word “wool” shall not be used in the description to describe or to form part of the description of any fibre which is not wool :

- (f) If a textile product contains at least ninety-five per centum by weight of virgin wool, it shall be sufficient if the product is described as "woollen goods", or "all wool", or "pure wool":
- (g) It shall comply with any requirements which are prescribed by regulation under this Act.

6. (1) A person shall not sell, offer to sell, or expose for sale or deliver on sale any textile product to which is applied a description which consists of or contains the word "wool" or any word derived from the word "wool" unless at least fifty per cent. by weight of the materials of which that product is made is wool: Provided that this subsection shall not apply to the description required under section 5 of this Act.

Restriction on use of word "wool" or "woollen."

(2) For the purposes of subsection (1) of this section a description shall be deemed to be applied to a textile product if the description is marked on the product, or on any tag, label or ticket attached thereto, or on any wrapping in which the product is packed or bound, or if the description is used or applied in any manner likely to lead to the belief that it describes the product.

7. A person who contravenes any provision of this Act shall be guilty of an offence and liable on summary conviction to a fine of not more than one hundred pounds.

Offences and penalty.

8. In proceedings for an offence against section 4 of this Act in respect of any textile products it shall be a defence—

Defence.

- (a) in a case where the defendant is the manufacturer of the products, that the percentages of the fibre contents of the products did not differ from those stated in the description by more than three per cent in the aggregate:
- (b) in a case where the products are imported goods, that the products were sold having applied thereto a description showing all particulars required by or pursuant to the Commerce (Trade Descriptions) Act, 1905-1933, of the Commonwealth, and the regulations thereunder:
- (c) in any case, that at the time when the offence occurred the products bore the same description as had been applied to them when the defendant acquired them and that that description appeared to comply with this Act and had not been altered in any way by the defendant.

Regulations.

9. The Governor may make any regulations necessary or convenient for carrying this Act into effect and may by regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulations.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.