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First Statewide Fur Ban Takes Effect This Year**

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**CALIFORNIA LAW CHANGES THE FASHION INDUSTRY
FUREVER:
First Statewide Fur Ban Takes Effect This Year**

Mikee Olegario*

On January 1, California made history by becoming the first state in the country to take a significant step toward ending the fur trade within its borders.¹ Assembly Bill 44 was introduced and passed, prohibiting the sale of “new clothing and accessories made of fur,” including handbags, shoes, pompoms, and key chains.² This bill, which became one of the strongest animal rights laws in U.S. history, was passed in 2019 and is set to be enacted at the beginning of 2023.³ Although the fur industry has been declining for the past two decades, it *does* remain a significant industry in the United States, with retail fur sales amounting to \$1.5 billion in 2014.⁴ Given California's past leadership in ethical fashion, many are curious about the potential implications of this ban for the rest of the nation and how it might influence the future of the fur industry.⁵

Less than fifty years ago, fur, particularly the mink coat, was considered the ultimate status symbol for women.⁶ The fur fashion

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¹ Jonathan Allen, *California bans sale, manufacture of fur products from 2023*, REUTERS (2023), <https://www.reuters.com/article/us-california-fur/california-bans-sale-manufacture-of-fur-products-from-2023-idUSKBN1WR0KQ>.

² *Id.*

³ *Id.*

⁴ Anne Ball et al., *The Rise and Fall of the Real Fur Industry in the U.S.*, BUSINESS INSIDER (2022), <https://www.businessinsider.com/rise-and-fall-fur-industry-faux-mink-2022-2/>

⁵ *Associated Press*, California becomes first state to ban fur production and sales; animals also barred from circuses, USA TODAY (2019), <https://www.usatoday.com/story/news/politics/2019/10/13/california-bans-fur-sales-and-production-bars-animals-circuses/3968947002/>.

⁶ *Id.*

industry even reached a remarkable 1.9 billion in sales in the 1980s.⁷ However, by the late 1990s, animal rights movements, like PETA's "I'd rather go naked than wear fur" campaign, began to gain widespread support and normalize the anti-fur sentiment.⁸ As a result, the overall popularity of fur around the country has steadily declined over the years.⁹ Despite fur's popularity decline, no state had taken the step to explicitly ban the sale and distribution of fur—until now.¹⁰

With the new statute taking effect this year, citizens and companies wondered what this meant for the fur already made, owned, or in circulation before the bill came into effect.¹¹ The California bill is targeted toward the selling of fur rather than the *wearing* of fur.¹² Therefore, it is still legal to *own* fur within the state, but the law actively prohibits obtaining any new fur items past the enactment date.¹³ This could raise a potential concern on effective regulation of the law by the state.¹⁴ For example, differentiating between what fur is "new" and what is "old" may be challenging, allowing poachers to sidestep the new bill.¹⁵ Time will tell whether the sanctions put in place are enough of a deterrent to stop any under-the-table fur trade.¹⁶ Retailers who risk breaking the new law will be subjected to

⁷ Ball, *supra* note 1.

⁸ *Id.*; PETA Editors, *Victory! 'I'd Rather Go Naked Than Wear Fur' Goes Out With a Bang*, PEOPLE FOR ETHICAL TREATMENT OF ANIMALS (2023), <https://www.peta.org/features/id-rather-go-naked-than-wear-fur-campaign-ends/>

⁹ Ball, *supra* note 4.

¹⁰ *Id.*

¹¹ Vanessa Friedman, *The California Fur Ban and What It Means for You*, THE NEW YORK TIMES, <https://www.nytimes.com/2019/10/14/style/fur-ban-california.html>.

¹² *Id.*

¹³ Max Berlinger, *Fur Sales Are Illegal in California. Does Anyone Care?* THE NEW YORK TIMES, <https://www.nytimes.com/2023/02/23/style/fur-sales-california.html>.

¹⁴ *Id.*

¹⁵ Leslie A. Peterson, *Fur Production and Fur Laws*, ANIMAL LEGAL & HISTORICAL CENTER (2010), <https://www.animallaw.info/intro/fur-production-and-fur-laws>.

¹⁶ *Id.*

several civil penalties, including a fine of up to \$500 for a first offense and \$1,000 for multiple violations.¹⁷

Opponents of the bill argue that this is yet another extreme governmental overreach that is sure to have adverse effects on the state overall.¹⁸ Some fear that California's established businesses will opt to move to another state with no fur trade ban, taking away from critical local economies.¹⁹ The CEO of the Beverly Hills Chamber of Commerce insists that because the area is so famous worldwide for its "diverse and comprehensive luxury retail offerings," the prohibition of these products would place Beverly Hills at a competitive disadvantage with other states in the market.²⁰ However, due to the decline in the popularity of fur, the fur ban may make a slight difference.²¹ Fur appears to be leaving the fashion mainstream, with high brands already introducing faux furs in modern lines.²² Significant companies like Gucci, Yves Saint Laurent, Alexander McQueen, and Balenciaga had already banned the use of animal fur across all of their brands by the Fall of 2022.²³ With such big names in the industry backing this movement, it is not surprising that California decided it was time to lead the charge.²⁴

The question now is how will the rest of the country follow. Based on the media's influence on general trends in the past, some

¹⁷ AB 44 - California Assembly (2019-2020).

¹⁸ Emily A. Reyes, *L.A. will become the biggest city in the U.S. to ban fur sales.*, LOS ANGELES TIMES (2019), <https://www.latimes.com/local/lanow/la-me-ln-los-angeles-fur-ban-20190212-story.html>.

¹⁹ Elizabeth Castillo, *Fur flies as California moves closer to a statewide ban*, CALMATTERS, (July 10, 2019) <https://calmatters.org/politics/california-legislature/2019/07/fur-ban-california-animal-rights-friedman-bill/>.

²⁰ *Id.*

²¹ *Id.*

²² Leah Dolan, *Luxury giant Kering pledges to go fur-free*, CNN, <https://www.cnn.com/style/article/kering-bans-fur/index.html>

²³ *Id.*

²⁴ *Id.*

hypothesize that the heavy media coverage will cause individuals to believe “that the society highly stigmatizes wearing animal fur” and that most people would “devalue or socially reject a person who wears genuine fur.”²⁵ California is a significant player in the fashion industry, ranking #1 in apparel overall nationally.²⁶ It seems inevitable that the state’s choice to discontinue fur sales will impact fur in the fashion world elsewhere.²⁷ The country has already seen multiple local governments throughout the country prohibit the sale of new fur items.²⁸ Organizations, such as Animal Legal Defense Fund (ALDF), have dedicated their efforts to supporting local and statewide legislative efforts to ban the sale of fur.²⁹ West Hollywood, the first city in the United States to put a fur sale ban in place, based its language on model legislation provided by the ALDF.³⁰ While California might be the first in the United States to draft state legislation of this kind, several countries around the world have been more progressive in the movement.³¹ Countries such as the United Kingdom, Norway, Croatia, and the Czech Republic have already banned fur farming within their borders.³² Some countries that have also opted to implement partial bans on certain species for fur, such

²⁵ D.C. Shin, and B.E. Jin, *Do fur coats symbolize status or stigma? Examining the effect of perceived stigma on female consumers’ purchase intentions toward fur coats*, *Fash. Text* 8, 10 (2021). <https://doi.org/10.1186/s40691-020-00229-2>

²⁶ “Fashion, Apparel & Lifestyle.” n.d. Los Angeles County Economic Development Corporation. Accessed March 30, 2023. <https://laedc.org/industry-cluster-development/fashion-apparel-lifestyle/>.

²⁷ *Id.*

²⁸ See Jason Kandel, “*West Hollywood endorses first fur ban in United States.*” *REUTERS* (2011), <https://www.reuters.com/article/us-fur-ban-california/west-hollywood-endorses-first-fur-ban-in-united-states-idUSTRE7A909T20111110>.

²⁹ ALDF Editors, *Fur*, Animal Legal Defense Fund (February 17, 2023), <https://aldf.org/issue/fur/>.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

as France's ban on mink fur farms.³³ While this is the direction that the United States might be moving towards, the country still has a long way to go before fur is wholly banned from trade completely.³⁴

California's Assembly Bill 44 marks a significant milestone in the movement toward ending the fur trade within the United States. While the ban raises some concerns regarding regulation and enforcement, many see it as a positive step toward promoting ethical and sustainable fashion practices.³⁵ With the decline of fur's popularity and influential fashion brands already phasing out its use, California's ban may influence other states to follow suit.³⁶ As other states grapple with similar bans, it will be interesting to see how the ban on fur will shape the future of fashion and the treatment of animals.³⁷

³³ Fur Free Alliance Editors, *Historic news: France bans the farming of wild animals for their fur*, FUR FREE ALLIANCE (2021), <https://www.furfreealliance.com/historic-news-france-bans-the-farming-of-wild-animals-for-their-fur/>.

³⁴ Emily Snow Ehrhorn, *California's statewide ban on animal fur products officially takes effect.*, HUMANE SOCIETY OF THE UNITED STATES (2022), <https://www.humanesociety.org/news/californias-statewide-ban-animal-fur-products-officially-takes-effect>.

³⁵ Friedman, *supra* note 11.

³⁶ *Id.*

³⁷ *Id.*