



Legislation Text

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Int. No. 2272

By Council Member Kallos

A Local Law in relation to agency purchasing of textiles, including required reporting on the supply chain for such textiles, and to establish a task force to recommend legislation and policy for environmentally preferable purchasing, use and disposal of such textiles

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

Agency. The term “agency” means a city, county, borough, or other office, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury, unless otherwise specified.

City. The term “city” means the city of New York.

Director. The term “director” means the director of citywide environmental purchasing, unless otherwise specified.

Task force. The term “task force” means the task force established by this local law.

Textile. The term “textile” has its common meaning, and includes cloth, fabric and other flexible materials made of animal skin, hair, fur or fleece; plants; minerals; or synthetic materials.

Textile good. The term “textile good” means a good made in whole or in part of textiles.

§ 2. Report on agency purchases of textiles. a. Information to be reported. The director shall prepare a report of the following information regarding agency purchases of textile goods for the 4 years preceding the effective date of this local law:

1. A list of such goods, as categorized by the director pursuant to paragraph 1 of subdivision b of this

section, and the following information for each such good:

- (a) The textiles found in the textile good;
 - (b) The location where the finished textile good was produced;
 - (c) The location where each textile component of the finished textile good was produced or processed, if different from the location where the finished textile good was produced, including the following stages in the supply chain and any others, if traceable, as applicable: (i) raw material production or extraction; (ii) fiber manufacturing, including scouring; (iii) slaughter, tanning, dressing or dyeing; (iv) weaving, spinning, knitting or felting; and (v) cutting and sewing;
 - (d) The average time such textile good is used for agency purposes before disposal;
 - (e) How such textile good is disposed of, including whether it is recycled or landfilled and, if recycled, the secondary use; and
 - (f) Whether any textile component of such textile good is biodegradable, and if so, by what measure, in what conditions and the effective rate of biodegradation;
2. The total value of contracts for such textile goods, in the aggregate and disaggregated by agency, textile and additional textile content information required pursuant to paragraph 3 of subdivision b of this section;
3. The total volume of such textile goods in units designated by the director, in the aggregate and disaggregated by textile and additional textile content information required pursuant to paragraph 3 of subdivision b of this section; and
4. A list of vendors authorized to sell such textile goods to employees of agencies, and for each such vendor, the textile goods offered for sale and the agency for whose employees such textile goods are offered for sale.

b. Additional reporting specifications. For purposes of the report required in subdivision a of this section:

1. The director shall determine how to categorize textile goods for the purpose of reporting information about such goods in an organized, consistent and accurate manner, and to facilitate comparison of such goods by terms required by this local law. At the most general level, examples of textile goods include, but are not necessarily limited to, uniforms and other apparel, including footwear, regalia and other accessories; upholstery; blankets; and industrial use textiles. For purposes of reporting, the director shall categorize textile goods with as much specificity as necessary to meet the requirements and further the purposes of this local law.

2. Examples of textiles found in textile goods include, but are not necessarily limited to, polyester, nylon, cotton, wool, leather, fur, silk, alpaca, modal, viscose, acrylic, hemp, polyurethane leather, polyvinyl chloride (PVC) and blends thereof, provided that the composition of blends shall be specified.

3. For each textile good referenced in the report, the director shall further report:

- (a) Whether the textile good is composed in whole or in part of a virgin textile;
- (b) Whether the textile good includes recycled textiles, and if so, the percentage of recycled content;
- (c) Whether the textile good includes organic textiles, and if so, the percentage of organic content; and
- (d) Whether the textile good includes animal-derived textiles, and if so, the species and the country of origin.

4. Claims of the nature or content of textiles shall include a reference to the certification, standard or other proof of such content.

5. Locations shall be reported as specifically as practicable, including the name of the factory or mill, if applicable.

6. For purposes of all reports required by this local law, agency purchases of goods shall be deemed to include purchases by agency employees from authorized vendors.

c. When due; missing information. The director shall submit the report prepared pursuant to subdivision a of this section to the speaker of the council and publish it on the city's website no later than 180 days after the effective date of this local law. If additional time is needed to obtain required information, the director shall ask

the speaker of the council for leave to submit a supplementary report. Any such supplemental report shall be submitted to the speaker of the council and published on the city's website no later than 1 year after the effective date of this local law. In all reports required by this section, the director shall describe the efforts made to obtain any missing required information and explain why such information cannot be obtained.

§ 3. Task force. a. Task force established. There shall be a task force to develop environmentally preferable purchasing guidelines for textiles, and to make recommendations for legislation and policy that would reduce the negative effects of agency consumption of textiles, which may include recommendations regarding agency textile use and waste management, and regulation of authorized vendors of agency-purchased textiles. Such guidelines shall serve the following purposes:

1. To conserve, protect and rehabilitate resources, including land, timber, water and energy, and to promote the efficient use thereof;
2. To eliminate reliance on virgin textiles, with an emphasis on virgin textiles that require intensive land and water resources for production, and to increase the use of recycled and reused textiles, recyclable and reusable textiles, and biodegradable textiles;
3. To eliminate reliance on textiles that have significant negative environmental impact based on criteria considered in Task 2, set forth in subdivision b of this section;
4. To eliminate the use of and exposure to hazardous substances, including bioaccumulative and toxic chemicals found in textiles, including chromium, formaldehyde and PVC;
5. To achieve net-zero greenhouse gas emissions, or a negative rate thereof, with respect to agency consumption of textiles;
6. To promote environmentally responsible use and end-of-life management of agency-purchased textiles;
7. To eliminate waste;
8. To eliminate public spending on textiles that are the result of environmental degradation;

9. To educate textile-purchasing agencies of false or misleading claims of environmentally preferable textiles and to prevent or prohibit the purchase of textiles falsely or misleadingly marketed as environmentally preferable; and

10. To in any other way practicable account for and reduce the negative effects, and generate positive effects, for the environment, of agency textile purchases.

b. Tasks. The task force shall complete the following tasks in the following order:

1. Task 1; assessment of needs. The task force shall comprehensively assess agency needs for textiles and forecast, as practicable, such needs for textiles in the 10 years following the effective date of this local law. In undertaking this task, the task force shall use reports published pursuant to section two of this local law, in addition to any other appropriate resource.

2. Task 2; consideration of options. The task force shall identify and consider the textiles available to meet the needs identified pursuant to task 1. The task force shall make best efforts to thoroughly consider innovative textiles, as well as innovative production methods of textiles and textile goods. The task force shall prioritize for consideration textiles that maximize the opportunity to reduce the negative effects, and to produce positive effects, of agency textile purchases for the environment. In undertaking this task, the task force shall compare textiles across the following criteria:

(a) Ability to meet agency needs;

(b) Financial cost;

(c) Availability;

(d) Environmental impact, as can be assessed along the supply-chain and the life-cycle of the textile by the following indicators, provided that indicators set forth in clauses (1), (13), (15), (16) and (19) shall be given the greatest weight in such assessment:

(1) Climate change;

(2) Ozone depletion;

- (3) Human toxicity;
- (4) Photochemical oxidant formation;
- (5) Particulate matter formation;
- (6) Ionizing radiation;
- (7) Terrestrial acidification;
- (8) Freshwater eutrophication;
- (9) Marine eutrophication;
- (10) Terrestrial ecotoxicity;
- (11) Freshwater ecotoxicity;
- (12) Marine ecotoxicity;
- (13) Agricultural land occupation;
- (14) Urban land occupation;
- (15) Natural land transformation;
- (16) Water depletion;
- (17) Metal depletion;
- (18) Fossil depletion;
- (19) Biodiversity;
- (20) Impact on endangered or threatened species; and
- (21) Any other indicator of environmental impact for which a methodology of measurement is available,

as agreed upon by the task force;

(e) Whether such textile is made of virgin or recycled materials, and such textile's capability to be recycled by any means, including mechanical or chemical, in whole or in part; and

(f) The potential for end-of-life management of such textile that will eliminate reliance on landfill, ensure conditions for environmentally responsible and managed decomposition, and promote reuse and

recyclability.

3. Task 3; creation of guidelines. The task force shall create guidelines for environmentally preferable purchasing of textiles based on the task force's findings and conclusions in tasks 1 and 2. Guidelines may be agency-specific, as appropriate. In addition, such guidelines may include guidance for (i) extending the use phase of textiles; (ii) reducing the environmental impact of the use phase of textiles; and (iii) environmentally preferable methods of disposal. In undertaking this task, the task force may consider third-party standards and certifications for claims of recycled, organic or other forms of environmentally responsible content, and may incorporate them in such guidelines if the task force determines that such standards or certifications promote the purposes of environmentally preferable purchasing. The task force may also consider relevant expert materials. Among the third-party standards, certifications and other expert materials that the task force may consider are:

- (a) The HIGG Material Sustainability Index;
- (b) The Global Organic Textile Standard;
- (c) The Cradle to Cradle Certification;
- (d) The United Nations Environment Programme Life Cycle Sustainability Assessment;
- (e) The Bluesign Certification; and
- (f) The Global Recycled Standard.

4. Task 4; final report. (a) No later than 1 year after the first meeting of the task force and publication of the first report required in section one of this local law, the task force shall submit a report to the mayor and the speaker of the council setting forth in detail the task force's findings and conclusions, and any supporting methodology and analysis, that form the basis of the task force's guidelines for environmentally preferable purchasing of textiles. Such report shall contain the guidelines created pursuant to task 3 and any recommendations for legislation or policy, and the identification of barriers thereto, for implementing such guidelines. Such report shall include recommendations for city management of agency-purchased textile waste,

or a superior alternative.

(b) The director shall publish the task force's report on the city's website no later than 5 days after its submission to the mayor and the speaker of the council.

5. Task 5; additional costs. In addition to the tasks and reporting duties set forth in this subdivision, the task force shall consider and assess information about other costs, including social costs, relevant to the production and processing of agency-purchased textiles, including, but not limited to: (i) information, or the lack thereof, about the working conditions of laborers at any step in the supply chain of such textiles, including the availability of employer-provided benefits, information on laborers' wages, the existence of collective bargaining rights, and workplace procedures and protections to address and safeguard laborer health and safety, including employer processes or policies for addressing claims of harassment and bullying; (ii) the effects of such conditions on laborer health; (iii) the impact of textile production and processing on the communities in which such industry takes place; and (iv) any other criteria relevant to considering the effects, whether environmental, social, economic or otherwise, of agency purchases of textile goods. The task force shall identify where such effects are interrelated or co-constitutive. The task force shall prepare a report of its findings and conclusions in connection with such assessment, and the task force may make recommendations for legislation and policy, and identify barriers to such legislation and policy, to account for and address the full range of costs associated with agency textile purchases. Such report shall be appended to the report required in Task 4 and published accordingly.

c. Membership. 1. The task force shall be composed of the following members:

- (a) The director or the director's designee, who shall serve as chair;
- (b) The comptroller or the comptroller's designee;
- (c) The commissioner of citywide administrative services, or such commissioner's designee;
- (d) The commissioner of sanitation, or such commissioner's designee;
- (e) The commissioner of environmental protection, or such commissioner's designee;

(f) The chair of the procurement policy board, or such chair's designee;

(g) The director of long-term planning and sustainability, or such director's designee;

(h) The director of the office of minority and women-owned business enterprises, or such director's designee;

(i) (1) Nine persons, five of whom shall be appointed by the mayor and four of whom shall be appointed by the speaker of the council, who shall meet the following criteria:

(A) Each such person shall have demonstrated expertise in one or more of the following subject matters:

(i) assessment of the environmental impact of textiles; (ii) innovative textiles and product design; or (iii) textile waste management;

(B) No such person shall be an employee of a government agency;

(C) No such person shall be in the business of producing or processing fibers or other materials used in textile goods purchased by agencies; and

(D) No such person shall be a representative of a trade group in the textile goods industry.

(2) In appointing such persons, the mayor and the speaker of the council shall make best efforts to ensure that such persons represent diverse expertise in subject matter areas relevant to the tasks set forth in subdivision b of this section. There shall be at least one person appointed for each subject matter specified in item (A) of clause (1) of this subparagraph.

2. The mayor may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.

3. All appointments required by this section shall be made no later than 180 days after the effective date of this local law.

4. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. Members of the task force shall serve without

compensation.

d. Meetings. 1. The chair shall convene the first meeting of the task force no later than 15 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in subdivision c, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.

2. The task force shall invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

3. At the first meeting of the task force, the task force shall determine, by majority vote of its members, the frequency with which it shall meet in order to ensure fulfillment of its duties pursuant to this local law.

4. The meeting requirement of paragraph 3 of this subdivision shall be suspended when the task force completes all tasks required in subdivision b of this section.

e. Termination. The task force shall terminate 180 days after the date on which it completes task 4 pursuant to subdivision b of this section.

§ 4. Agency support. a. In general. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency, the director and the task force related to the requirements and duties set forth in this local law.

b. Agency representatives. The head of each agency that requires such agency's employees to wear a uniform shall designate from among such agency's employees a representative with knowledge of the technical specifications for such agency's uniform apparel and accessories, to assist the members of the task force, as necessary, in fulfillment of the duties imposed by this local law.

§ 5. Effective date. This local law takes effect 180 days after it becomes law. The director of citywide environmental purchasing, in collaboration with other relevant agencies, shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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