

75TH CONGRESS
1ST SESSION

S. 1976

IN THE SENATE OF THE UNITED STATES

MARCH 24, 1937

MR. WHEELER introduced the following bill; which was read twice and referred to the Committee on Interstate Commerce

A BILL

To regulate interstate transportation of products of child labor in certain cases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That all goods, wares, and merchandise manufactured, pro-
4 duced, or mined on or after January 1, 1938, wholly or in
5 part through the use of child labor, transported into any
6 State or Territory of the United States and remaining therein
7 for use, consumption, sale, or storage, shall upon arrival and
8 delivery in such State or Territory be subject to the opera-
9 tion and effect of the laws of such State or Territory to the
10 same extent and in the same manner as though such goods,
11 wares, and merchandise had been manufactured, produced.

1 or mined in such State or Territory, and shall not be exempt
2 therefrom by reason of being introduced in the original
3 package or otherwise.

4 SEC. 2. It shall be unlawful for any person knowingly
5 to transport or cause to be transported, in any manner or
6 by any means whatsoever, or aid or assist in obtaining
7 transportation for or in transporting any goods, wares, and
8 merchandise manufactured, produced, or mined on or after
9 January 1, 1938, wholly or in part through the use of child
10 labor, from one State, Territory, Puerto Rico, Virgin Islands,
11 or District of the United States, or place noncontiguous but
12 subject to the jurisdiction thereof, or from any foreign coun-
13 try, into any State, Territory, Puerto Rico, Virgin Islands,
14 or District of the United States, or place noncontiguous but
15 subject to the jurisdiction thereof, where said goods, wares,
16 and merchandise are intended by any person interested
17 therein to be received, possessed, sold, or in any manner
18 used, either in the original package or otherwise, in violation
19 of any law of such State, Territory, Puerto Rico, Virgin
20 Islands, or District of the United States, or place noncon-
21 tiguous but subject to the jurisdiction thereof.

22 SEC. 3. The outside of all packages containing any
23 goods, wares, and merchandise manufactured, produced, or
24 mined on or after January 1, 1938, wholly or in part through
25 the use of child labor, when shipped or transported in inter-

1 state or foreign commerce shall bear a conspicuous label
2 truthfully setting forth—

- 3 (1) The name and address of the shipper;
- 4 (2) The name and address of the consignee;
- 5 (3) The nature of the contents; and
- 6 (4) A classification according to years of age of chil-
7 dren of each sex through the use of whose labor the contents
8 have been manufactured, produced, or mined, which classifi-
9 cation shall indicate (a) the type or types of work performed
10 by each class; (b) the minimum number of years of a
11 regular course of study in a public, private, or parochial
12 school completed by members of each class not certified by
13 qualified public officials to be incapable of profiting from
14 further attendance at school; (c) the maximum number of
15 hours of labor per day and per week and the maximum
16 number of days of labor per week devoted to employment
17 by members of each class not attending public, private, or
18 parochial school when such schools are in session; and
19 (d) similar information as to hours and days of labor de-
20 voted to employment by members of each class attending
21 public, private, or parochial schools during periods when
22 such schools are in session and during vacation periods.

23 None of the contents of any package bearing a label
24 complying with the requirements of this section shall be
25 removed from said package and repacked and shipped or

1 transported in interstate or foreign commerce, whether or not
2 said contents shall have been processed or fabricated, unless
3 the classification set forth in the label on the package from
4 which said contents were removed shall be set forth in its
5 entirety in the label on the package in which said contents
6 are repacked.

7 SEC. 4. For the purposes of this Act the term "child
8 labor" shall be defined as employment of a minor under the
9 age of sixteen years, and the term "children" shall be defined
10 as minors under the age of sixteen years. The phrase
11 "manufactured, produced, or mined" as used in this Act shall
12 not be construed to mean planting, cultivation, and harvest-
13 ing of fruits, grains, vegetables, and other agricultural
14 products.

15 SEC. 5. Any person violating any provision of this Act
16 shall for each offense, upon conviction thereof, be punished
17 by a fine of not more than \$1,000, and such goods, wares,
18 and merchandise shall be forfeited to the United States, and
19 may be seized and condemned by like proceedings as those
20 provided by law for the seizure and forfeiture of property
21 imported into the United States contrary to law: *Provided,*
22 *however,* That no person who in conformity to Section 3 of
23 this Act and in good faith sets forth in a label on a package
24 in which goods, wares, and merchandise are repacked a
25 classification set forth in a label on a package from which

1 such goods, wares, and merchandise were removed shall be
2 deemed thereby to have violated this Act so as to render
3 himself subject to conviction or the repacked goods, wares,
4 and merchandise subject to forfeiture in the event any of the
5 information contained in such classification proves to be false.

6 SEC. 6. Any violation of this Act shall be prosecuted in
7 any court having jurisdiction of crime within the district in
8 which said violation was committed, or from or into which
9 any such goods, wares, or merchandise may have been
10 carrier or transported, or in any Territory, Puerto Rico,
11 Virgin Islands, or the District of Columbia, contrary to the
12 provisions of this Act.

76TH CONGRESS }
1ST SESSION } S. 1976

A BILL

To regulate interstate transportation of products of child labor in certain cases.

By Mr. WHEELER

MARCH 24, 1937
Read twice and referred to the Committee on
Interstate Commerce