STATE OF NEW YORK

6908

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to labelling of synthetic hair products that contain a carcinogen or a reproductive toxicant

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 391-x to read as follows:

§ 391-x. Synthetic hair product labeling. 1. For purposes of this section:

a. "Synthetic hair product" or "product" means a product produced through the synthesis of artificial materials such as polyester, nylon, acrylic, or cellulose to create fibers that undergo various chemical processes to resemble human hair;

b. "Manufacturer" shall mean a person, firm, association, partnership or corporation who manufactures the final synthetic hair product or whose brand name is affixed to the product. In the case of a product that was imported into the United States, "manufacturer" includes the importer or first domestic distributor of the product if the entity who currently manufactures or assembles the product or whose brand name is affixed to the product does not have a presence in the United States;

c. "Chemical" shall mean a substance with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation or metabolism;

d. "Carcinogen" shall mean any chemical identified as:

(i) a "Group 1 carcinogen" or "Group 2A carcinogen" by the World Health Organization or International Agency for Research on Cancer;

(ii) "known to be a human carcinogen" and "reasonably anticipated to be a human carcinogen" by the Secretary of the United States Department

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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of Health and Human Services pursuant to the Public Health Service Act, 42 United States Code, Section 241(b)(4), as amended; and

(iii) "Group A carcinogens" or "Group B carcinogens" by the United States Environmental Protection Agency; and

e. "Reproductive toxicant" is any chemical identified as a reproductive or a developmental toxicant by the United States Department of Health and Human Services, National Toxicology Program, Center for the Evaluation of Risks to Human Reproduction.

2. Any synthetic hair product being offered for sale in the state of New York that contains a carcinogen or a reproductive toxicant shall provide a clear and conspicuous warning label displayed on the packaging or product itself, which shall be printed in type no less than size twelve-point font, that notifies the consumer at the time of the sale that such synthetic hair product contains such chemicals. The warning label shall state:

(i) if a product contains a carcinogen: "This product contains a chemical known to cause cancer";

(ii) if a synthetic hair product contains a reproductive toxicant: "This product contains a chemical known to cause birth defects or other reproductive harm"; or

(iii) if a synthetic hair product contains both a carcinogen and a reproductive toxicant: "This product contains chemicals known to cause cancer and birth defects or other reproductive harm".

3. Manufacturers shall be responsible for ensuring that all synthetic hair product display the warning label as required by subdivision two of this section.

4. Whenever there shall be a violation of this section, an application may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction by a special proceeding to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violation; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. Whenever the court shall determine that a violation of this section has occurred, the court may impose a civil penalty up to two hundred fifty dollars per unit for the first offense and up to five hundred dollars per unit for each subsequent offense. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and to issue subpoenas in accordance with the civil practice law and rules.

§ 2. This act shall take effect eighteen months after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.