

# STATE OF NEW YORK

73--A

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. SOLAGES, MAMDANI, SIMONE, SHIMSKY, ANDERSON, CHANDLER-WATERMAN, GALLAGHER, TAPIA, EACHUS, DAVILA, SAYEGH, ROSENTHAL, LEVENBERG, BURDICK, REYES, LUCAS, WEPRIN, BICHOTTE HERMELYN, TAYLOR, HEVESI, FORREST, KELLES, SHRESTHA, SIMON, EPSTEIN, COLTON, SEAWRIGHT, KAY, FALL, VALDEZ, PAULIN, CUNNINGHAM, TORRES, ALVAREZ, BURROUGHS, SCHIAVONI, O'PHARROW, ROMERO, GRIFFIN, BRONSON, GIBBS, STIRPE, SEPTIMO, GONZALEZ-ROJAS, LASHER, LAVINE, LUNSFORD, CRUZ, HOOKS, KIM, McDONOUGH -- read once and referred to the Committee on Consumer Affairs and Protection -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to labeling requirements for gas stoves

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "Healthy Homes Right To Know Act".

3 § 2. Legislative findings. The legislature finds and declares that:

4 1. New York has a long history of protecting its citizens by making  
5 sure they have adequate knowledge to make informed purchasing decisions.

6 2. The public is broadly unaware of the health dangers posed by gas  
7 stoves. On May 8, 2023, ten state attorneys general, including the  
8 attorney general of New York State as well as the New York City Corpo-  
9 ration Counsel, sent a letter to the Consumer Product Safety Commission  
10 (CPSC), in which they asserted, "Most of the research and evidence on  
11 the health risks associated with elevated levels of emissions from gas  
12 appliances has been circulated among decisionmakers and engaged stake-  
13 holders. This has left the public to try to piece together health and  
14 safety information--which can be false or misleading--from the internet,  
15 social media, and other non-authoritative sources. Thus, when it comes

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

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1 to gas stove emissions, consumers are presently unprotected against, and  
2 inadequately informed about, the health hazards these appliances pose."  
3 Those dangers may now be particularly acute as, according to the U.S.  
4 Environmental Protection Agency, "Americans on average, spend approxi-  
5 mately 90% of their time indoors where concentrations of some pollutants  
6 are often 2 to 5 times higher than typical outdoor concentrations."

7 3. The same letter suggests, "requiring warning labels on gas stoves  
8 that provide more information on their health risks". The letter goes on  
9 to say, "Proper labeling on gas stoves would represent an important step  
10 in helping to educate consumers about the health risks associated with  
11 gas stoves. Providing this information upfront is essential to enabling  
12 consumers to make a fully informed decision."

13 4. Current New York state regulations regarding unvented gas appli-  
14 ances are inconsistent. Since there is no statewide requirement that gas  
15 stoves be ventilated to the outdoors, a precautionary approach to public  
16 safety requires that these appliances be treated as unvented.

17 5. Although the research regarding the impacts of unvented gas heaters  
18 is vastly less robust than that regarding gas stoves, the New York State  
19 Department of Health nonetheless adopted regulations in January of 2023  
20 to require labeling of unvented gas heaters including, "WARNING: This  
21 appliance produces CARBON MONOXIDE, a poisonous gas. You MUST use carbon  
22 monoxide alarms to avoid injury or death". Labeling requirements for  
23 unvented heaters in California also include warnings of exposure to:  
24 "...chemicals including benzene, which is known to the state of Califor-  
25 nia to cause cancer and cause birth defects or other reproductive harm".

26 6. Given that the research regarding gas stoves is even more complete  
27 and compelling, New York State should also act to inform the public as  
28 has already been done with unvented gas heaters.

29 7. The scientific consensus on gas stove emissions is robust and grow-  
30 ing. It is now understood that gas stoves can emit carbon monoxide  
31 (CO), nitrogen dioxide (NO<sub>2</sub>), benzene, and formaldehyde. Methane emis-  
32 sions can occur even when the gas stove is turned off. According to the  
33 Concerned Health Professionals of New York and the Physicians for Social  
34 Responsibility, "Nearly three-quarters of methane emissions from gas  
35 stoves take place while the stove is turned off and not in use. At the  
36 same time levels of hazardous air pollutants from everyday use of gas  
37 stoves often exceed the limits of outdoor air quality standards. Indoor  
38 concentrations are often much higher than health-protective guidelines  
39 set by the World Health Organization."

40 8. According to the Centers for Disease Control and Prevention,  
41 "Carbon monoxide, or "CO," is an odorless, colorless gas that can kill  
42 you". The New York State Department of Health refers to carbon monoxide  
43 as a poisonous gas. Approximately 430 people die each year from carbon  
44 monoxide exposure. Thousands more become ill and seek medical attention.  
45 Carbon monoxide poisoning is estimated to cause more than 50,000 emer-  
46 gency room visits in the United States each year. According to the New  
47 York State Department of Health, annually, "In New York State, about 200  
48 people are hospitalized and over 1800 people visit an emergency depart-  
49 ment because of accidental CO poisoning." The numbers of accidental  
50 poisonings are on the rise. The U.S. Consumer Product Safety Commission  
51 "found evidence of a statistically significant upward trend in non-fire  
52 CO deaths for the 11-year period from 2009 to 2019". According to  
53 Preventative Medicine reports, "Accidental, non-fire related poisoning  
54 accounts for over \$1.3 billion annually in societal costs."

55 9. Notably, while carbon monoxide alarms are an important preventative  
56 measure to lower the risk of carbon monoxide poisoning, they are not

1 guaranteed to be effective. According to the National Carbon Monoxide  
2 Awareness Association: "Only 14% of families in the US have a properly  
3 functioning carbon monoxide alarm". An earlier report showed that in  
4 2009, 83% of NYC residents reported having CO alarms. However, only 54%  
5 of them had recently tested or replaced their batteries.

6 10. Nitrogen dioxide, or NO<sub>2</sub>, is a gaseous air pollutant composed of  
7 nitrogen and oxygen and is formed when fossil fuels are burned. The EPA  
8 has determined that NO<sub>2</sub> is "causal" of more severe respiratory symptoms  
9 in people with asthma and that long-term exposure to NO<sub>2</sub> is "likely  
10 causal" of respiratory illnesses such as asthma. The New England Journal  
11 of Medicine has found that, "Gas combustion in stoves, boilers and  
12 furnaces generates oxides of nitrogen," to which the article attributes,  
13 "Increased asthma risk; exacerbation of COPD and cardiovascular  
14 disease". The EPA includes NO<sub>2</sub> on its list of asthma triggers, and  
15 "unvented combustion appliances, e.g. gas stoves" is first on its list  
16 of "primary sources of NO<sub>2</sub> indoors".

17 11. Each year, asthma accounts for more than 439,000 hospitalizations,  
18 1.6 million emergency department visits, and 10.5 million physician  
19 office visits in the United States. About 10 people die from the disease  
20 every day. Asthma has been linked to 13.8 million missed school days and  
21 14.2 million missed workdays annually. The cost of treating asthma in  
22 the United States is \$62.8 billion every year.

23 12. A 2013 meta-analysis of 41 studies found that children living in  
24 homes with gas stoves had a 42 percent higher risk of experiencing asth-  
25 ma symptoms, and, over their lifetime, a 24 percent increase in the risk  
26 of being diagnosed with asthma, and a 2022 peer-reviewed research paper  
27 published in the International Journal of Environmental Research and  
28 Public Health found that more than 12% of current childhood asthma cases  
29 in the US can be attributed to gas stove use. The same paper suggests  
30 that attribution number is 18.8% of children with asthma in New York  
31 State.

32 13. The asthma crisis does not equally affect all New York communi-  
33 ties. Black Americans are approximately two times more likely to die of  
34 asthma than White Americans. Further, the percentage of Black children  
35 in the U.S. suffering from asthma is nearly twice that of White chil-  
36 dren, and their death rate is ten times higher. According to a 2023  
37 joint report from the New York State Department of Health and the New  
38 York City Department of Health and Mental Hygiene, "The burden of asthma  
39 falls disproportionately among specific demographic groups, specifically  
40 for persons and communities of color, where asthma prevalence is higher  
41 among Black, American Indian, and multiracial New Yorkers." The Centers  
42 for Disease Control and Prevention concurs with the assessment of  
43 disproportionate burden.

44 14. While the age-adjusted asthma mortality rate for New York City is  
45 higher than for New York State as a whole, with the Bronx demonstrating  
46 a notably higher mortality rate than the other boroughs, this problem  
47 should not be construed as a New York City issue. Other hotspots exist  
48 around the state. For example, years of academic research has convinc-  
49 ingly demonstrated alarmingly high rates of asthma on Buffalo's West  
50 Side. A study by Dr. Lwebuga-Mukasa, Professor of Medicine at the  
51 University of Buffalo, found that "nearly 45% of West Side households  
52 reported at least one case of chronic respiratory illness or asthma".

53 15. Gas and propane combustion from gas stoves emits benzene. A study  
54 from the Stanford Woods Institute for the Environment found that a  
55 single gas cooktop burner set on high, or an oven set at 350 degrees  
56 Fahrenheit can, "raise indoor levels of the carcinogen benzene above

1 those of secondhand smoke". According to the World Health Organization,  
2 "Human exposure to benzene has been associated with a range of acute and  
3 long-term adverse health effects and diseases, including cancer and  
4 haematological effects."

5 16. Formaldehyde is listed as a human carcinogen and has been found at  
6 more elevated levels associated with gas burners set to "simmer".

7 17. Ventilation of gas stove emissions to the outdoors can improve  
8 indoor air quality. However, many homeowners do not have ventilation,  
9 and it is not required by state law. In addition, studies also show that  
10 many people who have ventilation systems don't use them, often because  
11 of noise concerns. Vents can become blocked with debris and the effec-  
12 tiveness of ventilation systems can be compromised by changes in air  
13 pressure in the building envelope caused by the opening of windows or  
14 doors or the activation of bathroom fans, for example. Lastly, some  
15 people with range hoods may be under the mistaken belief that pollutants  
16 are being vented outdoors when in fact many hoods simply recirculate the  
17 air into the kitchen after filtering it. The effectiveness of filtration  
18 varies widely and is partially based on active maintenance of the  
19 filtration system.

20 18. Therefore it is the intent of the legislature to promote public  
21 health, support informed consumer choice, and create consistent public  
22 policy, by requiring labeling and signage regarding the health impacts  
23 of gas stoves.

24 § 3. The general business law is amended by adding a new section 322-d  
25 to read as follows:

26 § 322-d. Labeling requirements for gas stoves. 1. For the purposes of  
27 this section, "gas stove" means a stove or range that utilizes natural  
28 gas or propane and is used for indoor food preparation, whether in a  
29 commercial or residential setting, and provides at least one of the  
30 following functions:

31 (a) surface cooking;

32 (b) oven cooking; or

33 (c) broiling.

34 2. No person, firm, partnership, association, or corporation shall  
35 manufacture, distribute, assemble, sell or offer for sale any new gas  
36 stove unless the following requirements are met:

37 (a) A removable label is affixed to the gas stove, and a label is  
38 either affixed to or printed on the package in which it is contained, if  
39 applicable. Such label shall contain the following message:

40 "WARNING: Gas stoves can emit health harming pollutants (such as  
41 NITROGEN DIOXIDE, CARBON MONOXIDE, BENZENE, and FORMALDEHYDE) at  
42 potentially unsafe levels inside homes. The presence of these pollu-  
43 tants can affect your health and may exacerbate or contribute to the  
44 development of respiratory illnesses. Properly installed and operating  
45 ventilation to the outdoors can reduce but not eliminate emissions."

46 (b) Such removable label shall be in a type size no smaller than the  
47 largest type size used for other consumer information on the gas stove  
48 or package, and shall be in an easily viewable and accessible location  
49 on the gas stove or package.

50 3. The department of state shall adopt regulations regarding the  
51 placement and format of such removable labels outlined in subdivision  
52 two of this section.

53 4. The department of state shall make available on its website a model  
54 removable label, outlined in subdivision two of this section that can be  
55 used to comply with the provisions of this section.

1 5. Any person who violates any provision of this section shall receive  
2 a warning notice for the first such violation. A person shall be liable  
3 to the state of New York for a civil penalty not to exceed two hundred  
4 fifty dollars for the second violation and not to exceed one thousand  
5 dollars for any subsequent violation. A hearing or opportunity to be  
6 heard shall be provided prior to the assessment of any civil penalty.

7 6. The department of state and the office of the attorney general are  
8 authorized to enforce the provisions of this section.

9 § 4. This act shall take effect one year after it shall have become a  
10 law.