STATE OF NEW YORK

8816

IN SENATE

January 8, 2026

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to the restriction of certain substances in menstrual products; and to amend a chapter of the laws of 2025 amending the general business law relating to the restriction of certain substances in menstrual products, as proposed in legislative bills numbers S. 1548 and A. 1502, in relation to the effectiveness thereof

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

Section 1. Paragraph (c) of subdivision 1 of section 399-aaaa of the general business law, as added by a chapter of the laws of 2025 amending the general business law relating to the restriction of certain substances in menstrual products, as proposed in legislative bills numbers S. 1548 and A. 1502, is amended to read as follows:

(c) "restricted substance" shall mean [~~an unsafe chemical for inclusion in menstrual products as determined by the commissioner of health, which shall include, but not be limited to,~~] lead, mercury and related compounds, formaldehyde, triclosan, toluene, talc, dibutyl phthalate, [~~di(2)exylhexyl~~] di(2-ethylhexyl) phthalate, 2-(4-Tertbutylbenzyl) propionaldehyde (also known as butylphenyl methylpropional [~~and isobutyl-, isopropyl-, butyl-,~~]), isobutylparaben, isopropylparaben, butylparaben, propylparaben, and perfluoroalkyl and polyfluoroalkyl substances;

§ 2. Subdivision 4 of section 399-aaaa of the general business law, as added by a chapter of the laws of 2025 amending the general business law relating to the restriction of certain substances in menstrual products, as proposed in legislative bills numbers S. 1548 and A. 1502, is amended to read as follows:

4. No menstrual products distributed, sold or offered for sale in this state, whether at retail or wholesale, for personal, professional or commercial use, or distributed for promotional purposes, shall contain[~~:~~ ~~(a) as of the effective date,~~] a restricted substance present as an intentionally added ingredient at any level[~~; or~~

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

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~~(b) as of two years after thresholds are established in regulation, but no later than January first, two thousand twenty-nine, a restricted substance at or above a level that the department of health, in consultation with the department of environmental conservation, shall establish in regulation that is the lowest level that can feasibly be achieved; provided, however, that the department of health and department of environmental conservation shall review such level every five years to determine whether it should be lowered. The commissioner of health shall promulgate regulations establishing these levels no later than a year after the effective date of this section~~].

§ 3. Section 3 of a chapter of the laws of 2025 amending the general business law relating to the restriction of certain substances in menstrual products, as proposed in legislative bills numbers S. 1548 and A. 1502, is amended to read as follows:

§ 3. This act shall take effect twelve 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.~~]

§ 4. This act shall take effect immediately; provided, however, that sections one and two of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2025 amending the general business law relating to the restriction of certain substances in menstrual products, as proposed in legislative bills numbers S. 1548 and A. 1502, takes effect.