S T A T E O F N E W Y O R K

425

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the general business law, in relation to requiring hair shampoo packaging to bear a warning label

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 395-c to read as follows:

S 395-C. LABELING OF HAIR SHAMPOO. 1. NO PERSON, FIRM, OR CORPORATION SHALL SELL OR OFFER FOR SALE ANY HAIR SHAMPOO CONTAINING SODIUM LAURYL SULFATE AND/OR COCAMIDE DEA, UNLESS THERE IS PRINTED ON THE PACKAGE IN WHICH SUCH HAIR SHAMPOO IS SOLD OR OFFERED FOR SALE, THE FOLLOWING CAUTION:

"CAUTION--USE ONLY AS DIRECTED. EXCESSIVE USE OR PROLONGED EXPOSURE MAY CAUSE IRRITATION TO SKIN. DISCONTINUE USE IF RASH, REDNESS, OR ITCHING OCCURS. CONSULT YOUR PHYSICIAN IF IRRITATION PERSISTS. KEEP OUT OF REACH OF CHILDREN."

2. IN THE CASE OF PRODUCTS INTENDED FOR USE BY CHILDREN, THE PHRASE "EXCEPT UNDER ADULT SUPERVISION" MAY BE ADDED AT THE END OF THE LAST SENTENCE IN THE CAUTION REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

3. ANY VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD01999-01-9