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

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I N A S S E M B L Y

January 21, 2010

Introduced by M. of A. SWEENEY, ENGLEBRIGHT, LIFTON, JAFFEE, CYMBROWITZ, GALEF, KOON, COOK, PAULIN, SPANO, ROSENTHAL, HIKIND, WEISENBERG, MARKEY, COLTON, CASTRO, MAISEL, GLICK, FIELDS, KAVANAGH -- Multi-Sponsored by -- M. of A. DelMONTE, GABRYSZAK, GIBSON, GORDON, GUNTHER, HOOPER, HYER-SPENCER, McENENY, MENG, M. MILLER, NOLAN, PEOPLES-STOKES, REILLY, SCHIMEL -- read once and referred to the Committee on Environmental Conservation -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to cadmium-added novelty consumer products

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 2 to read as follows:

TITLE 2

CADMIUM-ADDED NOVELTY CONSUMER PRODUCTS

SECTION 27-0201. CADMIUM-ADDED NOVELTY CONSUMER PRODUCTS.

S 27-0201. CADMIUM-ADDED NOVELTY CONSUMER PRODUCTS.

1. "CADMIUM-ADDED NOVELTY CONSUMER PRODUCT" MEANS A PRODUCT INTENDED MAINLY FOR PERSONAL USE OR ADORNMENT THAT CONTAINS CADMIUM IN AN AMOUNT EQUAL TO OR IN EXCESS OF .0075 PER CENT BY WEIGHT. CADMIUM-ADDED NOVELTY CONSUMER PRODUCTS INCLUDE BUT ARE NOT LIMITED TO JEWELRY, TOYS AND ORNAMENTS.

2. ON AND AFTER JUNE 1, 2012, NO PERSON SHALL SELL, OFFER FOR SALE OR DISTRIBUTE FREE OF CHARGE IN THE STATE ANY CADMIUM-ADDED NOVELTY CONSUMER PRODUCT. A MANUFACTURER THAT PRODUCES OR THAT SELLS CADMIUM-ADDED NOVELTY CONSUMER PRODUCTS SHALL NOTIFY RETAILERS THAT SELL SUCH PRODUCTS ABOUT THE PRODUCT BAN AND INFORM SUCH RETAILERS HOW TO PROPERLY DISPOSE OF THE REMAINING INVENTORY.

S 2. This act shall take effect immediately.

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

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