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I N   S E N A T E

June 11, 2014

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Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the manufacture, distribution and sale of children's foam mats containing formamide

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

1     Section 1. Article 37 of the environmental conservation law is amended  
2 by adding a new title 4 to read as follows:

3                                    TITLE 4  
4                                    FORMAMIDE

5     SECTION 37-0401. SHORT TITLE.  
6                    37-0403. DEFINITIONS.  
7                    37-0405. FOAM MAT PRODUCTS.  
8                    37-0407. PREEMPTION.  
9                    37-0409. RULES AND REGULATIONS.

10    S 37-0401. SHORT TITLE.

11     THIS TITLE SHALL BE KNOWN AND MAY BE CITED AS THE "FORMAMIDE-FREE  
12 CHILDREN'S PRODUCT ACT".

13    S 37-0403. DEFINITIONS.

14     AS USED IN THIS TITLE: (A) "FOAM MAT PRODUCT" MEANS ALL MATS, PADS,  
15 MATTRESSES AND CUSHIONS DESIGNED FOR USE BY CHILDREN THREE YEARS OLD OR  
16 YOUNGER, INCLUDING MATS, PADS, MATTRESSES AND CUSHIONS USED AS OR IN  
17 CONNECTION WITH BEDDING, CHANGING PLATFORMS, STROLLERS AND CARRIAGES,  
18 HIGH CHAIRS, CAR SEATS, PLAY PENS AND TOYS.

19     (B) "FORMAMIDE" MEANS THE CHEMICAL IDENTIFIED BY CAS NUMBER 75-12-7,  
20 INCLUDING METHANAMIDE AND CARBAMALDEHYDE.

21    S 37-0405. FOAM MAT PRODUCTS.

22     1. BEGINNING DECEMBER FIRST, TWO THOUSAND SIXTEEN, NO PERSON, FIRM,  
23 PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY COMPANY OR CORPORATION SHALL  
24 SELL OR OFFER FOR SALE IN THIS STATE ANY FOAM MAT PRODUCT CONTAINING  
25 FORMAMIDE.

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

LBD03044-03-4

1       2. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE SALE OR  
2 DISTRIBUTION OF FOAM MAT PRODUCTS RESOLD OR OFFERED FOR RESALE, OR  
3 DISTRIBUTED BY CONSUMERS FOR CONSUMER USE.  
4 S 37-0407. PREEMPTION.  
5 JURISDICTION IN ALL MATTERS PERTAINING TO FORMAMIDE WHICH ARE REGU-  
6 LATED PURSUANT TO THE PROVISIONS OF THIS TITLE SHALL BE VESTED EXCLU-  
7 SIVELY IN THE STATE.  
8 S 37-0409. RULES AND REGULATIONS.  
9 THE DEPARTMENT IS AUTHORIZED TO PROMULGATE SUCH RULES AND REGULATIONS  
10 AS IT SHALL DEEM NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS TITLE.  
11 S 2. This act shall take effect immediately.