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

8636--A

2015-2016 Regular Sessions

I N A S S E M B L Y

December 23, 2015

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Economic Development -- recommitted to the Committee on Economic Development in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to prohibiting the sale of cosmetics tested on animals

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 399-aaaa to read as follows:

S 399-AAAA. SELLING OF ANIMAL TESTED COSMETICS. 1. FOR THE PURPOSES OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "COSMETIC" SHALL MEAN (1) ARTICLES INTENDED TO BE RUBBED, POURED, SPRINKLED, OR SPRAYED ON, INTRODUCED INTO, OR OTHERWISE APPLIED TO THE HUMAN BODY OR ANY PART THEREOF FOR CLEANSING, BEAUTIFYING, PROMOTING ATTRACTIVENESS, OR ALTERING THE APPEARANCE, INCLUDING BUT NOT LIMITED TO PERSONAL HYGIENE PRODUCTS SUCH AS DEODORANT, SHAMPOO OR CONDITIONER, AND (2) ARTICLES INTENDED FOR USE AS A COMPONENT OF ANY SUCH ARTICLES.

(B) "COSMETIC ANIMAL TESTING" SHALL MEAN THE INTERNAL OR EXTERNAL APPLICATION OR EXPOSURE OF ANY COSMETIC TO THE SKIN, EYES, OR OTHER BODY PART OF A LIVE NON-HUMAN VERTEBRATE FOR THE PURPOSE OF EVALUATING THE SAFETY OR EFFICACY OF A COSMETIC.

2. IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM, PARTNERSHIP OR CORPORATION TO KNOWINGLY IMPORT FOR PROFIT, SELL AT RETAIL OR OFFER FOR SALE AT RETAIL, ANY COSMETIC IF THE FINAL PRODUCT OR ANY COMPONENT THEREOF WAS DEVELOPED OR MANUFACTURED USING COSMETIC ANIMAL TESTING AFTER THIS SECTION SHALL HAVE BECOME A LAW.

3. A VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR THE FIRST VIOLATION AND NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH SUBSEQUENT VIOLATION. THIS SECTION SHALL

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

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ONLY APPLY TO COSMETIC INGREDIENTS THAT WERE DEVELOPED OR MANUFACTURED PREDOMINATELY FOR COSMETICS.

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