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

9959

I N A S S E M B L Y

May 2, 2016

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

AN ACT to amend the general business law, in relation to requiring warnings on certain lithium batteries and products containing such batteries

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

Section 1. Section 490-c of the general business law is amended by adding two new subdivisions 3 and 4 to read as follows:

3. ALL PRODUCTS SOLD IN THIS STATE WHICH UTILIZE LITHIUM BATTERIES OF LESS THAN ONE INCH IN DIAMETER AS A SOURCE OF POWER SHALL BE PACKAGED WITH LANGUAGE WHICH READS AS FOLLOWS:

"WARNING: THIS PRODUCT IS POWERED BY A LITHIUM BATTERY. DUE TO THEIR SMALL SIZE, LITHIUM BATTERIES CAN EASILY BE SWALLOWED BY CHILDREN. INGESTION OF SUCH BATTERIES HAS BEEN KNOWN TO CAUSE DEATH."

4. ALL LITHIUM BATTERIES OF LESS THAN ONE INCH IN DIAMETER SOLD IN THIS STATE, OR USED IN PRODUCTS SOLD IN THIS STATE, SHALL HAVE PRINTED UPON THEM THE FOLLOWING LANGUAGE:

"WARNING: THIS IS A LITHIUM BATTERY WHICH IF SWALLOWED HAS BEEN KNOWN TO CAUSE DEATH."

S 2. The department of health shall promulgate any rules and regulations necessary to implement the provisions of this act.

S 3. 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.

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