STATE OF NEW YORK

IN ASSEMBLY

Introduced by M. of A. COOK, HOOPER, GOTTFRIED, OTIS -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to retail shelf labeling of household hazardous products and related consumer information

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 IV**
4   **HOUSEHOLD HAZARDOUS PRODUCTS; CONSUMER INFORMATION**
5 **Section 37-0401. Household hazardous products; consumer information.**
6 **§ 37-0401. Household hazardous products; consumer information.**
7 **1. To the extent funds are available, the department shall, in consul-**
8 **tation with New York retailers and product manufacturers, establish a**
9 **program to:**
10 **a. provide information to retailers with respect to the hazardous**
11 **products specified in subdivision two of this section and environ-**
12 **mentally safer alternatives to those products;**
13 **b. provide labels for retail use with respect to the hazardous**
14 **products;**
15 **c. provide pamphlets for consumers, to be made available by retailers**
16 **at the point of sale, describing the toxicity of these hazardous**
17 **products, safer disposal methods, and alternative products which are**
18 **environmentally safer; and**
19 **d. require that retail establishments display these labels and**
20 **pamphlets on shelves, or in the immediate vicinity of hazardous**
21 **products, within one year of the effective date of this section.**
22 **2. "Hazardous products" for the purposes of this section are defined**
23 **as follows:**
24 **a. Automotive products including motor oil, transmission fluid, engine**
25 **lubricants and cleaners, oil, and transmission fluid additives, gasoline**
26 **additives, gas line freeze-up products, antifreeze, and windshield wiper**
27 **solutions;**

1   **b. Shoe polishes, floor waxes, car waxes, furniture polishes, spray**
2   **dust cleaners, furniture stains and wood preservatives;**
3   **c. Mineral spirits, turpentine, alcohols not for human consumption,**
4   **cresol, and naphtha;**
5   **d. Paints, whether for brush or spray application, aerosol paints,**
6   **lacquers, and thinners (except water);**
7   **e. Drain cleaners, sink and toilet bowl cleaners, and oven cleaners;**
8   **f. Spot and stain removers with petroleum base;**
9   **g. Petroleum based fertilizers sold for residential application;**
10   **h. Pesticides sold for residential application; and**
11   **i. Lead-acid batteries, swimming pool chemicals, photographic chemi-**
12   **cals, most glues and adhesives, self-lighting charcoal, charcoal light-**
13   **er, butane lighters, and all aerosols (except personal care products).**
14   **3. The department may, by regulation, add to or delete from the list**
15   **established in subdivision two of this section, as deemed appropriate.**
16   **Similarly, the department may delete from the list specific products**
17   **that do not contain a hazardous chemical in concentration at or above**
18   **one percent. A hazardous chemical, for purposes of this section, shall**
19   **be consistent with hazardous chemicals listed in regulations promulgated**
20   **in accordance with title 9 of article 27 of this chapter. A product**
21   **manufacturer of any product listed in subdivision two of this section**
22   **may petition the department for an exemption if the product does not**
23   **contain a hazardous chemical in concentration at or above one percent.**
24   § 2. This act shall take effect one year after it shall have become a
25   law, provided, however, that effective immediately, the addition, amend-
26   ment and/or repeal of any rules or regulations necessary for the imple-
27   mentation of the foregoing section of this act on its effective date is
28   authorized and directed to be made and completed on or before such
29   effective date.