STATE OF NEW YORK

1041

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. SIMOTAS, SIMON, MAGNARELLI, McDONOUGH, MOSLEY, GOTTFRIED, DINOWITZ, GALEF, COLTON, D. ROSENTHAL -- Multi-Sponsored by -- M. of A. DE LA ROSA, LUPARDO -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to child proofing liquid detergent packets

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-ggg to read as follows:

§ 399-ggg. Packaging of liquid detergent packets. 1. For purposes of this section:

(a) "liquid detergent packets" shall mean a consumer product that consists of a liquid or gel detergent enclosed in a water soluble outer layer and is designed to be placed in a washing machine;

(b) "child-resistant wrapper" shall mean an opaque covering of the liquid detergent packet that is not easily permeated by a child's bite, which has a uniform color that is not attractive to children; and

(c) "package" shall mean overall child-resistant stock keeping item that contains liquid detergent packages.

2. No person, firm, partnership, association or corporation shall distribute, sell at retail or offer for retail sale in this state any liquid detergent packets, unless the liquid detergent packets are contained in a child-resistant wrapper which is designed to prevent accidental exposure of children to liquid detergent.

3. No person, firm, partnership, association or corporation shall distribute, sell at retail or offer for retail sale in this state any liquid detergent packets unless such liquid detergent packets are designed in an opaque, uniform color that is not attractive to children and is not easily permeated by a child's bite.

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

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4. Each liquid detergent packet shall be enclosed in a separate, individual, non-permeable, child-resistant wrapper containing a warning stating "WARNING: HARMFUL IF PUT IN MOUTH OR SWALLOWED. EYE IRRITANT. KEEP OUT OF REACH OF CHILDREN".

5. Every package of liquid detergent packets distributed, sold at retail, or offered for retail sale in this state shall contain a warning concerning the dangers of the exposure of liquid detergent packets to children. Such warning shall be readable and conspicuously placed on the package and shall state: "LIQUID DETERGENT PACKETS ARE NOT FOR HUMAN CONSUMPTION. HARMFUL IF SWALLOWED OR EXPOSED TO THE EYES OR SKIN. KEEP OUT OF REACH AND SIGHT OF CHILDREN. IN CASE OF EXPOSURE CONTACT A PHYSICIAN OR POISON CONTROL CENTER IMMEDIATELY".

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.