STATE OF NEW YORK

2000--B

2019-2020 Regular Sessions

IN SENATE

January 18, 2019

Introduced by Sens. HOYLMAN, BIAGGI, BOYLE, BROOKS, CARLUCCI, COMRIE, GAUGHRAN, GIANARIS, GOUNARDES, HARCKHAM, KAPLAN, KRUEGER, LIU, MAY, METZGER, RIVERA, SALAZAR, SKOUFIS, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 37-0203 of the environmental conservation law is amended by adding two new subdivisions 5 and 6 to read as follows:

5. "Food package" means a package or packaging component that is intended for direct food contact and is comprised, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers.

6. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS substances" shall mean, for the purposes of food packaging, a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

§ 2. Sections 37-0209, 37-0211 and 37-0213 of the environmental conservation law are renumbered sections 37-0211, 37-0213 and 37-0215.

§ 3. The environmental conservation law is amended by adding a new section 37-0209 to read as follows:

§ 37-0209. Prohibition on the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging.

No person shall sell or offer for sale, distribute for sale, or distribute for use in this state food packaging in which perfluoroalkyl

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

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and polyfluoroalkyl (PFAS) substances are intentionally or knowingly added either directly or via constituent components.

§ 4. This act shall take effect December 31, 2021. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.