STATE OF NEW YORK

2387

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

Introduced by Sens. PERSAUD, ADDABBO, BRESLIN, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues

AN ACT to amend the general business law, in relation to menstrual product labeling

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:

§ 399-aaaa. Menstrual product labeling. 1. For purposes of this section:

(a) "ingredient" shall mean a substance present in any quantity in the menstrual product;

(b) "menstrual product" shall mean products used for the purpose of catching menstruation and vaginal discharge, including but not limited to tampons, pads, and menstrual cups. These products may be either disposable or reusable.

2. Each package or box containing menstrual products sold in this state shall contain a plain and conspicuous printed list of all ingredients with percentages of the components of the menstrual products. Such list shall either be printed on the package or affixed thereto.

3. Manufacturers of such menstrual products shall also provide labels for product dispensers which provide an individual with a single use menstrual product, where the individual is not obtaining the menstrual product in its original package or box.

4. The requirements of this section shall apply in addition to any other labeling requirements established pursuant to any other provision of law.

5. Whenever a violation of this section has occurred, a civil penalty of one thousand dollars per package or box shall be imposed on the manufacturer. Where the manufacturer has failed to provide a label for

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

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product dispensers pursuant to subdivision three of this section, the manufacturer shall be in violation of this section and a civil penalty of one thousand dollars shall be imposed.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. 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 to be made and completed on or before such effective date.