STATE OF NEW YORK

2387--B

Cal. No. 459

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

Introduced by Sens. PERSAUD, ADDABBO, BIAGGI, BOYLE, BRESLIN, CARLUCCI, GAUGHRAN, GOUNARDES, KAPLAN, KRUEGER, LIU, MARTINEZ, RIVERA, SALAZAR, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

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 an intentionally added substance present 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. No later than eighteen months after this section shall have become a law, each package or box containing menstrual products sold in this state shall contain a plain and conspicuous printed list of all ingredients which shall be listed in order of predominance. Such list shall either be printed on the package or affixed thereto.

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

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

4. Whenever a violation of this section has occurred, a civil penalty of one percent of the manufacturer's total annual in-state sales not to exceed one thousand dollars per package or box shall be imposed on the manufacturer.

§ 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.