STATE OF NEW YORK

6074

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to requiring tobacco products to contain certain items on their packaging

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

Section 1. Subdivision 1 of section 399 of the general business law, as added by chapter 680 of the laws of 1967, is amended to read as follows:

1. **(a)** On each package of cigarettes sold or delivered by a manufacturer or distributor within this state after June first, nineteen hundred sixty-six, there shall be printed thereon or attached thereto a warning of the consequences of excessive smoking. Such warning shall be in letters not less than eight point type and in a color in contrast with the package containing the cigarettes, and shall contain the following statement:

WARNING

"Excessive use is dangerous to health"

(b) Each package of cigarettes shall clearly and conspicuously include the following in the same manner as described in paragraph (a) of this subdivision:

(i) a full list of ingredients contained in the product, including, but not limited to, nicotine; and

(ii) the dangers presented by cigarettes to human health, including, but not limited to, a list of medical side effects caused by the use of cigarettes and any potential long-term medical complications that can arise from the use of cigarettes.

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

LBD11787-01-9

§ 2. The general business law is amended by adding a new section 398-f to read as follows:

§ 398-f. Electronic cigarette package labeling. 1. Every package containing an electronic cigarette, as defined in subdivision thirteen of section thirteen hundred ninety-nine-aa of the public health law, sold, offered for sale, or otherwise distributed within the state, shall have printed thereon or attached thereto a warning label. Such warning shall be in letters not less than eight point type and in a color in contrast with the package containing the electronic cigarette, and shall contain the following statement:

WARNING

"Excessive use is dangerous to health"

2. Each package containing an electronic cigarette or cigarettes shall clearly and conspicuously include the following in the same manner as described in subdivision one of this section:

(a) a full list of ingredients contained in the product, including, but not limited to, nicotine; and

(b) the dangers presented by electronic cigarettes to human health, including, but not limited to, a list of medical side effects caused by the use of electronic cigarettes and any potential long-term medical complications that can arise from the use of electronic cigarettes.

3. Any language or design present on the packaging of electronic cigarettes for the purpose of marketing or enticing potential customers to buy such product shall be prohibited. The packaging shall contain only the name of the product and the warnings required pursuant to this section.

§ 3. This act shall take effect immediately.