

# STATE OF NEW YORK

6075

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 Health

AN ACT to amend the public health law, in relation to labeling of packaging for electronic cigarette products

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

1 Section 1. Section 1399-gg of the public health law, as amended by  
2 chapter 513 of the laws of 2004, is amended to read as follows:

3 § 1399-gg. Out-of-package sales and [~~minimum package sizes~~] packaging  
4 requirements. 1. All tobacco cigarettes sold or offered for sale by a  
5 retail dealer shall be sold or offered for sale in the package, box,  
6 carton or other container provided by the manufacturer, importer, or  
7 packager which bears all health warnings required by applicable law.

8 2. No person engaged in the business of manufacturing, selling or  
9 otherwise distributing tobacco products, herbal cigarettes, cigarette  
10 wrapping papers, wrapping leaves or tubes, or any agent or employee of  
11 such person, shall manufacture or cause to be manufactured for sale in  
12 this state, or sell or distribute in this state: (a) any package or  
13 other container of cigarettes containing fewer than twenty cigarettes;  
14 (b) any package of roll-your-own tobacco containing less than six-tenths  
15 of an ounce of tobacco; or (c) any package or other container of ciga-  
16 rette wrapping papers, wrapping leaves or tubes, that are or are held  
17 out to be suitable for use or used as devices to wrap tobacco for smok-  
18 ing, containing fewer than twenty sheets, leaves or tubes.

19 3. No person engaged in the business of manufacturing, selling, or  
20 otherwise distributing electronic cigarettes shall manufacture or cause  
21 to be manufactured for sale in this state, or sell or distribute in this  
22 state, any electronic cigarette unless the container or packaging of  
23 such electronic cigarette bears brightly-colored labeling which indi-  
24 cates that the contents of such container or packaging contain nicotine  
25 or can be used for the inhalation of nicotine vapors.

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

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

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