

STATE OF NEW YORK

164

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. L. ROSENTHAL, SIMON, SEAWRIGHT, ROZIC, JAFFEE, NIOU, WRIGHT, DICKENS, GALEF, WALLACE, HYNDMAN, BICHOTTE, ARROYO, ENGLEBRIGHT, PICHARDO, RIVERA, D'URSO, TAYLOR, GOTTFRIED, B. MILLER, BARRON, BLAKE, LAVINE, EPSTEIN, THIELE -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Consumer Affairs and Protection

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:

1 Section 1. The general business law is amended by adding a new section
2 399-aaaa to read as follows:

3 § 399-aaaa. Menstrual product labeling. 1. For purposes of this
4 section:

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

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

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

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

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

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

4 5. Whenever a violation of this section has occurred, a civil penalty
5 of one thousand dollars per package or box shall be imposed on the
6 manufacturer. Where the manufacturer has failed to provide a label for
7 product dispensers pursuant to subdivision three of this section, the
8 manufacturer shall be in violation of this section and a civil penalty
9 of one thousand dollars shall be imposed.

10 § 2. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law. Effective immediately, the addition, amend-
12 ment and/or repeal of any rule or regulation necessary for the implemen-
13 tation of this act on its effective date are authorized to be made and
14 completed on or before such effective date.