STATE OF NEW YORK

4250

2019-2020 Regular Sessions

IN SENATE

March 5, 2019

Introduced by Sen. MARTINEZ -- 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 prohibiting the sale of cosmetics tested on animals

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. Selling of animal tested cosmetics. 1. For the purposes of this section the following terms shall have the following meanings:

(a) "Cosmetic" shall mean (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, including but not limited to personal hygiene products such as deodorant, shampoo or conditioner, and (2) articles intended for use as a component of any such articles.

(b) "Cosmetic animal testing" shall mean the internal or external application or exposure of any cosmetic to the skin, eyes, or other body part of a live non-human vertebrate for the purpose of evaluating the safety or efficacy of a cosmetic.

2. It shall be unlawful for any person, firm, partnership, corporation or association or agent or employee thereof to manufacture, knowingly import for profit, sell at retail or offer for sale at retail, any cosmetic if the final product or any component thereof was developed or manufactured using cosmetic animal testing after this section shall have become a law.

3. Whenever the attorney general shall believe from evidence satisfactory to him or her that any person, firm, partnership, corporation or association or agent or employee thereof has violated any provision of this section, he or she may bring an action or special proceeding in the supreme court for a judgment enjoining the continuance of such violation

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

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and for a civil penalty of not more than five hundred dollars for the first violation and not more than one thousand dollars for each subsequent violation. This section shall only apply to cosmetic ingredients that were developed or manufactured predominately for cosmetics.

§ 2. This act shall take effect on the three hundred sixty-fifth day after it shall have become a law.