STATE OF NEW YORK

8817

IN SENATE

July 20, 2020
_____

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging

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

1 Section 1. Section 37-0203 of the environmental conservation law is
2 amended by adding two new subdivisions 5 and 6 to read as follows:
3 *5. "Food packaging" means a package or packaging component that is*
4 *intended for direct food contact and is comprised, in substantial part,*
5 *of paper, paperboard, or other materials originally derived from plant*
6 *fibers.*
7 *6. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS*
8 *substances" shall mean, for the purposes of food packaging, a class of*
9 *fluorinated organic chemicals containing at least one fully fluorinated*
10 *carbon atom.*
11 § 2. Sections 37-0209, 37-0211 and 37-0213 of the environmental
12 conservation law are renumbered sections 37-0211, 37-0213 and 37-0215.
13 § 3. The environmental conservation law is amended by adding a new
14 section 37-0209 to read as follows:
15 *§ 37-0209. Prohibition on the use of perfluoroalkyl and polyfluoroalkyl*
16 *substances in food packaging.*
17 *1. No person shall distribute, sell or offer for sale in this state*
18 *food packaging containing perfluoroalkyl and polyfluoroalkyl (PFAS)*
19 *substances as intentionally added chemicals.*
20 *2. For purposes of this section, "intentionally added chemical" shall*
21 *have the same meaning as subdivision eleven of section 37-0901 of this*
22 *article.*
23 § 4. This act shall take effect December 31, 2022. Effective imme-
24 diately, the addition, amendment and/or repeal of any rule or regulation
25 necessary for the implementation of this act on its effective date are
26 authorized and directed to be made and completed on or before such
27 effective date.

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

LBD04218-14-0