

STATE OF NEW YORK

2148

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. FERNANDEZ, GOTTFRIED, GRIFFIN, GLICK, NIOU --
Multi-Sponsored by -- M. of A. COOK -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to the creation of a
research program to determine the risks posed from chemicals in
personal care products or feminine hygiene products; and providing for
the repeal of such provisions upon expiration thereof

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

1 Section 1. The public health law is amended by adding a new section
2 804 to read as follows:

3 § 804. Personal care products safety and research. 1. For purposes of
4 this section, the term:

5 (a) "Personal care product" shall mean articles intended to be rubbed,
6 poured, sprinkled, or sprayed on, introduced into, or otherwise applied
7 to the human body or any part thereof for cleansing, beautifying,
8 promoting attractiveness, or altering the appearance, and articles
9 intended for use as a component of any such articles; except that such
10 term shall not include soap.

11 (b) "Chemical of concern" shall mean a chemical appearing on any of
12 the lists included in the department of environmental conservation divi-
13 sion of materials management program policy on household cleansing prod-
14 uct information disclosure published on June sixth, two thousand eigh-
15 teen pursuant to article thirty-five of this chapter and 6 NYCRR part
16 659, or as designated by the commissioner.

17 (c) "Restricted substance" shall mean a substance determined by the
18 commissioner, which shall include, but not be limited to, lead, mercury
19 and related compounds, formaldehyde, triclosan, toluene, per- and poly-
20 fluoroalkyl substances, dibutyl phthalate, di(2)exylhexyl phthalate, and
21 isobutyl-, isopropyl-, butyl-, and propylparaben.

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

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1 (d) "Feminine hygiene products" shall mean pads, liners, cups, spong-
2 es, douches, wipes, sprays, and similar products used in conjunction
3 with respect to menstruation or other genital tract secretions.

4 2. The commissioner shall provide for the conduct or support of
5 research by the department to determine the extent to which the
6 prolonged exposure to any chemical of concern or restricted substance in
7 personal care products or feminine hygiene products poses any risks to
8 the health of individuals who use the products. Such research project
9 shall be completed within two years of the effective date of this
10 section. Such research shall also examine any long-term health effects
11 of using personal care products or feminine hygiene products that do not
12 contain a restricted substance or chemical of concern.

13 3. Within one year of the completion of such research, any conclu-
14 sions, recommendations and proposals for implementing such recommenda-
15 tions shall be transmitted to the governor, the temporary president of
16 the senate, the speaker of the assembly, the chair of the senate health
17 committee, and the chair of the assembly health committee, and shall
18 also be made available to the public.

19 § 2. This act shall take effect on the thirtieth day after it shall
20 have become a law and shall expire and be deemed repealed two years
21 after such date.