STATE OF NEW YORK

43--A

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to labeling of ingredients of diapers

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-aaaaaa to read as follows:

§ 399-aaaaaa. Diaper labeling. 1. For purposes of this section:

(a) "ingredient" shall mean a substance present in any quantity in a diaper;

(b) "diaper" shall mean a type of underwear that allows the wearer to defecate or urinate without the use of a toilet, by absorbing or containing waste products to prevent soiling of outer clothing or the external environment. These products may be either disposable or reusable.

2. Each package or box containing diapers sold in this state shall contain a plain and conspicuous printed list of all ingredients with percentages of the components of the diaper. Such list shall either be printed on the package or affixed thereto.

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

4. Whenever a violation of this section has occurred, a civil penalty of one percent of the manufacturer's total annual in-state sales not to exceed one thousand dollars per package or box shall be imposed on the manufacturer.

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

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§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.