

STATE OF NEW YORK

3529

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sens. FERNANDEZ, CLEARE -- read twice and ordered printed,
and when printed to be committed to the Committee on Women's Issues

AN ACT to amend the public health law, in relation to the regulation of
ingredients in menstrual products

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
2 267-a to read as follows:

3 § 267-a. Menstrual product safety. 1. For purposes of this section:

4 a. "Menstrual products" means tampons, pads, liners, cups, sponges,
5 douches, wipes, sprays, and similar products used in conjunction with
6 respect to menstruation or other genital-tract secretions.

7 b. "Restricted substance" shall mean an unsafe chemical for inclusion
8 in menstrual products as determined by the commissioner, which shall
9 include, but not be limited to, lead, mercury and related compounds,
10 formaldehyde, triclosan, toluene, talc, per- and polyfluoroalkyl
11 substances, dibutyl phthalate, di(2)ethylhexyl phthalate, and isobutyl-,
12 isopropyl-, butyl-, and propylparaben.

13 2. Within one year of the effective date of this section, manufactur-
14 ers of menstrual products distributed, sold or offered for sale in this
15 state, whether at retail or wholesale, for personal, professional or
16 commercial use, or distributed for promotional purposes, shall not
17 distribute menstrual products containing a restricted substance or using
18 such restricted substance as a fragrance, colorant, dye, preservative or
19 other intentionally added ingredient.

20 § 2. This act shall take effect immediately.

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

LBD04800-02-3