STATE OF NEW YORK

43--C

Cal. No. 187

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. L. ROSENTHAL, LEE, SEAWRIGHT -- 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 -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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 an intentionally added substance present in a diaper;

(b) "diaper" shall mean a type of garment or product inserted into a garment for the purpose of absorbing waste products to prevent soiling of outer clothing or the external environment without the use of a toilet. These products may be either disposable or reusable.

2. No later than twelve months after the effective date of this section, each package or box containing diapers sold in this state shall contain a plain and conspicuous printed list of all ingredients which shall be listed in order of predominance. 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.

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

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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.

§ 2. This act shall take effect immediately.