STATE OF NEW YORK

5990--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 28, 2023

Introduced by M. of A. L. ROSENTHAL, GLICK, FAHY, SIMON, GALLAGHER, REYES, LEVENBERG, CRUZ, JACKSON, TAYLOR, SIMONE, BORES, DICKENS -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to the restriction of certain substances in menstrual products

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

Section 1. Paragraph (b) of subdivision 1 of section 399-aaaa of the general business law, as added by chapter 362 of the laws of 2019, is amended and a new paragraph (c) is added to read as follows:

(b) "menstrual product" shall mean products used for the purpose of catching menstruation and vaginal discharge, including but not limited to tampons, pads, and menstrual cups. These products may be either disposable or reusable[~~.~~]*;*

(c) "restricted substance" shall mean an unsafe chemical for inclusion in menstrual products as determined by the commissioner of health, which shall include, but not be limited to, lead, mercury and related compounds, formaldehyde, triclosan, toluene, talc, per- and polyfluoroalkyl substances, dibutyl phthalate, di(2)exylhexyl phthalate, butylphenyl methylpropional and isobutyl-, isopropyl-, butyl-, and propylparaben.

§ 2. Subdivision 4 of section 399-aaaa of the general business law is renumbered subdivision 5 and a new subdivision 4 is added to read as follows:

4. No menstrual products distributed, sold or offered for sale in this state, whether at retail or wholesale, for personal, professional or commercial use, or distributed for promotional purposes, shall contain a restricted substance or use such restricted substance as a fragrance, colorant, dye, preservative or other intentionally added ingredient.

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

LBD04800-06-3

§ 3. This act shall take effect twelve months 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.