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 Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 267-a to read as follows:

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

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

b. "Restricted substance" shall mean an unsafe chemical for inclusion in menstrual products as determined by the commissioner, 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, and isobutyl-, isopropyl-, butyl-, and propylparaben.

2. Within one year of the effective date of this section, manufacturers of 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 not distribute menstrual products containing a restricted substance or using such restricted substance as a fragrance, colorant, dye, preservative or other intentionally added ingredient.

§ 2. This act shall take effect immediately.

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

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