

# STATE OF NEW YORK

3529--A

2023-2024 Regular Sessions

## IN SENATE

January 31, 2023

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

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

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

8 (c) "restricted substance" shall mean an unsafe chemical for inclusion  
9 in menstrual products as determined by the commissioner of health, which  
10 shall include, but not be limited to, lead, mercury and related  
11 compounds, formaldehyde, triclosan, toluene, talc, per- and polyfluoro-  
12 alkyl substances, dibutyl phthalate, di(2)exylhexyl phthalate, butylphe-  
13 nyl methylpropional and isobutyl-, isopropyl-, butyl-, and propylpara-  
14 ben.

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

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

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

LBD04800-05-3

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