

STATE OF NEW YORK

11360

IN ASSEMBLY

May 13, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lee) -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to the labeling of baby cosmetic products

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

1 Section 1. The general business law is amended by adding a new section
2 399-aaaaaaa to read as follows:

3 § 399-aaaaaaa. Baby cosmetic product. 1. For purposes of this section:

4 (a) "Carcinogen" shall have the same meaning as such term is defined
5 in section three hundred ninety-one-x of this article.

6 (b) "Ingredient" shall mean an intentionally added substance present
7 in an infant cosmetic product.

8 (c) "Infant cosmetic product" means any lotion, cream, moisturizer,
9 ointment, oil, or similar product marketed for use on infants or young
10 children.

11 (d) "Intentionally added ingredient" shall mean any element or
12 compound that a manufacturer has intentionally added to an infant
13 cosmetic product, and which has a functional or technical effect in the
14 finished product, including, but not limited to, the components of
15 intentionally added fragrance, flavoring and colorants, and the inten-
16 tional breakdown products of an added element or compound that also has
17 a functional or technical effect on the finished product.

18 (e) "Manufacturer" shall mean any person, firm, corporation, or asso-
19 ciation engaged in the manufacturing, processing, or packing infant
20 cosmetic products for sale or distribution in this state.

21 2. Any infant cosmetic product offered for sale in the state of New
22 York that contains any ingredients shall provide a clear and conspicuous
23 list of such ingredients which shall be listed in order of predominance.
24 Such label shall be displayed on the packaging or affixed thereto and
25 shall be printed in type no less than size twelve-point font.

26 3. Any infant cosmetic product offered for sale in the state of New
27 York that contains a carcinogen shall provide a clear and conspicuous
28 warning label displayed on the packaging or product itself, which shall

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

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1 be printed in type no less than size twelve-point font, that notifies
2 the consumer at the time of the sale that such infant cosmetic product
3 contains such chemicals. The warning label shall state "This product
4 contains a chemical known to cause cancer".

5 4. Manufacturers shall be responsible for ensuring that all infant
6 cosmetic products display the warning label as required by subdivisions
7 two and three of this section.

8 5. Whenever there shall be a violation of this section, an application
9 may be made by the attorney general in the name of the people of the
10 state of New York to a court or justice having jurisdiction by a special
11 proceeding to issue an injunction, and upon notice to the defendant of
12 not less than five days, to enjoin and restrain the continuance of such
13 violation; and if it shall appear to the satisfaction of the court or
14 justice that the defendant has, in fact, violated this section, an
15 injunction may be issued by such court or justice, enjoining and
16 restraining any further violation, without requiring proof that any
17 person has, in fact, been injured or damaged thereby. Whenever the court
18 shall determine that a violation of this section has occurred, the court
19 may impose a civil penalty up to two hundred fifty dollars per violation
20 for the first offense and up to five hundred dollars per violation for
21 each subsequent offense. In connection with any such proposed applica-
22 tion, the attorney general is authorized to take proof and make a deter-
23 mination of the relevant facts and to issue subpoenas in accordance with
24 the civil practice law and rules.

25 § 2. This act shall take effect on the one hundred eightieth day after
26 it shall have become a law.