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:

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

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

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

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

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

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

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

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

3. Any infant cosmetic product offered for sale in the state of New York that contains a carcinogen shall provide a clear and conspicuous 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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be printed in type no less than size twelve-point font, that notifies the consumer at the time of the sale that such infant cosmetic product contains such chemicals. The warning label shall state "This product contains a chemical known to cause cancer".

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

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

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