

STATE OF NEW YORK

2133--C

2025-2026 Regular Sessions

IN ASSEMBLY

January 15, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to prohibiting the sale of medical solution containers made with PVC, intentionally added DEHP, and establishes acceptable limits for unintentionally added DEHP

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

1 Section 1. Article 37 of the environmental conservation law is amended
2 by adding a new title 8 to read as follows:

3 TITLE VIII

4 MEDICAL SOLUTION CONTAINERS

5 Section 37-0801. Definitions.

6 37-0803. Medical solution containers.

7 § 37-0801. Definitions.

8 For purposes of this title, the following terms shall have the follow-
9 ing meanings:

10 1. "DEHP" means Di(2-ethylhexyl) phthalate.

11 2. "Intentionally added DEHP" means DEHP that a manufacturer has
12 intentionally added to an intravenous or other specified medical
13 solution container or medical tubing product and that has a functional
14 or technical effect on the product.

15 3. "Medical solution container" means a container used to house medi-
16 cine, fluid, or nutrition therapy that is administered intravenously or
17 through the mouth, nose, stomach or intestines to patients in a hospi-
18 tal, outpatient, or other health care facility.

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

LBD02500-08-5

1 4. "Medical tubing" means any tubing used to administer fluids, medi-
2 cation, nutrients, or oxygen directly to an adult, child, or infant,
3 including:

4 (a) intravenous tubing used to administer fluids, medication or paren-
5 teral nutrition directly into the bloodstream of an adult, child or
6 infant;

7 (b) medical tubing used to deliver enteral nutrition or medication to
8 a patient's digestive system; and

9 (c) respiratory tubing and nasal cannulas delivering oxygen to a child
10 or infant.

11 5. "Ortho-phthalates" means a class of chemicals that are esters of
12 ortho-phthalic acid.

13 6. "PVC" means polyvinyl chloride, the polymerization of a vinyl chlo-
14 ride monomer, and is also known as poly(1-chloroethylene), or polychlo-
15 roethene.

16 7. "Unintentionally added DEHP" means DEHP in an intravenous or speci-
17 fied medical solution container or medical tubing product that is not
18 used for a functional or technical effect on the product.

19 § 37-0803. Medical solution containers.

20 1. Beginning January first, two thousand thirty, no person or entity
21 shall manufacture, sell, or distribute into commerce in New York medical
22 solution containers made with PVC or intentionally added DEHP.

23 2. Beginning January first, two thousand thirty-three, no person or
24 entity shall manufacture, sell, or distribute into commerce in New York
25 medical tubing made with intentionally added DEHP.

26 3. No person or entity shall replace DEHP, pursuant to this title, for
27 revised or new products with other ortho-phthalates.

28 4. A medical solution container or medical tubing product shall not
29 have unintentionally added DEHP present at a quantity at or above 0.1
30 percent weight per weight (%w/w).

31 § 2. This act shall take effect immediately.