

STATE OF NEW YORK

7912--C

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. WEPRIN, ALVAREZ -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to prohibiting the sale of children's products, mattresses and upholstered furniture containing fiberglass unless they contain a prominent label

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-iii to read as follows:

3 § 399-iii. Labeling of children's products, mattresses and upholstered
4 furniture containing fiberglass. 1. For purposes of this section:

5 (a) (i) "Children's product" shall mean a product, other than cloth-
6 ing, primarily intended for use by infants and children under twelve
7 years of age. The following shall be considered in determining if the
8 product is intended for a child under twelve years of age:

9 (1) A statement by a manufacturer about the intended use of such toy
10 or article, including a label on such toy or article;

11 (2) The context and manner of the advertising, promotion, and market-
12 ing associated with the toy or article; and

13 (3) Whether the toy or article is commonly recognized by consumers as
14 being intended for use by a child under twelve years of age.

15 (ii) "Children's product" shall not include:

16 (1) a children's electronic product, including, but not limited to, a
17 personal computer, audio and video equipment, calculator, wireless

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

LBD11364-09-6

1 phone, game console, handheld device incorporating a video screen, or
2 any associated peripheral such as a mouse, keyboard, power supply unit,
3 or power cord;

4 (2) a medical device; or

5 (3) an internal component of a children's product that would not come
6 into direct contact with a child's skin or mouth during reasonably fore-
7 seeable use and abuse of the product.

8 (b) "Textile fiberglass" shall mean textile yarns whose composition
9 includes one or more continuous glass filaments in a form suitable for
10 knitting, weaving, or otherwise intertwining to form a textile fabric,
11 but shall exclude the following:

12 (i) thread or fiber used for stitching mattress components together;
13 and

14 (ii) yarns in which the glass filaments are core-spun or sheathed by
15 another fiber.

16 2. No manufacturer shall sell, offer for sale or distribute in this
17 state any new children's product, mattress, or upholstered furniture
18 that contains, or a constituent component of which contains, fiberglass,
19 unless it contains a prominent permanent label which informs the
20 consumer that the product should be handled with care because it
21 contains fiberglass which can be harmful to the consumer if ingested,
22 inhaled, or exposed to skin. Such label must be securely attached to the
23 product or packaging in a manner that it may be seen by consumers prior
24 to and throughout the duration of the product's use.

25 3. A custom upholsterer shall not repair, reupholster, recover,
26 restore, or renew any children's product, mattress, upholstered furni-
27 ture, or reupholstered furniture using a replacement component that
28 contains, or a constituent component of which contains, fiberglass.

29 4. A violation of the provisions of this section shall be punishable
30 by a civil penalty not to exceed five hundred dollars for each
31 violation.

32 § 2. This act shall take effect January 1, 2027. Effective immediate-
33 ly, the addition, amendment and/or repeal of any rule or regulation
34 necessary for the implementation of this act on its effective date are
35 authorized to be made and completed on or before such date.