

STATE OF NEW YORK

7821

2025-2026 Regular Sessions

IN SENATE

May 9, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

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

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

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

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

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

16 (i) a children's electronic product, including, but not limited to, a
17 personal computer, audio and video equipment, calculator, wireless
18 phone, game console, handheld device incorporating a video screen, or
19 any associated peripheral such as a mouse, keyboard, power supply unit,
20 or power cord;

21 (ii) a medical device; or

22 (iii) an internal component of a children's product that would not
23 come into direct contact with a child's skin or mouth during reasonably
24 foreseeable use and abuse of the product.

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

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1 2. No person or manufacturer shall sell, offer for sale or distribute
2 in this state any new children's product, mattress, or upholstered
3 furniture that contains, or a constituent component of which contains,
4 fiberglass, unless it contains a prominent permanent label which
5 informs the consumer that the product should be handled with care
6 because it contains fiberglass which can be harmful to the consumer if
7 ingested, inhaled, or exposed to skin. Such label must be securely
8 attached to the product or packaging in a manner that it may be seen by
9 consumers prior to and throughout the duration of the product's use.

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

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

17 § 2. This act shall take effect January 1, 2026. Effective immediate-
18 ly, the addition, amendment and/or repeal of any rule or regulation
19 necessary for the implementation of this act on its effective date are
20 authorized to be made and completed on or before such date.