



Legislation Details (With Text)

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| File #: | Int 0928-2015 | Version: | * | Name: | Banning personal care products containing microbeads. |
| Type: | Introduction | Status: | | In control: | Filed (End of Session) |
| On agenda: | 9/30/2015 | | | | Committee on Consumer Affairs |
| Enactment date: | | Enactment #: | | | |
| Title: | A Local Law to amend the administrative code of the city of New York, in relation to banning personal care products containing microbeads. | | | | |
| Sponsors: | Daniel R. Garodnick, Fernando Cabrera, Carlos Menchaca, Corey D. Johnson, Ritchie J. Torres, Mark Levine, Rafael L. Espinal, Jr., Paul A. Vallone, Costa G. Constantinides, Helen K. Rosenthal, Margaret S. Chin, Peter A. Koo, Deborah L. Rose, Mark Treyger, James G. Van Bramer, Stephen T. Levin, Rory I. Lancman, Andrew Cohen, Ben Kallos, Donovan J. Richards, Daniel Dromm, Brad S. Lander, Ydanis A. Rodriguez, Karen Koslowitz, Annabel Palma, Elizabeth S. Crowley, James Vacca, Jumaane D. Williams, Antonio Reynoso, Alan N. Maisel, I. Daneek Miller, Inez D. Barron, Robert E. Cornegy, Jr., Julissa Ferreras-Copeland, Chaim M. Deutsch, David G. Greenfield, Eric A. Ulrich, The Public Advocate (Ms. James) | | | | |
| Indexes: | | | | | |
| Attachments: | 1. Summary of Int. No. 928, 2. September 30, 2015 - Stated Meeting Agenda with Links to Files, 3. Committee Report 10/26/15, 4. Hearing Testimony 10/26/15, 5. Hearing Transcript 10/26/15 | | | | |

| Date | Ver. | Action By | Action | Result |
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| 9/30/2015 | * | City Council | Introduced by Council | |
| 9/30/2015 | * | City Council | Referred to Comm by Council | |
| 10/26/2015 | * | Committee on Consumer Affairs | Hearing Held by Committee | |
| 10/26/2015 | * | Committee on Consumer Affairs | Laid Over by Committee | |
| 12/31/2017 | * | City Council | Filed (End of Session) | |

Int. No. 928

By Council Members Garodnick, Cabrera, Menchaca, Johnson, Torres, Levine, Espinal, Vallone, Constantinides, Rosenthal, Chin, Koo, Rose, Treyger, Van Bramer, Levin, Lancman, Cohen, Kallos, Richards, Dromm, Lander, Rodriguez, Koslowitz, Palma, Crowley, Vacca, Williams, Reynoso, Maisel, Miller, Barron, Cornegy, Ferreras-Copeland, Deutsch, Greenfield, Ulrich and the Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to banning personal care products containing microbeads.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

Microbeads

§ 20-699.7 Definitions

§ 20-699.8 Personal care products containing microbeads

§ 20-699.9 Penalties

§ 20-699.10 Rules and regulations

§20-699.7 Definitions. As used in this subchapter, the following terms shall have the following meanings:

Microbead. The term “microbead” means any manufactured particle of plastic that measures five millimeters or less in size and is added to a personal care product.

Over the counter drug. The term “over the counter drug” means a product that is identified and regulated as a drug by the Food and Drug Administration, contains a label that identifies the product as a drug as required by 21 CFR 201.66, and is available for purchase without a prescription.

Personal care product. The term “personal care product” means any product intended to be rubbed, poured, sprinkled, brushed or sprayed on, introduced into, or otherwise applied to the human body, or any part thereof, for cleansing, moisturizing, or otherwise affecting the appearance or texture of the human body or any part thereof, and any component of such product. The term “personal care product” shall not include any product for which a prescription is required.

§ 20-699.8 Personal care products containing microbeads.

1. Starting January 1, 2016, no person shall sell or offer for sale any personal care product, except for an over the counter drug, which contains microbeads.

2. Starting January 1, 2017, no person shall sell or offer for sale any over the counter drug that contains microbeads.

§ 20-699.9 Penalties. Any person who violates any provision of this subchapter or any rule promulgated pursuant thereto is subject to: (i) a civil penalty of not more than \$2,500 for the first violation, civil penalty of not more than \$1,000 for each additional violation occurring on the same day as the first violation, and such person may be enjoined from continuing the violation; and (ii) a civil penalty of not more than \$5,000 for each

subsequent violation occurring within a period of 24 months of the first violation, civil penalty of not more than \$2,000 for each additional violation occurring on the same day as the subsequent violation, and such person may be enjoined from continuing the violation.

§ 20-699.10 Rules and regulations. The department is authorized to promulgate such rules and regulations as it deems necessary to implement the provisions of this subdivision.

§ 2. This law takes effect immediately.

LUR
LS# 4248
9/1/2015