



Legislation Text

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Int. No. 867

By Council Members Farías, Brannan, Menin, Cabán, Gutiérrez, Brewer, Hanif, Dinowitz, Narcisse, Won and Vernikov

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of menstrual and intimate care products that contain unsafe ingredients

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 15 to read as follows:

SUBCHAPTER 15

MENSTRUAL AND INTIMATE CARE PRODUCTS

§ 20-699.12 Sale of menstrual and intimate care products. a. Definitions. For purposes of this section, the following terms have the followings meanings:

Intimate care product. The term “intimate care product” means a douche, wipe, spray, powder, wash, suppository, lubricant, and any other product used in connection with sexual health.

Restricted ingredients. The term “restricted ingredient” means any chemical component of a menstrual product or intimate care product that the commissioner of health and mental hygiene designates a restricted ingredient pursuant to this section, and includes, but is not necessarily limited to, lead, mercury and related compounds, formaldehyde, triclosan, toluene, talc, per- and polyfluoro-alkyl substances, dibutyl phthalate, di(2) exylhexyl phthalate, butylphenyl methylpropional and isobutyl-, isopropyl-, butyl-, and propylparaben, and fragrance.

b. Prohibitions. No person shall sell, offer for sale, or distribute any menstrual product or intimate care

product that contains a restricted ingredient.

c. Penalty. Any person who violates subdivision b of this section is liable for a civil penalty not to exceed \$250 for each violation. Each failure to comply with subdivision b of this section with respect to any individual product offered for sale, sold, or distributed constitutes a separate violation.

d. Designation of restricted ingredients. The commissioner of health and mental hygiene, in consultation with experts on sexual health, shall determine by rule the ingredients that shall constitute restricted ingredients for purposes of this section. In determining such ingredients, the commissioner shall consider the demonstrated risks of adverse health effects from use, exposure, or application of ingredients of menstrual products and intimate care products offered for sale in the city, and any other factor that is relevant to protecting the health of persons who use menstrual products and intimate care products.

§ 2. This local law takes effect 120 days after it becomes law.

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