Memorandum of Support

A.143 (Gottfried)/S.3331 (Rivera)

Purpose: Relates to the regulation of ingredients in personal care products to include chemicals of concern, which shall be provided on lists identified by the commissioner.

Statement of Support: Americans use an average of 10 personal care products each day and yet these products continue to be one of the least regulated industries in the United States. Personal care products can contain chemicals that are associated with asthma, allergies, hormone disruption, neurodevelopmental problems, infertility, and even cancer. Disclosure required at the federal level fails to adequately educate and protect consumers because while some of the information is labeled on products, there is no information on the toxicity of the ingredients. Additionally, many manufacturers will use the word “fragrance” on an ingredient list, not disclosing what multiple chemicals often make up the individual ingredient listed.

A.143/S.3331 builds off of New York State’s household cleaning product ingredient disclosure policy (published in June 2018) and the 2020 Child Safe Products Act, adding another plank to the state’s commitment to protect New Yorkers from toxic and harmful chemicals. The bill would require manufacturers of personal care products to disclose a list of each ingredient in a product and also disclose if the ingredient is published as a chemical of concern (as defined in the bill)\(^1\), starting in July 2022. This information would be made available to the public via the Interstate Chemical Clearinghouse. Additionally, the bill phases out the sale of personal care products that contain a restricted substance\(^2\), starting in July 2024.

Disclosing and phasing out harmful and unnecessary chemicals in personal care products will have a lasting effect on the health of New Yorkers and the environment. These chemicals have a way of finding their way into our air, water, and the tissue mass of plants and animals; even when these products are eventually thrown away and end up in the landfill.

Sierra Club is devoted to protecting public health and the environment by decreasing exposure to hazardous substances through reducing toxic chemicals in consumer products and in educating consumers about the potential risks of hazardous substances such as endocrine disruptors, formaldehyde, lead, mercury, and other persistent toxins that often end up in our air, water, and natural places.

The Sierra Club Atlantic Chapter Strongly Urges Your Support of A.143/S.3331

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1“Chemical of concern” shall mean a chemical appearing on any of the lists included in the department of environmental conservation division of materials management program policy on household cleansing product information disclosure published on June sixth, two thousand eighteen pursuant to article thirty-five of this chapter and 6 NYCRR part 659, or as designated by the commissioner, in consultation with the commissioner of health.

2“Restricted substance” shall mean lead, mercury and related compounds, formaldehyde, triclosan, toluene, per- and polyfluoroalkyl substances, dibutyl phthalate, di(2)ethylhexyl phthalate, and isobutyl-isopropyl-, butyl-, and propyl paraben.

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