



Legislation Text

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Int. No. 1370

By Council Members Eugene, Crowley and Mendez

A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of all lipsticks containing certain quantities of lead.

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:

SUBCHAPTER 13

PRODUCTS CONTAINING LEAD

§20-699.7 Ban on the sale of lipsticks containing lead. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Lipstick. The term “lipstick” means any cosmetic, as defined under 21 U.S.C. §321(i), intended to be applied on human lips.

Person. The term “person” means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price, and variety.

b. Sales ban. It is unlawful for any person to sell or offer for sale any lipsticks containing lead in quantities exceeding 1.11 parts per million.

c. Penalty. Any person who violates subdivision b of this section or any of the regulations promulgated

thereunder 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 one stock keeping unit constitutes a separate violation.

d. Rules and regulations. The department is authorized to promulgate such rules and regulations as it deems necessary to implement and enforce the provisions of this section.

§2. This local law shall take effect 90 days after it becomes law, except that the department may promulgate any rules and regulations necessary to implement section one of this local law on or before its effective date.

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