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Int. No. 2123

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By the Public Advocate (Mr. Williams) and Council Members Kallos and Chin

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting food packaging containing perfluoroalkyl and polyfluoroalkyl substances from being labeled with the term compostable

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-312.1 to read as follows:

§ 16-312.1 Labeling perfluoroalkyl and polyfluoroalkyl substances in food packaging. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Food packaging. The term "food packaging" means a package or packaging component that is intended for direct food contact and is comprised, in substantial part, of paper, paperboard or other materials originally derived from plant fibers.

Perfluoroalkyl and polyfluoroalkyl substances. The term "perfluoroalkyl and polyfluoroalkyl substances" means a class of fluorinated organic chemicals containing at least one fluorinated carbon.

b. No person shall distribute, sell or offer for sale food packaging containing perfluoroalkyl and polyfluoroalkyl substances that is labeled with the term compostable.

c. Any person who violates this section shall be liable for a civil penalty in the amount of $200 for the first violation, $500 for a second violation committed on different days within a period of 12 months and $1,000 for the third and each subsequent violation committed on different days within a period of 12 months, except that the commissioner shall not impose a monetary penalty but instead shall issue a warning for any

violation that occurs within one year of the effective date of this section.

§ 2. This local law takes effect 1 year after it becomes law.

SG
LS # 13016
9/28/20