

# SAFEGUARDS

## CONSUMER GOODS AND RETAIL

TOYS & JUVENILE PRODUCTS, SOFTLINES

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## NEW YORK ALBANY COUNTY PROHIBITS CERTAIN CHEMICALS IN CHILDREN'S PRODUCTS

Albany County recently became the first local government in New York State to prohibit seven specific chemicals in children's products. The new law will be enforced one year after filing with the Office of the New York State Secretary of State.

On 7 January 2015, a press release from Albany County, New York, announced that 'The Toxic Free Toys Act' has been signed into law to prohibit six heavy metals and benzene in children's products or children's apparel<sup>1</sup>. The new law, also known as 'Local Law J'<sup>2</sup> does not specify the concentration limit for each of the prohibited chemicals. According to the press release, the law will be enforced by the Albany County Department of Health which will work with the Albany County Department of Law to create rules and regulations.

The following definitions are included in the law:

- a) "Children's Apparel" means any item of clothing that consists of fabric or related material intended or promoted for use in children's clothing.
- b) "Children's Product" means any product primarily intended for, made for, or marketed for use by children.
- c) "Children" means a person or persons aged twelve and under.

Highlights of the new law are summarised in Table 1.



<sup>1</sup> [County Executive McCoy Signs Historic Law to Protect Children, First in New York State, 7 January 2015](#)

<sup>2</sup> [Local Law J](#)

TABLE 1.

THE TOXIC FREE TOYS ACT (ALBANY COUNTY, NEW YORK)			
SUBSTANCE	SCOPE	REQUIREMENT	ENFORCEMENT DATE
<ul style="list-style-type: none"> <li>Antimony</li> <li>Arsenic</li> <li>Benzene</li> <li>Cadmium</li> <li>Cobalt</li> <li>Lead</li> <li>Mercury</li> </ul>	Products for children up to the age of 12	Prohibited	1 year following filing in Office of New York State Secretary of State
<b>Exemptions</b> <ul style="list-style-type: none"> <li>Batteries, consumer electronics or electronic components, paper products, or a drug, biological, medical device, food or food additive regulated by the US Food and Drug Administration (FDA)</li> </ul>			

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