

Wed 23.03.16 10:36

Albany County Changes Local Law Restricting Certain Chemicals in Children's Products

Albany County in the state of New York has recently revised its Local Law to restrict certain chemicals in children's products and children's apparel.

Albany County Restricts Heavy Metals in Toys

In January 2015, we informed you that Albany County became the first local government in New York State to enact the Toxic Free Toys Act (Local Law 1 for 2015) [1] to prohibit six heavy metals and benzene in children's products and children's apparel. The law was commonly called Local Law J at the time.

Changes to the Toxic Free Toys Act After Safe to Play Coalition Lawsuit

In response to a lawsuit by the Safe to Play Coalition in the second quarter of 2015, the Albany County Legislature adopted an amendment [2] to the Toxic Free Toys Act in December 2015. The adopted proposal was finalized on January 28, 2016.

The new law, codified as Local Law No. 1 for 2016 [3] (The Toxic Free Toys Act), was filed with the New York State Secretary of State on February 18, 2016. It has two notable changes, including:

- Mandating a specific total content value for each of antimony, arsenic, benzene, cadmium, cobalt, lead and mercury.

- Declaring this Local Law to be preempted by state or federal laws if New York State or the US Federal Government has a final rule in effect with respect to a children's product safety standard that relates to a specific hazard that conflicts with this local law. This provision is essentially identical to the Toxic Free Toys Act under Rockland County in New York State. [4]

This new law will take effect starting July 1, 2016

Albany County now joins Suffolk County [5] and Westchester County [6] in regulating certain chemicals in children's products at the local government level in New York State.

Highlights of this new Local Law in relation to Local Law 1 for 2015 are summarized in [Table 1](#) of the latest Safeguards bulletin.

References:

[1] [SGS Safeguards](#), January 2015.

[2] [SGS Safeguards](#), January 2016.

[3] [New York Department of State, Division of Corporations, State Records and Uniform Commercial Code](#), February 2016.

[4] [SGS Safeguards](#), February 2016.

[5] [SGS Safeguards](#), July 2015.

[6] [SGS Safeguards](#), May 2015.

About SGS Services for the Consumer Goods and Retail Industry

Throughout a global network of laboratories, SGS is able to provide a range of services, including analytical testing, such as [material testing](#) and consultancy for restricted substances in children's products for the US and international markets.

For further information, please contact an SGS expert.

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