

ASSEMBLY, No. 1720

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Prohibits sale of certain cleaning products containing triclosan.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning cleaning products that contain triclosan and
2 supplementing Title 24 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. No person shall sell or offer for sale in the State any
8 cleaning product that contains triclosan and is used by consumers
9 for sanitizing or hand and body cleansing.

10 b. Subsection a. of this section shall not apply to an individual
11 product for which specific United States Food and Drug
12 Administration approval for consumer use has been secured.

13 c. A person who violates this section shall be liable to a civil
14 penalty of up to \$1,000 for each violation, to be collected in a
15 summary proceeding pursuant to the “Penalty Enforcement Law of
16 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.). If the violation is of a
17 continuing nature, each day during which it continues shall
18 constitute a separate and distinct offense. The municipal court and
19 the Superior Court shall have jurisdiction to enforce the “Penalty
20 Enforcement Law of 1999.” The Department of Health may
21 institute a civil action for injunctive relief to enforce this act and to
22 prevent a violation of its provisions, and the court may proceed in
23 the action in a summary manner.

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25 2. This act shall take effect one year after the date of
26 enactment.

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STATEMENT

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31 This bill would, beginning one year after its enactment into law,
32 prohibit the sale of any cleaning product that contains triclosan and
33 is used by consumers for sanitizing or hand and body cleansing.
34 The bill would not apply to individual products for which specific
35 United States Food and Drug Administration (FDA) approval for
36 consumer use has been secured. A person who violates this bill
37 would be liable to a civil penalty of up to \$1,000 for each offense,
38 and each day during which the violation continues would constitute
39 a separate offense.

40 In September 2016, the FDA banned the use of triclosan in over-
41 the-counter consumer antiseptic wash products. According to the
42 FDA, manufacturers of these products did not demonstrate that the
43 ingredient is both safe for long-term daily use and more effective
44 than plain soap and water in preventing illness and the spread of
45 disease. Specifically, triclosan has been associated with hormone
46 disruption in animals and possibly contributes to making bacteria
47 resistant to antibiotics. The federal ban will take effect in
48 September 2017, and some manufacturers have already started

1 removing triclosan from their products. However, the federal ban
2 only applies to products intended to be used with water and rinsed
3 off after use, and does not apply to consumer hand-sanitizers or
4 wipes. Following the lead of Minnesota, this bill would prohibit the
5 use of triclosan in all products used by consumers for sanitizing or
6 hand and body cleansing, except those that receive specific
7 approval for consumer use from the FDA.