

APPLICATION FOR EXISTING STATE OR POLITICAL SUBDIVISIONS OF A
STATE TOY AND CHILDREN'S PRODUCT SAFETY STANDARDS IN EFFECT

1. State or political subdivision of a State

New York State Attorney General's Office

2. Full address of State or political subdivision of a State

Address (Line One) Bureau of Consumer Frauds and Protection

Address (Line Two) 120 Broadway, 3rd Floor

City New York State/Province NY

Zip Code 10271

3. Citation of law or other regulation or standard applicable to a toy or other
children's product

New York General Business Law Section 396-k, renumbered from 396-j

4. Effective Date of law or other regulation or standard

September 1, 1973

5. Explain the section of ASTM F 963-07 which your law or other regulation or
standard addresses

New York General Business Law Section 396-k, which relates to "Hazardous toys and other articles intended primarily for use by children," addresses Sections 4.1 through 4.39.2 of ASTM F 963-07 to the extent these provisions of ASTM F 963-07 become mandatory consumer product safety standards pursuant to Section 106 of the Consumer Product Safety Improvement Act. New York General Business Law Section 396-k also addresses other risks not addressed by ASTM F 963-07.

Please note that there are two provisions of the New York General Business Law designated Section 396-k. This application refers only to the provision relating to "Hazardous toys and other articles intended primarily for use by children."

The New York State Attorney General's submission of this application is not and should not be construed as an admission by the Department of Law or the State of New York as to the preemptive effect of the new mandatory federal consumer product safety standard, formerly ASTM F 963-07, upon New York state law.

6. Submitting law or other regulation or standard (check one):

Electronically (cpsc-os@cpsc.gov - attach copy)

By mail

U.S. Consumer Product Safety Commission
Office of the Secretary
4330 East West Highway
Bethesda, MD 20814-4408

7. Contact Person:	Mary Alestra
Title:	Assistant Attorney General
E-Mail:	mary.alestra@oag.state.ny.us
Telephone:	212-416-6698

KNOWING and WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT FOR UP TO FIVE YEARS (U.S. Code, Title 18, Section 1001).



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

New York State Library

Date: Oct. 29, 2008

To Whom It May Concern:

I do hereby certify that I have caused to be compared the annexed photocopy of:

McKinney's Consolidated Laws of New York Annotated . Book 19
(General Business Law) Sections 396-K, 870 - 873.
LexisNexis® State Capital Database Updated thru Chap. 564, 09/04/2008
for sections 396-K, 870 - 873.

with the original of such record now on file in the New York State Library, and that such copy so hereto annexed is a true copy of said original.

IN WITNESS WHEREOF, I have hereunto
set my hand in the New York State Library in
the City of Albany, this 29th day of October, 2008

Allan W. Raney

Name

Allan W. Raney

Signature

Senior Librarian

Title

NOTE REGARDING STATUTORY SUBMISSION

New York State submitted copyrighted material of the following law with that state's application which can be found in McKinney's Consolidated Laws of New York Annotated, under the following section:

Book 19, General Business Law, Article 26, §§ 396-k which relates to "Hazardous toys and other articles intended primarily for use by children, prohibition and enforcement". Please note that there are two provisions of the New York General Business Law designated Section 396-k. This application addresses only the provision relating to hazardous toys.

In addition LexisNexis State Capital Database (updated thru Chap. 564, 09/04/2008) for section 396-k listed above was also submitted.