

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Diaper
5 Labeling Act.

6 Section 5. Purpose. The purpose of this Act is to protect
7 adults, parents, and small children who may be allergic to
8 ingredients that may be present in diapers.

9 Section 10. Definitions. In this Act:

10 "Diaper" means a type of garment or product inserted into
11 a garment for the purpose of absorbing feces and urine to
12 prevent soiling of outer clothing or the external environment
13 without the use of a toilet. "Diaper" includes either
14 disposable or reusable products.

15 "Ingredient" means an intentionally added substance
16 present in a diaper.

17 Section 15. Diaper ingredient list. No later than 18
18 months after the effective date of this Act, each package or
19 box containing diapers sold in this State shall contain a
20 plain and conspicuous printed list of all ingredients in order
21 of predominance, except that ingredients present at one

1 percent or less may be listed in any order. The list shall
2 either be printed on the package or box or affixed to the
3 package or box. When an ingredient qualifies as confidential
4 or a trade secret under applicable law, the manufacturer may
5 list the common or functional name in place of the specific
6 chemical identity. A product manufactured prior to the
7 effective date of this Act that does not comply with the
8 requirements of this Act may be sold, distributed, or
9 otherwise made available for sale in this State until existing
10 inventory is depleted.

11 Section 20. Other labeling requirements. The requirements
12 of this Act shall apply in addition to any other labeling
13 requirements established under any other law.

14 Section 25. Enforcement; penalties. A person who sells or
15 distributes diapers in this State in violation of Section 15
16 of this Act is subject to a civil penalty of 1% of the person's
17 total annual in-State sales of diapers not to exceed \$1,000
18 per package or box. The State's Attorney of the county where
19 the violation occurred or the Attorney General may enforce
20 this Act by bringing a civil action to collect civil penalties
21 and by seeking an injunction to prevent any activity in
22 violation of this Act.