

**Testimony of
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In Support of
Introduction No. 304-A and Introduction No. 610
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Good afternoon Chairperson Johnson and Members of the Council. Thank you for the opportunity to provide testimony in support of healthier nail salons. My name is Rachel Spector and I am a staff attorney for the Environmental Justice Program of New York Lawyers for the Public Interest (NYLPI). NYLPI has a long history of advocating for healthier communities for all New Yorkers, and has worked extensively to improve indoor air quality and reduce exposure to toxic chemicals in New York City, particularly in public schools.

NYLPI supports Intro 304-A, which is a meaningful step toward improving environmental health in nail salons throughout New York City for customers, workers, and the general public. Nail salons use a host of products containing chemicals that can be harmful to health, especially over periods of sustained exposure. Commonly used chemicals such as formaldehyde, dibutyl phthalate, and toluene are linked to cancer, reproductive health problems and birth defects. Other commonly used chemicals cause respiratory problems, eye irritation, and dizziness, all of which many nail salon workers report experiencing.

It is important to note that the vast majority of nail salon workers in New York City are women, most of them are immigrants and many have limited proficiency in English, and nearly all of them work long hours for low wages. There are many barriers for this group of workers to enforcing the few rights they have to a healthy work environment.

The existing regulatory framework leaves huge gaps in protection for nail salon workers and customers. Intro 304-A will help to fill some of these gaps. For example, FDA regulation of cosmetics is extremely weak. The FDA does no pre-market testing and cannot recall cosmetics. Intro 304-A will encourage reduced use of products that contain the “toxic trio” of cosmetic ingredients: dibutyl phthalate, toluene and formaldehyde. New York State regulation of nail salons fails to address a number of key environmental health issues, in particular airborne exposure to toxic chemicals. Importantly, Intro 304-A includes several measures to improve ventilation, which if properly implemented can be an effective tool to protect the health of salon workers and customers. These measures are especially important as state regulations do not include any ventilation requirements for salons. The bill could be further strengthened with provisions to ensure that businesses receiving reimbursement for new ventilation systems have installed and are using those systems properly.

While we applaud the bill’s new certification program based on strong health guidelines, because the program is voluntary it will not cover all salons in the city. While customers may be able to choose to visit salons with a health certification, many workers will not have the same

freedom and will be left unprotected working at salons that don't participate in the certification program. NYLPI sees Intro 304-A as a first step toward an enforceable set of health regulations for all nail salons in the city. For now, the certification program will be most effective if there is a commitment to ensuring compliance with the program guidelines at all participating salons through inspections.

The bill will help raise awareness about nail salon health and safety among salon owners, workers and customers. Through development of strong guidelines at DOHMH, it will also hopefully raise the bar for all salons. The bill does this without placing unreasonable burdens on business owners. Those who wish to improve health and safety can receive reimbursement for ventilation expenses and will also likely see improved revenue by attracting more customers to a business officially recognized as healthy. Salons that lose customers because they do not participate in the program will have an incentive to invest in measures to receive certification.

Finally, NYLPI supports the goals of Intro 610 and we think that with some modifications it could be made more effective. On its own, Intro 610 could do more to protect the health of the public, and in particular to protect the health of workers, who have the greatest risk of exposure to toxic chemicals. By exclusively targeting customers, the bill is a missed opportunity to provide necessary information to those at greatest risk of environmental health harms in salons. We recommend that the bill be expanded so that its key disclosure provisions, such as how to make a complaint, fully apply to workers as well as to customers. The provisions of Intro 610 complement those in Intro 304-A that require salons to post signs providing detailed information for customers and workers about health and safety.

Thank you again for the opportunity to testify today. We look forward to continuing to work with you to improve environmental health in nail salons throughout New York City.