



Senate

General Assembly

File No. 383

January Session, 2005

Substitute Senate Bill No. 876

Senate, April 18, 2005

The Committee on Public Health reported through SEN. MURPHY of the 16th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MERCURY WARNINGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than October 1,
2 2005, the Commissioner of Public Health, in consultation with the
3 Commissioner of Environmental Protection, shall develop a consumer
4 notice about mercury in fish and shellfish, which shall be made
5 available to the public and posted on the Department of Public
6 Health's and the Department of Environmental Protection's web sites
7 on the Internet. Such consumer notice shall contain (1) information
8 about the nutritional value of fish and shellfish, (2) a warning about
9 the harmful effects of mercury on pregnant and nursing women,
10 women who may become pregnant and young children, (3) advice
11 about the types of fish and shellfish that pregnant and nursing women,
12 women who may become pregnant and young children should avoid,
13 and (4) toll-free telephone numbers and Internet web site addresses
14 that consumers may access for additional information about the risks
15 of mercury in fish and shellfish, including, but not limited to: The

16 federal Food and Drug Administration's Food Information Hotline, the
 17 federal Food and Drug Administration's Food Safety web site, the
 18 federal Environmental Protection Agency's Fish Advisory web site and
 19 the Department of Environmental Protection's web site.

20 (b) On and after October 1, 2005, no grocery or food store, as defined
 21 in section 22-38b of the general statutes, shall sell fish or shellfish to
 22 consumers in this state, unless the owner or operator of the store has
 23 posted the consumer notice developed pursuant to subsection (a) of
 24 this section in close proximity to the fish or shellfish being sold.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Legislative Commissioners:

The effective date was changed from "October 1, 2005," to "from passage" and in subsection (b), the October 1, 2005, date was inserted at the beginning of the sentence for consistency and to achieve the committee's intent.

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Public Health, Dept.	GF - Cost	None	None
Department of Environmental Protection	GF - Cost	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

It is expected that the Departments of Public Health and Environmental Protection will be able to perform duties specified in the bill within each agency's anticipated budgetary resources.

OLR Bill Analysis

sSB 876

AN ACT CONCERNING MERCURY WARNINGS**SUMMARY:**

This bill prohibits retail grocery and food stores that employ 10 or more people from selling fish or shellfish unless they post notices to consumers about mercury in these products. The notice must be posted in close proximity to where fish and shellfish are sold.

The public health commissioner, in consultation with the environmental protection commissioner, must develop the notice, which must be posted on their agencies' websites and made available to the public.

EFFECTIVE DATE: October 1, 2005

CONSUMER NOTICE

The consumer notice must contain:

1. information about the nutritional value of fish and shellfish;
2. a warning about harmful effects of mercury on pregnant and nursing women, women who may become pregnant, and young children;
3. advice about types of shellfish and fish these populations should avoid; and
4. toll-free telephone numbers and websites that consumers can access to get more information about the risks of mercury in fish and shellfish. These must include the Food and Drug Administration's food information hotline and food safety website, Environmental Protection Agency's fish advisory website, the state Environmental Protection Department's website.

BACKGROUND***Mercury in Fish and Shellfish***

A 2004 joint statement from the Food and Drug Administration and Environmental Protection Commission affirms that fish and shellfish are an important part of a healthy diet, containing high quality protein and other essential nutrients. It states that women and young children, especially, should include fish and shellfish in their diets due to these nutritional values.

But the statement cautions that nearly all fish and shellfish contain traces of mercury, some at levels that may harm fetuses and young children. The agencies advise pregnant women, women who may become pregnant, nursing mothers, and young children to avoid some types of fish and shellfish and eat other types lower in mercury. Specifically, they caution these groups not to eat shark, swordfish, tilefish, and king mackerel; to eat up to 12 ounces of low-mercury fish and shellfish (shrimp, canned light tuna, pollack, salmon, and catfish) a week; and to eat only up to six ounces a week of albacore tuna.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 24 Nay 0