



General Assembly

February Session, 2008

Raised Bill No. 5601

LCO No. 1653

01653_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT BANNING CHILDREN'S PRODUCTS CONTAINING LEAD,
PHTHALATES OR BISPHENOL-A.**

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

1 Section 1. Subsection (e) of section 21a-335 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2009*):

4 (e) "Hazardous substance" means: (1) (A) Any substance or mixture
5 of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is
6 a strong sensitizer, (v) is flammable or combustible, or (vi) generates
7 pressure through decomposition, heat or other means, if such
8 substance or mixture of substances may cause substantial personal
9 injury or substantial illness during or as a proximate result of any
10 customary or reasonably foreseeable handling or use, including
11 reasonably foreseeable ingestion by children; (B) any substances which
12 the administrator by regulation finds meet the requirements of
13 subdivision (1) (A) of this subsection pursuant to the provisions of
14 subsections (b) and (c) of section 21a-336; (C) any substance classified
15 as a hazardous substance pursuant to federal regulations adopted
16 under the authority of the federal Hazardous Substances Act (15 USC
17 1261 et seq.); (D) any radioactive substance, if, with respect to such

18 substance as used in a particular class of article or as packaged, the
19 administrator determines by regulation that the substance is
20 sufficiently hazardous to require labeling in accordance with this
21 section and sections 21a-336 to 21a-346, inclusive, in order to protect
22 the public health; (E) any toy or other article (i) intended for use by
23 children which the administrator by regulation determines in
24 accordance with subsection (a) or (b) of section 21a-336 presents an
25 electrical, mechanical or thermal hazard, (ii) marketed for the use of
26 children under the age of twelve years, containing lead in
27 concentrations exceeding forty parts per million, or Di(2-ethylhexyl)
28 phthalate (DEHP), dibutylphthalate (DBP) or butyl benzyl phthalate
29 (BBP), in concentrations exceeding one-tenth of one per cent, or (iii)
30 marketed for the use of children under the age of three years and
31 capable of being put in a child's mouth, containing Diisononyl
32 phthalate (DINP), diisodecyl phthalate (DIDP) or di-n-octylphthalate
33 (DnOP), in concentrations exceeding one-tenth of one per cent or
34 containing bisphenol-A or other chemical included on the list compiled
35 by the Department of Environmental Protection pursuant to section 2
36 of this act; (2) "hazardous substance" shall not apply to economic
37 poisons subject to the federal Insecticide, Fungicide and Rodenticide
38 Act or chapter 441 nor to foods, drugs and cosmetics subject to chapter
39 418, nor to substances intended for use as fuels when stored in
40 containers and used in the heating, cooking or refrigeration system of a
41 house, but such term shall apply to any article which is not itself an
42 economic poison within the meaning of the federal Insecticide,
43 Fungicide and Rodenticide Act or said chapter 441 but which is a
44 hazardous substance within the meaning of subdivision (1) of this
45 subsection by reason of bearing or containing such an economic
46 poison; (3) "hazardous substance" shall not include any source
47 material, special nuclear material or by-product material as defined in
48 the Atomic Energy Act of 1954, as amended, and regulations issued
49 pursuant thereto by the Atomic Energy Commission;

50 Sec. 2. (NEW) (*Effective October 1, 2008*) (a) The Commissioner of
51 Environmental Protection shall compile a list of substances

52 determined, in peer-reviewed scientific studies or federal government
53 publications, to pose significant risk to human health, including, but
54 not limited to, substances that: (1) Cause cancer, (2) harm human
55 reproduction or development, (3) are neurotoxic, (4) disrupt hormonal
56 rhythms, or (5) are toxic.

57 (b) The Commissioner of Environmental Protection may participate
58 in an interstate clearinghouse to (1) classify chemicals existing in
59 commercial goods into one of four categories, those of: (A) High
60 concern, (B) moderate concern, (C) low concern, or (D) unknown
61 concern; (2) organize and manage available data on chemicals,
62 including, but not limited to, information on uses, hazards and
63 environmental concerns associated with chemicals; (3) produce and
64 inventory information on safer alternatives to specific uses of
65 chemicals and model policies and programs related to such
66 alternatives; (4) provide technical assistance to businesses and
67 consumers relating to safer chemicals; and (5) other activities related to
68 this section.

69 Sec. 3. (NEW) (*Effective from passage*) On or before October 1, 2008,
70 the Board of Trustees of The University of Connecticut shall establish
71 an Innovation Institute which shall be affiliated with The University of
72 Connecticut Health Center. The purpose of the institute shall be to help
73 Connecticut industries evaluate hazardous substances, as defined in
74 section 21a-335 of the general statutes, as amended by this act, in
75 production and materials, and to suggest safer alternatives. Not later
76 than twelve months after the date of its establishment, the institute
77 shall have: (1) Completed an assessment of key chemical uses in
78 Connecticut, taking into consideration (A) REACH registration or
79 authorization list, (B) the amount of chemicals used, and (C) the
80 perceived hazard or concern for occupational or environmental effects;
81 (2) created a web site containing links on safer chemical alternatives,
82 information on substances of concern, chemical policy development
83 and related information; and (3) identified resources for developing a
84 more complete understanding of the state economy in relation to

85 carcinogens and chemical use, including, but not limited to, products
86 made, exporting markets, emerging technologies or products,
87 estimates of potential health and economic costs of chemical-related
88 illness, and Connecticut cancer rates and the rates of other chemical-
89 related conditions such as asthma, neurotoxicity and endocrine
90 disruption, and patterns in relation to potential chemical exposures.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2009</i>	21a-335(e)
Sec. 2	<i>October 1, 2008</i>	New section
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To expand the list of hazardous substances that toys and other children's products may not contain, to require the Commissioner of Environmental Protection to compile a list of chemicals of concern, and to create an Innovation Institute at The University of Connecticut.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]