



General Assembly

January Session, 2013

**Amendment**

LCO No. 6207

**\*HB0648906207HDO\***

Offered by:

REP. URBAN, 43<sup>rd</sup> Dist.

SEN. BARTOLOMEO, 13<sup>th</sup> Dist.

To: House Bill No. 6489

File No. 221

Cal. No. 164

**"AN ACT CONCERNING CHILDREN'S SAFETY."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) For purposes of this section  
4 and sections 2 and 3 of this act:

5 (1) "Chemical" means (A) a substance with a distinct molecular  
6 composition, or (B) a group of structurally-related substances.  
7 "Chemical" includes the breakdown products of the substance or  
8 substances that form through decomposition, degradation or  
9 metabolism;

10 (2) "Priority chemical list" means the list of chemicals compiled by  
11 the Commissioner of Public Health because such chemicals present the  
12 greatest risk for adverse effects to children on the basis of their toxicity  
13 and exposure potential as identified pursuant to section 2 of this act.

14 (3) "Toxicological concern" means a chemical that by virtue of its  
15 distinct molecular composition may increase the risk of cancer, genetic  
16 damage, harm to early life development, or damage to internal organs  
17 and functional systems in human beings.

18 (4) "Consumer product" means any item sold for residential or  
19 commercial use, including any component parts and packaging, that is  
20 sold for: (A) Use in a residence, child care facility, licensed pursuant to  
21 section 17a-145 of the general statutes, or school, as defined in  
22 subsection (g) of section 10-233a of the general statutes; or (B) an  
23 outdoor residential use if any child twelve years of age or younger  
24 may have direct contact with the item. "Consumer product" does not  
25 include (i) a food or beverage or an additive to a food or beverage, a  
26 tobacco product or a pesticide regulated by the United States  
27 Environmental Protection Agency, (ii) a drug or biologic regulated by  
28 the United States Department of Health and Human Services or federal  
29 Food and Drug Administration or the packaging of a drug or biologic  
30 regulated by the federal Food and Drug Administration if the  
31 packaging is also regulated by the federal Food and Drug  
32 Administration, or (iii) an item sold for outdoor residential use that  
33 includes composite material made from polyester resins.

34 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1,  
35 2014, the Commissioner of Public Health, in consultation with the  
36 Commissioner of Energy and Environmental Protection and the  
37 Commissioner of Consumer Protection, shall create a priority chemical  
38 list that includes chemicals that are of high concern to children after  
39 considering a child's or developing fetus' potential for exposure to  
40 each chemical. Said commissioners may include chemicals that (1) are  
41 listed on the State of Maine Department of Environmental Protection's  
42 Chemicals of High Concern list and the State of Washington  
43 Department of Health's Chemicals of High Concern for Children list,  
44 or (2) are a toxicological concern and meet one or more of the  
45 following criteria: (A) The chemical has been found through  
46 biomonitoring studies that demonstrate the presence of the chemical in  
47 human umbilical cord blood, breast milk, urine or other bodily tissues

48 or fluids; (B) the chemical has been found through sampling and  
49 analysis to be present in household dust, indoor air, drinking water or  
50 elsewhere in the home environment; or (C) the chemical has been  
51 added to or is present in a consumer product.

52 (b) Not later than January 1, 2016, and biennially thereafter, the  
53 Commissioners of Public Health, Energy and Environmental  
54 Protection and Consumer Protection shall review and revise the list of  
55 priority chemicals and shall consider adding chemicals that meet the  
56 criteria set forth in subdivisions (1) and (2) of subsection (a) of this  
57 section or removing chemicals based upon emerging information.

58 Sec. 3. (NEW) (*Effective from passage*) Not later than July 1, 2014, and  
59 biennially thereafter, the Commissioner of Public Health shall submit,  
60 in accordance with the provisions of section 11-4a of the general  
61 statutes, a report to the joint standing committee of the General  
62 Assembly having cognizance of matters relating to public health. Such  
63 report shall include: (1) Recommendations for reducing the exposure  
64 of children to chemicals listed on the priority chemical list; (2) a list of  
65 consumer products containing chemicals listed on the priority  
66 chemical list that may lead to children's exposure to such chemicals; (3)  
67 a summary of actions taken in other states to assess the risks and alter  
68 the uses and releases of chemicals listed on the priority chemical list;  
69 (4) an evaluation of the effects of reporting requirements, product  
70 labeling, public advisories, phase-outs and bans on protecting children  
71 from chemicals listed on the priority chemical list; and (5) an  
72 assessment of the feasibility of phase-outs and bans by investigating  
73 the availability of safer replacement chemicals, if applicable. Such  
74 report may recommend that focused alternative assessments for  
75 chemicals in consumer products be required of any entity  
76 manufacturing or selling such products in the state. The Department of  
77 Public Health may review such assessments and provide an updated  
78 set of recommendations on that chemical to the legislature not later  
79 than six months after receiving the alternative assessment."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section