



General Assembly

February Session, 2014

Raised Bill No. 5036

LCO No. 441



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

**AN ACT CONCERNING CHILDREN'S PRODUCTS AND CHEMICALS
OF HIGH CONCERN.**

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

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

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

8 (2) "Priority chemical" means a chemical identified by the
9 Commissioner of Public Health that is known, on the basis of credible
10 scientific evidence, to: (A) Harm the normal development of a fetus or
11 child or cause other developmental toxicity; (B) cause cancer, genetic
12 damage or reproductive harm; (C) disrupt the endocrine system; (D)
13 damage the nervous system, immune system or organs or cause other
14 systemic toxicity; (E) be persistent, bioaccumulative and toxic; or (F) be

15 very persistent and very bioaccumulative;

16 (3) "Very bioaccumulative" means having a bioconcentration factor
17 or bioaccumulation factor equal to or greater than five thousand, or
18 having a log Kow greater than 5.0;

19 (4) "Very persistent" means having (A) a half-life in soil or sediment
20 greater than one hundred eighty days; or (B) a half-life equal to or
21 greater than sixty days in water or evidence of long-range transport;
22 and

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

39 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than January 1,
40 2015, the Commissioner of Public Health, in consultation with the
41 Commissioner of Energy and Environmental Protection and the
42 Commissioner of Consumer Protection, shall create a list of priority
43 chemicals that are of high concern to children after considering a
44 child's or developing fetus's potential for exposure to each chemical.
45 Said commissioners may include chemicals that (1) are listed on the

46 state of Maine Department of Environmental Protection's Chemicals of
47 High Concern list and the state of Washington Department of Health's
48 Chemicals of High Concern for Children list, or (2) meet one or more
49 of the following criteria: (A) The chemical has been found through
50 biomonitoring studies that demonstrate the presence of the chemical in
51 human umbilical cord blood, breast milk, urine or other bodily tissues
52 or fluids; (B) the chemical has been found through sampling and
53 analysis to be present in household dust, indoor air, drinking water or
54 elsewhere in the home environment; or (C) the chemical has been
55 intentionally added to or is present in a consumer product.

56 (b) Not later than January 1, 2017, and biennially thereafter, said
57 commissioners shall review and revise the list of priority chemicals
58 and shall consider adding chemicals that meet the criteria set forth in
59 subdivisions (1) and (2) of subsection (a) of this section or removing
60 chemicals based upon emerging information.

61 Sec. 3. (NEW) (*Effective from passage*) Not later than July 1, 2015, and
62 biennially thereafter, the Commissioner of Public Health shall submit,
63 in accordance with the provisions of section 11-4a of the general
64 statutes, a report to the joint standing committee of the General
65 Assembly having cognizance of matters relating to public health. Such
66 report shall include: (1) Recommendations for reducing the exposure
67 of children to priority chemicals; (2) a list of consumer products
68 containing priority chemicals; (3) a summary of actions taken in other
69 states to assess the risks and alter the uses and releases of priority
70 chemicals; (4) an evaluation of the effects of reporting requirements,
71 product labeling, public advisories, phase-outs and bans on protecting
72 children from priority chemicals; and (5) an assessment of the
73 feasibility of implementing phase-outs and bans on certain priority
74 chemicals within the state.

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

Statement of Purpose:

To require the Commissioner of Public Health to identify chemicals of high concern to children.

[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.]