
OLR Bill Analysis

HB 5354

AN ACT CONCERNING CHEMICALS OF HIGH CONCERN TO CHILDREN.

SUMMARY:

This bill requires the public health (DPH) commissioner, by January 1, 2015 and in consultation with the commissioners of energy and environmental protection (DEEP) and consumer protection (DCP), to create and maintain a list of chemicals of high concern for children (“priority chemicals”). In doing so, the commissioners must consider the potential exposure of children and developing fetuses to each chemical. The commissioners must periodically review and update the list.

Under the bill, the DPH commissioner (1) may require manufacturers and distributors in Connecticut to study the feasibility of replacing priority chemicals in their products with safer alternatives and (2) must report to legislators on the list’s status.

EFFECTIVE DATE: Upon passage

PRIORITY CHEMICALS

The bill defines a “priority chemical” as a chemical the DPH commissioner identifies that, on the basis of credible scientific evidence, is known to:

1. harm the normal development of a fetus or child or cause other developmental toxicity;
2. cause cancer, genetic damage, or reproductive harm;
3. disrupt the endocrine system;
4. damage the nervous system, immune system, or organs, or cause other systemic toxicity;

5. be persistent, toxic, and bio-accumulative (i.e., accumulate in an organism); or
6. be very persistent and very bio-accumulative.

Under the bill, a “chemical” is a substance with a distinct molecular composition or a group of structurally related substances. It includes the byproducts that form through decomposition, degradation, or metabolism.

DEVELOPING AND UPDATING THE PRIORITY CHEMICAL LIST

The DPH commissioner must create the list, in consultation with the DEEP and DCP commissioners, by January 1, 2015. She may include on the list any chemical that meets at least one of the following criteria:

1. Credible bio-monitoring studies have found the chemical’s presence in human umbilical cord blood, breast milk, urine, or other bodily tissues or fluid.
2. Sampling and analysis have found the chemical in household dust, indoor air, drinking water, or elsewhere in the home.
3. The chemical has been added to, or is present in, a consumer product used or present in the home.

The DPH, DEEP, and DCP commissioners must (1) review and revise the list at least once every two years and (2) consider adding chemicals that meet the above criteria.

The DPH commissioner may require people in the state who manufacture or distribute products intended for children that contain chemicals on the priority list to (1) assess the feasibility of replacing them with safer alternatives and (2) report to her on the results of those assessments. She may include a summary of these reports in her report to legislators.

REPORT TO LEGISLATORS

By July 1, 2015 and once every two years afterwards, the DPH commissioner must report to the Children’s and Public Health

committees on the status of the priority chemical list. The report must include:

1. recommendations to reduce children's exposure to the listed chemicals;
2. a list of products containing priority chemicals to which children may be exposed;
3. a summary of actions other states have taken to restrict children's exposure to the listed chemicals;
4. an evaluation of the advantages and disadvantages of measures to reduce children's exposure to these chemicals, including reporting, product labeling, product bans, public advisories, and steps to phase out the sale of products; and
5. an assessment of the feasibility of phasing out or banning products containing priority chemicals, including the feasibility of replacing them with safer chemicals.

BACKGROUND

Related Bill

sSB 126, favorably reported by the Public Health Committee, is nearly identical to this bill.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 10 Nay 2 (03/11/2014)