



CONNECTICUT  
BUSINESS & INDUSTRY  
ASSOCIATION

TESTIMONY OF ERIC J. BROWN  
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CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION

before the  
COMMITTEE ON CHILDREN

February 5, 2015

Good morning. My name is Eric Brown and I serve as director of energy and environmental policy with the Connecticut Business & Industry Association (“CBIA”). CBIA’s mission is to work with our members and public officials to make Connecticut a more attractive location for business investment in order to grow jobs and economic opportunity for those who live here. Our members include businesses from across the state of all sizes and from nearly every industry in Connecticut.

Thank you for this opportunity to submit **comments in opposition to HB-5653, An Act Concerning Chemicals of High Concern for Children.**

The purpose of this bill is to have the Department of Public Health compose and regularly revise a list of chemicals deemed by the agency to be potentially harmful to children, conduct several assessments regarding those chemicals and make recommendations to the legislature for taking action to ban or otherwise regulate or restrict the use of those chemicals or the sale of products containing such chemicals in Connecticut.

CBIA has no doubt that the sponsors of this bill have nothing but the best intentions for the children of our state. However, in our opinion, the bill is fundamentally flawed in three ways:

First, the bill conveys the impression that children in Connecticut are not adequately protected under a variety of laws, regulations and standards, including those promulgated in conjunction with:

- The Consumer Product Safety Improvement Act (CPSIA)
- The Consumer Product Safety Act (CPSA),

- The Child Safety Protection Act (CSPA),
- The Federal Hazardous Substances Act (FHSA),
- The ASTM Safety Specification on Toys, and
- The Toxic Substances Control Act.

CBIA certainly shares this committee's interest in ensuring our state's children are protected. But we also understand that without rigorous, independent and peer-reviewed science, one can quickly find oneself in a quixotic pursuit of zero or near-zero risk which, in our view, is an impractical approach to public policy and inevitably associated with negative unintended consequences (see below).

Second, the bill assumes that the Department of Public Health is in a better position, both respect to expertise and resources, to evaluate chemical toxicity, acceptable exposure levels and conduct the assessments called for in the bill, than the top regional and national toxicology experts working in the finest research institutions under rigorous scientific, peer-reviewed scrutiny.

While DPH does have staff who is expert in one or more aspects of toxicology, we understand they number fewer than a handful. The additional burden on those limited staff to implement the continuous cycle of evaluation and assessment required by this bill would be substantial if not overwhelming – and an unnecessary burden given the enormous federal and academic research dedicated to protecting all citizens and our environment from the potential impacts of toxic chemicals.

Third, the bill fails to recognize the detrimental impacts to our economic competitiveness by creating a Connecticut-only list of chemicals, subject to change at least every 2 years together with recommended statutory and/or regulatory changes that could occur at least as often. This level of uncertainty together with the likelihood of resulting regulations and restrictions unique to Connecticut, would be a serious blow to many businesses across the state that produce, utilize or manufacture products from chemicals every day.

CBIA does appreciate reference in subsection (e) to the Chemicals Innovations Institute with respect to consultation as to the availability of effective and affordable alternatives. This is one

of the primary purposes for creating the Institute several years ago by legislation strongly supported by CBIA. However, subsection (e) appears to also open the door for DPH to require companies to conduct assessments and feasibility studies in conjunction with the Institute. That is not consistent, in our view, with the function of the Institute and we do not support such a provision.

Thank you again for this opportunity to comment and we are available at your convenience should any member of the committee wish to discuss further.