



General Assembly

February Session, 2016

***Raised Bill No. 5404***

LCO No. 1662



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING TOXIC FLAME RETARDANT CHEMICALS IN CHILDREN'S PRODUCTS AND FURNITURE.***

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

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of  
2 this section:

3 (1) "Children's product" means a product primarily designed or  
4 intended by a manufacturer to be used by or for a child twelve years of  
5 age or younger, including any article used as a component of such a  
6 product. Children's product shall not include a food, beverage, dietary  
7 supplement, pharmaceutical product or biologic, children's toys that  
8 are subject to the most recent version of the American Society for  
9 Testing and Materials F963, Standard Consumer Safety Specification  
10 for Toy Safety, a medical device as defined in the Federal Food, Drug,  
11 and Cosmetic Act, 21 USC 321(h) or products governed by federal  
12 motor vehicle standards contained in 49 CFR 571.213 and 49 CFR 571.  
13 302;

14 (2) "Flame retardant chemical" means decabromodiphenyl ether,

15 hexabromocyclododecane, TDCPP, TDCP, TCEP or TCPP.

16 (3) "Upholstered residential furniture" means furniture with  
17 padding, coverings and cushions intended and sold for use in the  
18 home or places of lodging;

19 (4) "TDCPP" and "TDCP" mean tris (1,3-dichloro-2-propyl)  
20 phosphate;

21 (5) "TCEP" means tris (2-chloroethyl) phosphate; and

22 (6) "TCPP" means tris (1-chloro-2-propyl) phosphate.

23 (b) On and after July 1, 2019, no manufacturer, wholesaler or  
24 distributor may manufacture, offer or distribute for sale, sell or  
25 distribute for use in this state a children's product or upholstered  
26 residential furniture containing, in amounts greater than one thousand  
27 parts per million in any product component, flame retardant  
28 chemicals.

29 (c) On and after July 1, 2020, no retailer may sell or offer for sale or  
30 use in this state a children's product or upholstered residential  
31 furniture containing, in amounts greater than one thousand parts per  
32 million in any product component, flame retardant chemicals.

33 (d) The provisions of this section shall not apply to the sale or offer  
34 for sale of any previously owned children's product or upholstered  
35 residential furniture containing flame retardant chemicals.

36 (e) A manufacturer shall not replace a flame retardant chemical  
37 whose use is prohibited under this section with a chemical identified,  
38 on the basis of credible scientific evidence published in peer-reviewed  
39 scientific literature generally recognized by the relevant scientific  
40 community, to harm the normal development of a fetus or child or  
41 cause other developmental toxicity, cause cancer, genetic damage or  
42 reproductive harm, disrupt the endocrine or hormone system, or  
43 damage the nervous system, immune system or organs, or cause other

44 systemic toxicity.

45 (f) The Commissioner of Consumer Protection shall, within  
46 available appropriations, enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section

***Statement of Purpose:***

To prevent the manufacture, sale and distribution of children's products and furniture containing certain flame retardant chemicals.

*[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.]*