



General Assembly

Amendment

February Session, 2016

LCO No. 5726



Offered by:

REP. URBAN, 43rd Dist.

REP. KOKORUDA, 101st Dist.

To: Subst. House Bill No. 5299

File No. 142

Cal. No. 124

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

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

3 "Section 1. (NEW) (*Effective July 1, 2018*) (a) For the purposes of this
4 section:

5 (1) "Children's product" means a product, or article used as a
6 component of a product, designed or intended primarily for use by or
7 for children twelve years of age or younger, including, but not limited
8 to, clothing, toys, nursing pillows, crib mattresses, changing pads and
9 strollers. "Children's product" does not include food, beverages,
10 dietary supplements, pharmaceutical products, biologics, consumer
11 electronics, off-highway motorcycles, all-terrain vehicles, children's
12 toys that are subject to the most recent version of the ASTM F963,
13 Standard Consumer Safety Specification for Toy Safety, devices as

14 defined by the federal Food, Drug and Cosmetic Act, 21 USC 321(h) or
15 products governed by federal motor vehicle standards contained in 49
16 CFR 571.213 and 49 CFR 571.302;

17 (2) "TDCPP" or "TDCP" means tris(1,3-dichloro-2-propyl)phosphate;
18 and

19 (3) "TCEP" means tris(2-chloroethyl)phosphate.

20 (b) On and after July 1, 2018, no person may manufacture for use in
21 this state a children's product containing, in amounts greater than .01
22 per cent by weight, the flame retardant chemicals decabromodiphenyl
23 ether, hexabromocyclododecane, TDCPP, TDCP and TCEP.

24 (c) On and after July 1, 2019, no person may sell, offer for sale or use
25 in this state a children's product containing, in amounts greater than
26 .01 per cent by weight, the flame retardant chemicals listed in
27 subsection (b) of this section.

28 (d) The provisions of subsections (b) and (c) of this section shall not
29 apply to an individual who, for personal, family or household
30 purposes, uses, offers for resale, resells or distributes children's
31 products.

32 (e) A manufacturer shall not replace a flame retardant chemical
33 listed in subsection (b) of this section in a children's product with a
34 chemical that has been identified, on the basis of credible scientific
35 evidence published in peer-reviewed scientific literature generally
36 recognized by the relevant scientific community, to harm the normal
37 development of a fetus or child, harm normal development, cause
38 cancer, cause genetic damage or reproductive harm, disrupt the
39 endocrine system, damage the nervous system, immune system or
40 organs or cause other systemic toxicity, be persistent, bioaccumulative
41 and toxic or be very persistent and very bioaccumulative.

42 (f) The Commissioner of Consumer Protection may, within available
43 appropriations, enforce the provisions of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2018</i>	New section