AN ACT CONCERNING LABELING AND RESTRICTING THE USE OF FLAME RETARDANTS.

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

Section 1. (NEW) (Effective October 1, 2019) (a) As used in this section:

(1) "Children's product" means a product, or article used as a component of a product, designed or intended primarily for use by or for children twelve years of age or younger, including, but not limited to, clothing, toys, nursing pillows, crib mattresses, changing pads and strollers. "Children's product" shall not include food, beverages, dietary supplements, pharmaceutical products, biologics, consumer electronics, off-highway motorcycles, all-terrain vehicles, children's toys that contain electronic components or are subject to the most recent version of the American Society for Testing and Materials F963, Standard Consumer Safety Specification for Toy Safety, devices as defined by the federal Food, Drug and Cosmetic Act, 21 USC 321(h) or products, such as infant and child car seats, governed by federal motor vehicle standards contained in 49 CFR 571.213 and 49 CFR 571.302, as amended from time to time;

(2) "Consumer product" means any article, except a children's product, used primarily for personal, family or household purposes;
(3) "Flame retardant chemical" means any chemical or chemical compound for which a functional use is to resist or inhibit the spread of fire. "Flame retardant chemical" includes, but is not limited to, halogenated, phosphorous-based, nitrogen-based and nanoscale flame retardants, and any chemical or chemical compound for which "flame retardant" appears on the substance safety data sheet pursuant to 29 CFR 1910.1200(g), as amended from time to time; and

(4) "Added flame retardant chemical" means a flame retardant chemical that is present in any children's product or upholstered furniture at levels above one thousand parts per million.

(b) On and after January 1, 2020, a manufacturer of a consumer product intended for sale or use in the state shall include a label on such consumer product that (1) is clearly visible to the consumer prior to purchase, and (2) indicates whether or not the product contains any added flame retardant chemical by including the following flame retardant chemical statement:

"The materials in this product:

___contain an added flame retardant chemical

___contain NO added flame retardant chemicals

The State of Connecticut has determined that the fire safety requirements for this product can be met without adding flame retardant chemicals. The state has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development."

A manufacturer of consumer products shall indicate the absence or presence of an added flame retardant chemical by placing an "X" in the appropriate blank of such flame retardant chemical statement.

(c) On and after January 1, 2020, no wholesale or retail business or manufacturer of a children's product may knowingly sell, offer for sale
or distribute for use in this state any children's product that contains any added flame retardant chemical. The provisions of this subsection shall not apply to an individual who, for personal, family or household purposes, uses, offers for resale, resells or distributes children's products.

(d) The Department of Consumer Protection shall enforce the provisions of this section. The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of this section. The regulations shall establish minimum penalties for a manufacturer's failure to comply with such provisions.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | October 1, 2019 | New section |