



General Assembly

February Session, 2012

**Raised Bill No. 274**

LCO No. 1608

\*01608\_\_\_\_\_PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

**AN ACT CONCERNING CHEMICALS OF HIGH CONCERN TO CHILDREN.**

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

1 Section 1. (NEW) (*Effective from passage*) As used in this section and  
2 section 2 of this act:

3 (1) "Chemical" means (A) a substance with a distinct molecular  
4 composition, or (B) a group of structurally-related substances.  
5 Chemical includes the breakdown products of the substance or  
6 substances that form through decomposition, degradation or  
7 metabolism;

8 (2) "Children's product" means a consumer product intended for,  
9 made for or marketed for use by children under twelve years of age.  
10 Children's product includes baby products, toys, car seats, personal  
11 care products and clothing, and any consumer product containing a  
12 chemical of high concern that when used or disposed of will likely  
13 result in a child under twelve years of age or a fetus being exposed to  
14 that chemical. "Children's product" does not include over-the-counter  
15 drugs, prescription drugs, food, dietary supplements, packaging,  
16 medical devices and products that are both a cosmetic and a drug

17 regulated by the federal Food and Drug Administration. A product  
18 label that includes usage instructions for a product that applies to  
19 children does not in and of itself establish that the product is a  
20 children's product;

21 (3) "Consumer product" means any item sold for residential or  
22 commercial use, including any component parts and packaging, that is  
23 sold for: (A) An indoor use in a residence, child care facility or school;  
24 or (B) an outdoor residential use if a child under twelve years of age  
25 may have direct contact with the item. "Consumer product" does not  
26 include (i) a food or beverage or an additive to a food or beverage, a  
27 tobacco product or a pesticide regulated by the United States  
28 Environmental Protection Agency, (ii) a drug or biologic regulated by  
29 the United States Department of Health and Human Services, or  
30 federal Food and Drug Administration or the packaging of a drug or  
31 biologic regulated by the federal Food and Drug Administration if the  
32 packaging is also regulated by the federal Food and Drug  
33 Administration, or (iii) an item sold for outdoor residential use that  
34 consists of a composite material made from polyester resins;

35 (4) "Priority chemical" means a chemical identified by a state  
36 agency, federal agency or accredited research university, on the basis  
37 of credible scientific evidence that is known to do one or more of the  
38 following: (A) Harm the normal development of a fetus or child or  
39 cause other developmental toxicity; (B) cause cancer, genetic damage  
40 or reproductive harm; (C) disrupt the endocrine system; (D) damage  
41 the nervous system, immune system or organs, or cause other systemic  
42 toxicity; (E) be persistent, bioaccumulative and toxic; or (F) be very  
43 persistent and very bioaccumulative;

44 (5) "Very bioaccumulative" means having a bioconcentration factor  
45 or bioaccumulation factor equal to or greater than five thousand, or  
46 having a log Kow greater than 5.0; and

47 (6) "Very persistent" means having a half-life equal to or greater  
48 than one of the following: (A) A half-life in soil or sediment of greater

49 than one hundred eighty days; or (B) a half-life equal to or greater than  
50 sixty days in water or evidence of long-range transport.

51 Sec. 2. (NEW) (*Effective from passage*) (a) The Commissioner of Public  
52 Health, in consultation with the Commissioner of Energy and  
53 Environmental Protection and the Green Ribbon Science Panel,  
54 established pursuant to section 3 of this act, shall identify priority  
55 chemicals that are of high concern to children after considering a  
56 child's or developing fetus's potential for exposure to each chemical. In  
57 identifying the chemicals of high concern to children, the  
58 commissioner shall include a priority chemical that meets one or more  
59 of the following criteria: (1) The chemical has been found through  
60 biomonitoring studies that demonstrate the presence of the chemical in  
61 human umbilical cord blood, human breast milk, human urine, or  
62 other bodily tissues or fluids; (2) the chemical has been found through  
63 sampling and analysis to be present in household dust, indoor air,  
64 drinking water or elsewhere in the home environment; or (3) the  
65 chemical has been added to or is present in a consumer product used  
66 or present in the home.

67 (b) Not later than July 1, 2013, the Commissioner of Public Health,  
68 in consultation with the Commissioner of Energy and Environmental  
69 Protection, shall submit a report listing the chemicals of high concern  
70 to children and identifying the children's products or product  
71 categories that may contain the chemicals of high concern. Such report  
72 may also include: (1) Recommendations for ways to address chemicals  
73 of high concern to children; and (2) recommendations for ways to  
74 address the sale of children's products that contain chemicals of high  
75 concern to children, including, but not limited to, (A) a  
76 recommendation as to whether one or more children's products  
77 containing a chemical of high concern to children should bear a  
78 warning label, and (B) a recommendation as to whether one or more  
79 chemicals of high concern to children should be banned from  
80 children's products sold in the state. The Commissioner of Public  
81 Health shall submit such report, in accordance with the provisions of

82 section 11-4a of the general statutes, to the joint standing committees of  
83 the General Assembly having cognizance of matters relating to public  
84 health and the environment, and shall publish such report on the  
85 Department of Public Health's Internet web site.

86 (c) The Commissioner of Public Health, in consultation with the  
87 Commissioner of Energy and Environmental Protection and the Green  
88 Ribbon Science Panel, shall review and update, as necessary, the list of  
89 chemicals of high concern to children identified pursuant to this  
90 section not less than once every two years after the Commissioner of  
91 Public Health initially identifies such chemicals. The Commissioner of  
92 Public Health shall remove any chemical from the list of chemicals of  
93 high concern to children that no longer meets the criteria for a  
94 chemical of high concern to children, as described in subsection (a) of  
95 this section. The Commissioner of Public Health may identify  
96 additional chemicals that meet such criteria. The Commissioner of  
97 Public Health shall report any change to the list of chemicals of high  
98 concern to children to the joint standing committees of the General  
99 Assembly having cognizance of matters relating to public health and  
100 the environment not later than thirty days after identifying the need  
101 for such change.

102 Sec. 3. (NEW) (*Effective from passage*) There is established an  
103 advisory panel to be known as the Green Ribbon Science Panel to  
104 assist the Commissioners of Public Health and Energy and  
105 Environmental Protection in carrying out their responsibilities in  
106 accordance with section 2 of this act. The panel shall be composed of  
107 members, jointly appointed by the Commissioners of Public Health  
108 and Energy and Environmental Protection not later than October 1,  
109 2012, whose expertise shall encompass all of the following disciplines:  
110 (1) Chemistry; (2) chemical engineering; (3) environmental law; (4)  
111 toxicology; (5) public policy; (6) pollution prevention; (7) cleaner  
112 production methods; (8) environmental health; (9) public health; (10)  
113 risk analysis; (11) materials science; (12) chemical synthesis; (13)  
114 research; and (14) maternal and child health. The commissioners shall

115 convene a meeting of the panel not less than biannually.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

**Statement of Purpose:**

To identify chemicals of high concern to children.

*[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.]*