



General Assembly

Substitute Bill No. 7197

January Session, 2019



**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:

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

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

17 (2) "Consumer product" means upholstered furniture or any article,
18 except a children's product, used primarily for personal, family or

19 household purposes;

20 (3) "Flame retardant chemical" means any chemical or chemical
21 compound for which a functional use is to resist or inhibit the spread
22 of fire. "Flame retardant chemical" includes, but is not limited to,
23 halogenated, phosphorous-based, nitrogen-based and nanoscale flame
24 retardants, and any chemical or chemical compound for which "flame
25 retardant" appears on the substance safety data sheet pursuant to 29
26 CFR 1910.1200(g), as amended from time to time; and

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

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

36 "The materials in this product:

37 ___contain an added flame retardant chemical

38 ___contain NO added flame retardant chemicals

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section

Statement of Legislative Commissioners:

In Subsec. (a)(2), "upholstered furniture" was included in the definition of "consumer product" and in Subsec. (a)(4), "upholstered furniture" was changed to "consumer product" for accuracy and clarity.

PH *Joint Favorable Subst.*