

1.1 moves to amend H.F. No. 605 as follows:

1.2 Page 2, after line 32, insert:

1.3 "(m) "Mouthable" means a product that can be placed into and kept in a child's
1.4 mouth to be sucked or chewed, including any product or product part smaller than five
1.5 centimeters in one dimension. A product that can only be licked is not mouthable.

1.6 (n) "Practical quantification limit (PQL)" means the lowest concentration of a
1.7 chemical that can be reliably measured within specified limits of precision, accuracy,
1.8 representativeness, completeness, and comparability under routine laboratory operating
1.9 conditions, and whose value:

- 1.10 (1) is based on scientifically defensible, standard analytical methods;
- 1.11 (2) may vary depending on the matrix and analytical method used; and
- 1.12 (3) will be determined jointly by the agency and the department, taking into
1.13 consideration practical quantification limits established by federal or state agencies."

1.14 Reletter the paragraphs in sequence

1.15 Page 2, after line 34, insert:

1.16 "(p) "Product category" means the "brick" level of the GS1 Global Product
1.17 Classification (GPC) standard, which identifies products that serve a common purpose, are
1.18 of a similar form and material, and share the same set of category attributes.

1.19 (q) "Product component" means a uniquely identifiable material or coating,
1.20 including, but not limited to, an ink or dye, that is intended to be included as a part of a
1.21 finished children's product."

1.22 Reletter the paragraphs in sequence

1.23 Page 3, delete lines 1 to 5 and insert:

1.24 "(1) an alternative chemical that is not a priority chemical identified by the
1.25 Department of Health in section 116.9403; or

2.1 (2) an alternative chemical that is not identified on the basis of credible scientific
2.2 evidence by a state, federal, or international agency as being known or suspected with
2.3 a high degree of probability to:

2.4 (i) harm the normal development of a fetus or child or cause other developmental
2.5 toxicity;

2.6 (ii) cause cancer, genetic damage, or reproductive harm;

2.7 (iii) disrupt the endocrine or hormone system; or

2.8 (iv) damage the nervous system, immune system, or organs, or cause other systemic
2.9 toxicity."

2.10 Page 4, after line 30, insert:

2.11 "Sec. 6. [116.9408] CHILDREN'S PRODUCTS; REPORTING INFORMATION
2.12 ON PRIORITY CHEMICALS; TIMING.

2.13 A manufacturer or distributor of a children's product offered for sale in this state that
2.14 contains a priority chemical must, unless the children's product is not subject to regulation
2.15 under section 116.9405, provide the information required under section 116.9409 to the
2.16 agency. The maximum length of time between the designation of a priority chemical
2.17 under section 116.9403 and the time the information required under section 116.9409
2.18 must be submitted to the agency varies according to the manufacturer's or distributor's
2.19 annual aggregate gross sales, both within and outside the state, as reported in their most
2.20 recently filed federal tax return, as follows:

2.21 (1) for a manufacturer or distributor with gross sales exceeding \$1,000,000,000, one
2.22 year, or, for a priority chemical designated under section 116.9403 before July 1, 2011, by
2.23 July 1, 2014;

2.24 (2) for a manufacturer or distributor with gross sales exceeding \$250,000,000 but
2.25 less than or equal to \$1,000,000,000, one and one-half years, or, for a priority chemical
2.26 designated under section 116.9403 before July 1, 2011, by July 1, 2015;

2.27 (3) for a manufacturer or distributor with gross sales exceeding \$100,000,000 but
2.28 less than or equal to \$250,000,000, two years, or, for a priority chemical designated under
2.29 section 116.9403 before July 1, 2011, by July 1, 2015;

2.30 (4) for a manufacturer or distributor with gross sales exceeding \$5,000,000 but less
2.31 than or equal to \$100,000,000, three years, or, for a priority chemical designated under
2.32 section 116.9403 before July 1, 2011, by July 1, 2016;

2.33 (5) for a manufacturer or distributor with gross sales exceeding \$100,000 but less
2.34 than or equal to \$5,000,000, four years, or, for a priority chemical designated under
2.35 section 116.9403 before July 1, 2011, by July 1, 2017; and

3.1 (6) for a manufacturer or distributor with gross sales below \$100,000, five years,
3.2 or, for a priority chemical designated under section 116.9403 before July 1, 2011, by
3.3 July 1, 2018."

3.4 Page 4, delete lines 33 and 34

3.5 Page 5, line 1, delete "January 1, 2014," and insert "(a)"

3.6 Page 5, line 2, delete "a priority chemical must, unless" and insert "one or more
3.7 priority chemicals must, except as provided in paragraph (d), or if"

3.8 Page 5, line 5, delete "the" and insert "each"

3.9 Page 5, line 9, after "a" insert "mouthable"

3.10 Page 5, line 10, before "intended" insert "a children's product"

3.11 Page 5, line 16, delete "not intended to be in" and insert "that, under normal use,
3.12 is unlikely to come into"

3.13 Page 5, delete lines 17 to 19 and insert:

3.14 "(3) the product components, materials, or coatings that contain one or more priority
3.15 chemicals;

3.16 (4) the concentration and total amount of each priority chemical contained in a
3.17 children's product, a description of how the concentration was determined, and an
3.18 evaluation of the accuracy of the determination. Concentrations at or above the practical
3.19 quantification limit must be reported, but may be reported in the following ranges:

3.20 (i) greater than or equal to the practical quantification limit but less than 100 ppm;

3.21 (ii) greater than or equal to 100 ppm but less than 500 ppm;

3.22 (iii) greater than or equal to 500 ppm but less than 1,000 ppm;

3.23 (iv) greater than or equal to 1,000 ppm but less than 5,000 ppm;

3.24 (v) greater than or equal to 5,000 ppm but less than 10,000 ppm;

3.25 (vi) greater than or equal to 10,000 ppm.

3.26 For the purposes of this section, "ppm" means parts per million;

3.27 (5) the product category or categories for the children's product;

3.28 (6) the name and address of the reporting manufacturer and the name, address, and
3.29 phone number of the contact person for the reporting manufacturer;"

3.30 Renumber the clauses in sequence

3.31 Page 5, line 32, delete everything after the period

3.32 Page 5, delete lines 33 to 35

3.33 Page 6, line 4, before the period insert "thereafter"

3.34 Page 6, after line 4, insert:

4.1 "(d) The department shall determine on a case-by-case basis if reporting the
4.2 information in paragraph (a), clauses (3) to (8), is required by a manufacturer whose
4.3 children's product belongs in Category 4 under clause (2).

4.4 (e) If the manufacturer claims that any of the information provided to the agency
4.5 under this section is trade secret information under section 325C.01, subdivision 5, the
4.6 agency shall make a determination regarding the claim under that section and section
4.7 13.37, subdivision 1. Information determined to be public data will be posted on the
4.8 agency's Web site. This paragraph does not apply to the identification of a chemical as a
4.9 priority chemical, which is governed under section 116.9403, subdivisions 2 and 3."

4.10 Renumber the sections in sequence and correct the internal references

4.11 Amend the title accordingly