

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Harmful chemicals in children's products

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### Overview

This bill provides a process for manufacturers to report to the Pollution Control Agency (PCA) regarding priority chemicals contained in children's products.

#### Section

- 1**      **Pollution Control Agency.** Amends § 13.7411, subd. 8. Provides that information related to priority chemicals that is submitted to the PCA is classified under § 116.9403.
- 2**      **Definitions.** Amends § 116.9401. Makes conforming technical change. Adds definitions for "contaminant," "intentionally added chemical," "mouthable," "practical quantification limit," "product category," "product component," "product code," "toy," and "trade association." Modifies the definition of "safer alternative."
- 3**      **Amends § 116.9402.** Requires any changes to the list of chemicals of high concern to be published on the PCA's Web site and in the State Register.
- 4**      **Identification of priority chemicals.** Amends § 116.9403.
  - Subd. 1.** Provides that changes to the list of priority chemicals must be published on the PCA's Web site and in the State Register.
  - Subd. 2.** Provides that the presence, concentration, and total amount of a priority chemical in a specific children's product is classified as public data.
  - Subd. 3.** Provides that designation or publication of the identity of a priority chemical is not misappropriation of a trade secret.
- 5**      **Applicability.** Amends § 116.9405. Makes technical change. Expands the list of excluded products to include children's products produced at a rate of less than 3,000 units per year,

## Section

batteries, interactive software, and over-the-counter drugs.

- 6 **Donations to the state.** Amends § 116.9406. Makes conforming technical changes.
- 7 **Children's products; initial notification on priority chemicals.** Specifies when manufacturers and distributors of children's products must report certain information.
- 8 **Children's products; full reporting information on priority chemicals; timing.** Adds § 116.9409. Specifies a schedule that manufacturers and distributors of a children's product that contains a priority chemical must use to report the information required under section 9 to the PCA, based on aggregate gross sales within and outside the state.
- 9 **Children's products; full product reporting information on priority chemicals.** Adds § 116.9410. Specifies the full product information that must be reported to the PCA, including the concentration and total amount of the priority chemical in the children's product.
- 10 **Children's products; full product reporting information on priority chemicals; second and subsequent reports.** Adds § 116.9411. Specifies the information that must be submitted to the PCA every two years after the information submitted under section 9, including attempts made to remove the priority chemical from the children's product and an evaluation of safer alternatives.
- 11 **Children's products; removing a priority chemical; reporting requirement.** Adds § 116.9412. Specifies the information that must be submitted to the PCA when a priority chemical has been removed from a children's product.
- 12 **Fees.** Adds § 116.9419. Requires the PCA to collect certain fees from manufacturers and distributors of children's products. Requires the fees be deposited into the environmental fund.
- 13 **State agency duties.** Adds § 116.9420. Specifies PCA duties under this act, including publishing applicable data, making suggestions for reducing or eliminating priority chemicals in specific children's products, and offering grants to develop safer alternatives to priority chemicals.
- 14 **Enforcement.** Adds § 116.9423. Requires the PCA to enforce this act.
- 15 **Rules.** Adds § 116.9424. Allows the commissioner to adopt rules under this section.
- 16 **Report.** Requires the Commissioners of the PCA, Health, and Commerce to report on the agency's implementation of this act by November 15, 2015, and every three years thereafter.