

S.239. Senate Further Proposal of Amendment

First Instance of Amendment in Senate Further Proposal

- Amends definition of children's product to include "any consumer products whose substantial use or handling by children under 12 years of age is reasonably foreseeable"

Second Instance of Amendment in Senate Further Proposal

- Moved exemption for consumer electronics and interactive software from definition of children's products to definition of consumer product.

Third Instance of Amendment in Senate Further Proposal

- In conjunction with the Fifth Proposal of Amendment strikes a chemical "intentionally added" to a chemical as a standard for notice and replaces it with a chemical "present in" product.

Fourth Instance of Amendment in Senate Further Proposal

- Reduces the number of members on the Chemicals of High Concern to Children Working Group by reducing the number of representatives from business from two to one

Fifth proposal of Amendment in Senate Further Proposal

- Moved the required date for manufacturer reporting of chemicals in children's products from 2015 to 2016.

Fifth Instance of Amendment in Senate Further Proposal

- Strikes a subsection that allows manufacturers to rely on a certificate of compliance from a supplier in determining whether notice is necessary.
 - There were concerns about whether the Attorney General could effectively enforce or validate any certificate of compliance.

Sixth Instance of Amendment in Senate Further Proposal

- Strikes the requirement that the Working Group make a recommendation prior to the Commissioner adopting a rule to regulate the sale of labeling of a children's product
- Also clarifies that DOH shall review one or more of a long list or criteria, instead of every criteria, in determining whether to adopt a rule to regulate the sale or labeling of a children's product that contains a chemical of high concern.
- It also requires DOH as part of its required rulemaking to provide criteria by which a chemical shall be prioritized for addition or removal from the list of chemicals of high concern to children or for regulation or sale or labeling

Seventh Instance of Amendment in the Senate Further Proposal

- Provides that DOH can publish trade secret information in an aggregate form if the published information does not identify the manufacturer or disclose a business advantage.

Eighth Instance of Amendment in the Senate Proposal of Amendment

- Strikes a requirement for the packaging of liquid nicotine sold in the State. Similar, but different, language was passed by the Senate already.
- Also amends the Effective Date section to reflect that the section of liquid nicotine was removed.