

§ 2972. DEFINITIONS

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(2)(A) “Children’s product” means a consumer product:

(i) marketed for use by children under 12 years of age; or

(ii) the substantial use of which by a child under 12 years of age is reasonably foreseeable.

(B) “Children’s product” shall not include consumer electronic products or interactive software.

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(13) “Tris” means tris(1,3-dichloro-2-propyl) phosphate (TDCPP), chemical abstracts service number 13674-87-8 (as of the effective date of this section); or tris(2-chloroethyl) phosphate (TCEP), chemical abstracts service number 115-96-8 (as of the effective date of this section).

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(14) “Consumer electronic products” mean personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a screen that are used to access interactive software and their associated peripherals.

(15) “Interactive software” means software intended for leisure and entertainment such as computer games, and their storage media, such as compact disks.

§ 2975. NOTICE TO RETAILERS; DISCLOSURE OF PRODUCT

CONTENT; CONSULTATION

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(c) As of March 31, 2014, persons other than retailers that since July 1, 2010, have manufactured, distributed, or sold in or into this State any product containing Tris that is prohibited under subsection 2974(a) or (b) of this chapter shall notify persons that sell the manufacturer's product of the fact that the product sold to the person selling the manufacturer's product contains Tris. The notification shall be sent by mail and shall notify the person selling the manufacturer's product of the concentration of Tris in the product sold in parts per million of each product component.

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Sec. 1a. DEPARTMENT OF HEALTH REPORT ON TRIS PHOSPHATE

(a) On or before January 15, 2014, the Commissioner of Health shall submit to the Senate Committee on Health and Welfare and the House Committee on Human Services a recommendation as to whether or not the manufacture, sale, or distribution of children's products or residential upholstered furniture containing the chemical tris phosphate (TCPP) should be prohibited in the State under 9 V.S.A. § 2974 because of the potential human health effects of TCPP.

(b) In making a recommendation under this section, the Commissioner shall rely on published information from the National Toxicology Program in the U.S. Department of Health and Human Services, the U.S. Environmental Protection Agency, or peer-reviewed literature addressing whether TCPP is carcinogenic, likely or reasonably anticipated to be carcinogenic, or is identified as causing birth defect, hormone disruption, or harm to reproductive development.

(c) As used in this section, “tris phosphate (TCPP)” means tris(2-chloro-1-methylethyl) phosphate chemical abstracts service number 13674-8405.