

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill  
3 No. 55 entitled “An act relating to the regulation of toxic substances and  
4 hazardous materials” respectfully reports that it has considered the same and  
5 recommends that the bill be amended as follows:

6 First: By striking out Sec 3 and the reader assistance that precedes in their  
7 entirety and inserting in lieu thereof the following:

8 \* \* \* Chemicals of High Concern to Children \* \* \*

9 Sec. 3. 18 V.S.A. § 1775 is amended to read:

10 § 1775. DISCLOSURE OF INFORMATION ON CHEMICALS OF HIGH  
11 CONCERN

12 (a) Notice of chemical of high concern to children. A manufacturer of a  
13 children’s product or a trade association representing a manufacturer of  
14 children’s products shall submit to the Department the notice described in  
15 subsection (b) of this section for each chemical of high concern to children in a  
16 children’s product if a chemical of high concern to children is:

17 (1) intentionally added to a children’s product at a level above the PQL  
18 produced by the manufacturer; or

19 (2) present in a children’s product produced by the manufacturer as a  
20 contaminant at a concentration of 100 parts per million or greater.

1 (b) Format for notice. The Commissioner shall specify the format for  
2 submission of the notice required by subsection (a) of this section, provided  
3 that the required format shall be generally consistent with the format for  
4 submission of notice in other states with requirements substantially similar to  
5 the requirements of this section. Any notice submitted under subsection (a)  
6 shall contain the following information:

7 (1) the name of the chemical used or produced and its chemical abstracts  
8 service registry number;

9 (2) a description of the product or product component containing the  
10 chemical, including the brand name, the product model, and the universal  
11 product code if the product has such a code;

12 (3) the amount of the chemical contained in each unit of the product or  
13 product component, reported by weight or parts per million as authorized by  
14 the Commissioner;

15 (4) the name and address of the manufacturer of the children's product  
16 and the name, address, and telephone number of a contact person for the  
17 manufacturer;

18 (5) any other information the manufacturer deems relevant to the  
19 appropriate use of the product; and

20 (6) any other information required by the Commissioner under rules  
21 adopted pursuant to 3 V.S.A. chapter 25.

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(l) Submission of notice; dates. Unless the Commissioner adopts by rule a phased-in reporting requirement under section 1776 of this title, a manufacturer shall submit the notice required under subsection (a) of this section by:

- (1) January 1, 2017; and
- (2) August 31, 2018, and biennially thereafter.

(m) Notice prior to sale. A manufacturer who intends to introduce for sale a new children’s product in Vermont that contains a chemical of high concern to children between the required dates for reporting under subsection (l) of this section shall submit to the Department the notice required under subsection (a) prior to sale of the children’s product.

Second: in Sec. 4, 18 V.S.A. § 1776, by striking out subsection (b) in its entirety and inserting in lieu thereof the following:

(b) Additional chemicals of concern to children. The Commissioner may by rule add additional chemicals to the list of chemicals of high concern to children, provided that the Commissioner of Health, on the basis of ~~the weight~~ of credible, peer-reviewed scientific evidence information, has determined that a chemical proposed for addition to the list meets both of the following criteria in subdivisions (1) and (2) of this subsection:

1           (1) The Commissioner of Health has determined that an authoritative  
2 governmental entity or accredited research university has demonstrated that the  
3 chemical:

4           (A) harms the normal development of a fetus or child or causes other  
5 developmental toxicity;

6           (B) causes cancer, genetic damage, or reproductive harm;

7           (C) disrupts the endocrine system;

8           (D) damages the nervous system, immune system, or organs or  
9 causes other systemic toxicity; or

10          (E) is a persistent bioaccumulative toxic.

11          (2) The chemical has been found through:

12          (A) biomonitoring to be present in human blood, umbilical cord  
13 blood, breast milk, urine, or other bodily tissues or fluids;

14          (B) sampling and analysis to be present in household dust, indoor air,  
15 drinking water, or elsewhere in the home environment; or

16          (C) monitoring to be present in fish, wildlife, or the natural  
17 environment.

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1 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE