
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 75 (S.55). Environmental health; toxic substances; chemicals of high concern to children

An act relating to the regulation of toxic substances and hazardous materials

This act establishes the Interagency Committee on Chemical Management to evaluate chemical inventories in the State, identify potential health risks to human health and the environment from chemical inventories, and propose measures to address risks from chemical inventories. The act provides that it is the General Assembly's intent that a similar committee established by executive order would fulfill the duties and membership of the Interagency Committee on Chemical Management.

The act amends the Chemicals of High Concern to Children Program. Manufacturers of children's products that contain a chemical of high concern to children (CHCC) shall report a product's brand name, product model, and universal product code when fulfilling the Program's notice requirements. The act amends the standard for adding a chemical by rule to the CHCC list. Manufacturers of children's products containing a CHCC shall provide notice to the Department of Health annually instead of every two years. The act requires the CHCC Working Group to meet at least twice annually, instead of once every two years.

The act amends the criteria under which the Commissioner of Health may regulate the sale or labeling of a children's product containing a CHCC. The act strikes the requirement that the Commissioner may regulate the sale or labeling of a children's product only upon the recommendation of the CHCC Working Group. In order for the Commissioner of Health to regulate the sale or labeling of a children's product, the Commissioner shall determine that children may be exposed to a CHCC, instead of will be exposed, and that there is a possibility, instead of probability, that the exposure could cause or contribute to a listed adverse health impact. The act requires the Department of Health to adopt, by rule, requirements for when a manufacturer of a children's product containing a CHCC shall submit a product notice when the manufacturer intends to introduce the product for sale between the required reporting dates.

Effective Date: Multiple effective dates, beginning on June 19, 2019