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1 A bill to be entitled
2 An act relating to chemicals in consumer products;
3 creating s. 381.989, F.S.; providing a statement of
4 public policy regarding the identification of
5 chemicals of high concern and the presence of such
6 chemicals in consumer products designed for use by
7 pregnant women and children; defining terms; requiring
8 the Department of Health to publish on its website a
9 list of chemicals of high concern by a specified date;
10 specifying criteria for inclusion on and revision of
11 the list; authorizing the department to participate
12 with other states and governmental entities in an
13 interstate clearinghouse established for specified
14 purposes; providing an effective date.

15
16 WHEREAS, thousands of toxic chemicals are present in
17 consumer products intended for use by pregnant women and
18 children which are used in and around residences, child care
19 facilities, and schools, and

20 WHEREAS, exposure to harmful chemicals in consumer products
21 specifically designated for use by pregnant women and children
22 has been linked to devastating health conditions such as
23 childhood cancer, asthma, premature puberty, infertility, and
24 learning and developmental disabilities, and

25 WHEREAS, consumers, including pregnant women, parents,
26 teachers, and business owners, need reliable information to

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27 | ensure that they are able to make healthy choices about the
 28 | products they buy, and

29 | WHEREAS, abundant reliable, peer-reviewed scientific data
 30 | currently exists regarding the health and safety concerns of
 31 | toxic chemicals on pregnant women and children, and

32 | WHEREAS, several states, including Maine, Washington, and
 33 | Minnesota, have used the available peer-reviewed scientific data
 34 | to produce lists of "chemicals of high concern" to inform the
 35 | public about important public safety information regarding toxic
 36 | chemicals, NOW, THEREFORE,

37 |
 38 | Be It Enacted by the Legislature of the State of Florida:

39 |
 40 | Section 1. Section 381.989, Florida Statutes, is created
 41 | to read:

42 | 381.989 Chemicals of high concern in consumer products.-

43 | (1) It is the policy of this state, consistent with its
 44 | duty to protect the health, safety, and welfare of its citizens,
 45 | to reduce the exposure of pregnant women and children to
 46 | chemicals of high concern by publicly identifying such chemicals
 47 | and encouraging substitution with safer alternatives whenever
 48 | feasible.

49 | (2) As used in this section, the term:

50 | (a) "Chemical" means any element, compound, or mixture of
 51 | elements or compounds, including breakdown products formed
 52 | through decomposition, degradation, or metabolism.

53 (b) "Chemical of high concern" means a chemical identified
54 by the department which meets the criteria established in
55 subsection (4).

56 (c) "Children" or "child" means a person younger than 18
57 years of age.

58 (d) "Consumer product" means an item designed or primarily
59 intended for use by pregnant women or children, including
60 component parts and packaging, which is sold for indoor or
61 outdoor use in or around a residence, child care facility, or
62 school.

63 (e) "Credible scientific evidence" means the results of a
64 study, the experimental design and conduct of which has
65 undergone independent scientific peer review, which are
66 published in a peer-reviewed journal or in a publication of an
67 authoritative federal or international governmental agency,
68 including, but not limited to, the United States Department of
69 Health and Human Services National Toxicology Program, the
70 National Institute of Environmental Health Sciences, the United
71 States Food and Drug Administration, the Centers for Disease
72 Control and Prevention, the United States Environmental
73 Protection Agency, the World Health Organization, and the
74 European Chemicals Agency of the European Union.

75 (f) "Department" means the Department of Health.

76 (3) By January 1, 2016, the department, in consultation
77 with other state agencies, shall publish on its website an
78 initial list of at least 50 chemicals of high concern. The

79 department shall review the list at least once every 2 years and
80 revise it as needed.

81 (4) A chemical may be designated as a chemical of high
82 concern if the department determines that the chemical meets the
83 following criteria:

84 (a) Based on credible scientific evidence, the chemical is
85 identified by a governmental agency as being known or likely to:

86 1. Harm the normal development of a fetus or child or
87 cause other developmental toxicity;

88 2. Cause cancer, genetic damage, or reproductive harm;

89 3. Damage the nervous system, immune system, hormone
90 system, or organs or cause other systemic toxicity; or

91 4. Be persistent, bioaccumulative, and toxic.

92 (b) There is credible scientific evidence that the
93 chemical has been added to, or is present in, a consumer product
94 used or stored in or around a residence, child care facility, or
95 school.

96 (5) The department may participate with other states and
97 governmental entities in an interstate clearinghouse in order
98 to:

99 (a) Promote the use of safer chemicals in consumer
100 products.

101 (b) Organize and manage available data on chemicals,
102 including information on uses, hazards, disposal, and
103 environmental concerns.

104 (c) Produce and inventory information on safer

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105 alternatives to specific uses of chemicals of high concern and
106 model policies and programs related thereto.

107 (d) Provide technical assistance to businesses and
108 consumers related to the use of safer chemicals.

109 (e) Initiate other activities in support of state programs
110 to promote the use of safer chemicals in consumer products.

111 Section 2. This act shall take effect July 1, 2015.