


SPC&B Update

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New York State Assembly Passes Hazardous Chemical Reporting Bill



NY State May Soon Join the Chemical Reporting Band Wagon

The New York State Assembly passed a bill to regulate hazardous chemicals in children's products, which if enacted will have reporting requirements similar to those implemented in the states of Washington, Vermont and Maine. The bill would require the Department of Environmental Conservation (DEC) to publish a list of Chemicals of High Concern. The DEC also would be required to publish a list of 10 chemicals identified as Priority Chemicals, which trigger reporting requirements. Both lists are to be monitored and periodically updated.

If the bill is enacted, manufacturers of children's products containing intentionally added Priority Chemicals must disclose certain information to the DEC within 12 months of the chemicals' listing as such. Manufacturers or distributors of children's products containing a Priority Chemical must notify retailers of the presence and of its toxicity. Retailers must post notices to consumers identifying the products and their Priority Chemicals.

Finally, children's products containing the initial list of Priority Chemicals will be banned entirely starting January 1, 2019, and children's products containing newly designated Priority Chemicals would be banned starting three years after listing. The current list of Priority Chemicals is available upon request.

For more information on consumer product safety issues, please contact Gail T. Cumins at gcumins@spcblaw.com, Alli Baron at abaron@spcblaw.com, Donna Shira at dshira@spcblaw.com, or Ken Paley at kpaley@spcblaw.com, or call us at 212-425-0055.

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