

HB 2084 -- Toxic Fire Retardant Prevention Act

Sponsor: Englund

This bill establishes the Toxic Fire Retardant Prevention Act which, beginning January 1, 2012, prohibits any person from manufacturing, processing, or distributing a product or a flame-retardant part of a product containing more than .1% of pentabromodiphenyl ether or octabromodiphenyl ether or manufacturing or processing or knowingly selling, offering for sale, distributing for sale, or distributing for use a mattress, mattress pad, an article of furniture, or any other product intended for indoor residential use if the product has a textile component containing decabromodiphenyl ether or a television, computer, or other electronic device if the exterior casing contains decabromodiphenyl ether with specified exceptions.

The manufacturer of a prohibited product must notify anyone who sells or distributes the product of the prohibitions specified in the bill by January 1, 2011. Any retailer or manufacturer who violates the provisions of the bill will be subject to a fine of between \$10,000 and \$25,000 for each violation. Any retailer who unknowingly violates the provisions will not be liable but must recall the product and reimburse any purchaser for the product, including shipping and handling.

The Department of Natural Resources must submit by January 2, 2012, to the General Assembly and the Governor a report that reviews the latest available scientific research to address specified issues. By February 28, 2012, the Department of Health and Senior Services must review the report and submit to the General Assembly and Governor a report that discusses any public health implications the department believes would result from exposure to decabromodiphenyl ether as well as other specified topics.