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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 458

02/11/2013 Authored by Persell, Loon, Savick, Melin, Franson and others
The bill was read for the first time and referred to the Committee on Health and Human Services Policy
02/28/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Judiciary Finance and Policy
03/11/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act
1.2 relating to public health; banning formaldehyde in certain children's products;
1.3 proposing coding for new law in Minnesota Statutes, chapter 325F.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[325F.174] DEFINITIONS.**

1.6 (a) For the purposes of sections 325F.174 to 325F.176, the following terms have
1.7 the meanings given them.

1.8 (b) "Child" means a person under 12 years of age.

1.9 (c) "Children's product" means a product designed or intended by a manufacturer
1.10 to be physically applied to or introduced into a child's body, including any article used
1.11 as a component of such a product and excluding a food, beverage, dietary supplement,
1.12 pharmaceutical product or biologic, toy, or a medical device as defined in the federal
1.13 Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h), as amended
1.14 through February 15, 2013.

1.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.16 Sec. 2. **[325F.175] FORMALDEHYDE IN CHILDREN'S PRODUCTS; BAN.**

1.17 Beginning January 1, 2014, no manufacturer may knowingly sell or offer for initial
1.18 sale at retail in this state a children's product that contains:

1.19 (1) formaldehyde, including formaldehyde contained in a solution; or

1.20 (2) ingredients that chemically degrade under normal conditions of temperature and
1.21 pressure to release formaldehyde.

1.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.1 Sec. 3. **[325F.176] FORMALDEHYDE REPLACEMENT CHEMICALS.**

2.2 A manufacturer shall not replace a chemical whose use is prohibited in section
2.3 325F.175 with a chemical known to the manufacturer to have been identified on the basis
2.4 of credible scientific evidence by a state, federal, or international agency as being known
2.5 or suspected with a high degree of probability to:

2.6 (1) harm the normal development of a fetus or child or cause other developmental
2.7 toxicity;

2.8 (2) cause cancer, genetic damage, or reproductive harm;

2.9 (3) disrupt the endocrine or hormone system; or

2.10 (4) damage the nervous system, immune system, or organs, or cause other systemic
2.11 toxicity.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2013, and applies to crimes
2.13 committed on or after that date.