

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH LEGISLATURE

S.F. No. 357

(SENATE AUTHORS: REST, Ruud, Scalze, Kent and Lourey)

DATE	D-PG	OFFICIAL STATUS
02/11/2013	191	Introduction and first reading Referred to Health, Human Services and Housing
02/14/2013	240	Withdrawn and re-referred to Environment and Energy
02/25/2013	379a	Comm report: To pass as amended and re-refer to Judiciary
03/05/2013	546a	Comm report: To pass as amended and re-refer to Health, Human Services and Housing
03/07/2013	718	Comm report: To pass and re-referred to Commerce
03/18/2013	1056a	Comm report: To pass as amended
	1179	Second reading
05/01/2013	3153	HF substituted on General Orders HF458

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 eight years of age.

1.9 (c) "Children's product" means a product primarily designed or intended by a

1.10 manufacturer to be physically applied to or introduced into a child's body, including any

1.11 article used as a component of such a product and excluding a food, beverage, dietary

1.12 supplement, pharmaceutical product or biologic, children's toys that are covered by the

1.13 ASTM International F963 standard for Toy Safety, or a medical device as defined in

1.14 the federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321(h),

1.15 as amended through February 15, 2013.

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

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

1.18 (a) Beginning August 1, 2014, no manufacturer or wholesaler may sell or offer for

1.19 sale in this state a children's product that intentionally contains:

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

1.21 (2) ingredients that chemically degrade under normal conditions of temperature and

1.22 pressure to release formaldehyde.

(b) Beginning August 1, 2015, no retailer may sell or offer for sale in this state a children's product that intentionally contains:

- (1) formaldehyde, including formaldehyde contained in a solution; or
- (2) ingredients that chemically degrade under normal conditions of temperature and pressure to release formaldehyde.

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

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

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

- (1) harm the normal development of a fetus or child or cause other developmental toxicity;
- (2) cause cancer, genetic damage, or reproductive harm;
- (3) disrupt the endocrine or hormone system; or
- (4) damage the nervous system, immune system, or organs, or cause other systemic toxicity.

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