

HB 1125 -- Poison Prevention

Sponsor: Wildberger

This bill establishes the Poison Prevention Task Force within the Department of Health and Senior Services to obtain and evaluate poisoning incidence and severity data for determining whether to add or delete toxic household products. Any toxic household product listed in Section 191.1006, RSMo, that is manufactured after January 1, 2007, and sold in this state must have an aversive agent approved by the task force contained within the product to make it unpalatable unless the task force grants an exemption or extension.

A manufacturer, distributor, or seller of a toxic household product that is required to contain an aversive agent is not liable for any personal injury, death, or property damage that may result from the use of the product. However, liability is only applicable if the aversive agent included in the household product was approved by the task force. Any person not in compliance with these requirements will be liable for a civil penalty not to exceed \$5,000 for each day of violation. These prohibitions do not apply to individuals in the business of wholesale or retail distribution, unless the person is engaged in the manufacture of the product, or has knowledge that the product which the person will be distributing or selling is in violation.

The task force will report its recommendations to the General Assembly for the deletion or addition of products from this list, measures to reduce the number of incidences and severity of poisonings, poison prevention education activities, and child restraint closure effectiveness.