

FIRST REGULAR SESSION

HOUSE BILL NO. 410

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), HOLSMAN, OXFORD, KANDER,
ZIMMERMAN, WALTON GRAY, PACE, CORCORAN AND LAMPE (Co-sponsors).

0625L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the sale of toxic toys, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.1300, to read as follows:

407.1300. 1. As used in this section, the following terms shall mean:

2 **(1) "Child care article", all products designed or intended by the manufacturer to**
3 **facilitate sleep, relaxation, or the feeding of children, or to help children with sucking or**
4 **teething;**

5 **(2) "Toy", all products designed or intended by the manufacturer to be used by**
6 **children when at play.**

7 **2. (1) Beginning January 1, 2010, no person or entity shall manufacture, sell, or**
8 **distribute in commerce any toy or child care article that contains di-(2-ethylhexyl)**
9 **phthalate (DEHP), dibutyl phthalate (DBP), or benzyl butyl phthalate (BBP), in**
10 **concentrations exceeding one-tenth of one percent.**

11 **(2) Beginning January 1, 2010, no person or entity shall manufacture, sell, or**
12 **distribute in commerce any toy or child care article intended for use by a child under three**
13 **years of age if such product can be placed in the child's mouth and contains diisononyl**
14 **phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP), in**
15 **concentrations exceeding one-tenth of one percent.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **3. (1) Manufacturers shall not replace phthalates under this section with**
17 **carcinogens rated by the United States Environmental Protection Agency as A, B, or C**
18 **carcinogens, or substances listed as known or likely carcinogens, known to be human**
19 **carcinogens, likely to be human carcinogens, or suggestive of being human carcinogens,**
20 **as described in the List of Chemicals Evaluated for Carcinogenic Potential or known to the**
21 **state to cause cancer.**

22 **(2) Manufacturers shall not replace phthalates under this section with reproductive**
23 **toxicants that cause birth defects, reproductive harm, or developmental harm as identified**
24 **by the United States Environmental Protection Agency or known to the state to cause birth**
25 **defects.**

26 **4. Any person who knowingly engages in the manufacture, sale, or distribution of**
27 **a toy or child care article declared to be unlawful by this section is guilty of a class D**
28 **felony.**

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