

SECOND REGULAR SESSION

# HOUSE BILL NO. 2484

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LOW (39) (Sponsor), BAKER (25), HOLSMAN, WALSH, OXFORD, NASHEED, GEORGE, FRAME, HUGHES, MEADOWS, SKAGGS, LeVOTA, SCHOEMEHL, WRIGHT-JONES, CHAPPELLE-NADAL, LIESE, CORCORAN AND TALBOY (Co-sponsors).

Read 1st time March 27, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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*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 known as section 407.1300, to read as follows:

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

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

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

2. (1) Beginning January 1, 2009, no person or entity shall manufacture, sell, or distribute in commerce any toy or child care article that contains di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), or benzyl butyl phthalate (BBP), in concentrations exceeding one-tenth of one percent.

(2) Beginning January 1, 2009, no person or entity shall manufacture, sell, or distribute in commerce any toy or child care article intended for use by a child under three years of age if such product can be placed in the child's mouth and contains diisononyl

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.

14 phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP), in  
15 concentrations exceeding one-tenth of one percent.

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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