

STATE OF CONNECTICUT
MEMORANDA OF AGREEMENT
Between the
Department of Consumer Protection,
Department of Public Health
And
Department of Energy and Environmental Protection

1. Purpose

This Memorandum of Agreement (MOA) is entered into for the purpose of an interagency effort between the Department of Consumer Protection (DCP), Department of Public Health (DPH) and the Department of Energy and Environmental Protection (DEEP), for the purpose of compiling, and from time to time, updating a list of toxic substances that potentially should not exist in children's products. Also, to provide a list of safer alternatives, if available, to using said toxic substances. This MOA is pursuant to Connecticut General Statute 21a-348 (List of Toxic Substances) which states that the three state agencies mentioned above will develop and maintain such a listing to the extent possible under available appropriations.

2. Definitions

Children's Product: As defined in the State Child Protection Act Sec. 21a-335 "Children's Product." Means a consumer product designed or intended primarily for children under the age of twelve, including, but not limited to, clothing, accessories, jewelry, decorative object, candy, food, dietary supplements or other edible or chewable item, toys, furniture or other articles used by or intended to be used by children.

Toxic: As defined in in the State Child Protection Act Sec. 21a-335(f) "Toxic" shall apply to any substance other than a radioactive substance, which has the capacity to produce personal injury or illness to man through ingestion, inhalation or absorption through any body surface.

3. Funding Level

This is a no-cost MOA between the DCP, DEEP and DPH. Activities will be conducted within available appropriations.

4. Term of Agreement

This MOA will begin on January 18, 2016 and will terminate on August 31, 2019.

FULLY EXECUTED

5. Cancellation

Any party can cancel this MOA without cause by providing written notice of such intention to the other parties with thirty (30) days advance notice.

6. Statutory Authority

The Statutory Authority for the Agencies to enter into this agreement are under Connecticut General Statute 4-8, 19a-2a, 22a-6 and 21a-348.

7. Responsibilities

The parties of this MOA shall work together in determining a list of prioritized toxic substances present in products designed for, or used by, children. Criteria for listing chemicals shall include scientific information that shows that the chemical has key toxic properties and are toxic to children.

The parties of this MOA shall establish a workgroup on toxic substances that should not exist in children's products. The group is comprised of representatives from the three (3) parties of this MOA. The work group shall perform four functions: 1) develop criteria for prioritizing and listing toxic substances; 2) develop the actual toxic substance list; 3) consider how the list, once created, could best serve the needs of consumer protection, public health and the Connecticut environment; and 4) examine whether safer alternatives exist for the listed toxic substances. The workgroup may invite experts from outside of their agencies to participate in the workgroup when it is agreed that the expertise is needed for specific steps in the four workgroup functions listed above.

A. The Commissioner of the DCP, or the Commissioner's designee, agrees to:

- (1) Participate in the workgroup established under this MOA.
- (2) Help identify a list of toxic substances that may be in children's products.
- (3) Identify children's products for sale in Connecticut that contain toxic substances that are on or are being considered for the list.
- (4) Help identify alternatives that may serve the same or similar purpose as a listed toxic substance.
- (5) Create a Toxic Substances in Children Products Web Site with the list of toxic substances, alternatives and supporting information produced by the Workgroup.

B. The Commissioner of DPH, or the Commissioner's designee, agrees to:

- (1) Participate in workgroup established under this MOA.
- (2) Help establish criteria for listing toxic substances as being of high concern to children.
- (3) Conduct literature searches on the toxicity of substances of interest in children's products.
- (4) Identify toxic substance lists created by other states and countries to serve as a starting point for consideration in creation of Connecticut's list.
- (5) Prioritize toxic substances on these initial lists using the criteria developed above, which take into account toxicity information and exposure potential to children.
- (6) Evaluate the feasibility and relative safety of alternatives that are identified by the workgroup.
- (7) Draft health related portions of fact sheets and web pages which will be produced for toxic substances on the final list.

C. The Commissioner of DEEP, or the Commissioner's designee, agrees to:

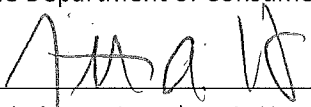
- (1) Participate in the workgroup established under the MOA.
- (2) Help establish criteria for listing toxic substances as being of high concern to children.
- (3) Help identify a list of chemicals of high concern that potentially should not exist in children's products.
- (4) Help identify alternatives that may serve the same or similar purpose as a listed toxic substance. This step might include evaluating the environmental, life cycle and pollution prevention implications of the original and alternative substances.

8. Amendments

A formal amendment, in writing, shall not be effective until executed by all parties of this MOA. Such amendments shall be required for extensions to the final date of the MOA period and to the terms and conditions of this MOA. No amendments may be made to a lapsed MOA.

Acceptance and Approvals:

For the Department of Consumer Protection:



Commissioner, Jonathan A. Harris

Date signed 1/8/16

For the Department of Energy and Environmental Protection:



Commissioner, Robert Klee

Date signed 1/28/16

For the Department of Public Health:



Acting Commissioner, Raul Pino, M.D., M.P.H.

Date signed 02/03/16