

**ASSEMBLY BILL**

**No. 513**

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**Introduced by Assembly Member Lieber**

February 20, 2007

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An act to amend Sections 108921 and 108922 of the Health and Safety Code, relating to hazardous chemicals.

LEGISLATIVE COUNSEL'S DIGEST

AB 513, as introduced, Lieber. PBDE: prohibition.

Existing law prohibits a person from manufacturing, processing, as defined, or distributing in commerce a product, or a flame-retarded part of a product, containing more than  $\frac{1}{10}$  of 1% pentaBDE or octaBDE, except for products containing small quantities of PBDEs that are produced or used for scientific research on the health or environmental effects of PBDEs.

This bill would additionally include DecaBDE in this prohibition, on and after January 1, 2011. The bill would also delete the exemption for products containing small quantities of PBDEs that are produced or used for scientific research on the health or environmental effects of PBDEs.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 108921 of the Health and Safety Code
- 2 is amended to read:
- 3 108921. For purposes of this chapter, the following definitions
- 4 apply:

- 1 (a) “OctaBDE” means octabrominated diphenyl ether or any  
 2 technical mixture in which octabrominated diphenyl ether is a  
 3 predominate congener.
- 4 (b) “PBDE” means polybrominated diphenyl ether.
- 5 (c) “PentaBDE” means pentabrominated diphenyl ether or any  
 6 technical mixture in which pentabrominated diphenyl ether is a  
 7 predominate congener.
- 8 (d) “Congener” means a specific PBDE molecule.
- 9 (e) “DecaBDE” means decabromo diphenyl ether.
- 10 ~~(e) “Process”~~
- 11 (f) “Process” does not include the processing of metallic  
 12 recyclables containing PBDEs that is conducted in compliance  
 13 with all applicable federal, state, and local laws.
- 14 ~~(f)~~
- 15 (g) “Product” means a product manufactured on or after June  
 16 1, 2006.
- 17 ~~(g)~~
- 18 (h) “Metallic recyclable” has the same meaning as a metallic  
 19 discard, as defined in Section 42161 of the Public Resources Code.
- 20 ~~(h)~~
- 21 (i) “Recycle” has the same meaning as defined in Section 40180  
 22 of the Public Resources Code.
- 23 ~~(i)~~
- 24 (j) “Technical mixture” means a PBDE mixture that is sold to  
 25 a manufacturer. A technical mixture is named for the predominant  
 26 congener in the mixture, but is not exclusively made up of that  
 27 congener.
- 28 SEC. 2. Section 108922 of the Health and Safety Code is  
 29 amended to read:
- 30 108922. ~~On and after June 1, 2006, a~~ (a) A person may not  
 31 manufacture, process, or distribute in commerce a product, or a  
 32 flame-retarded part of a product, containing more than one-tenth  
 33 of 1 percent of pentaBDE or octaBDE, ~~except for products~~  
 34 ~~containing small quantities of PBDEs that are produced or used~~  
 35 ~~for scientific research on the health or environmental effects of~~  
 36 ~~PBDEs by mass.~~
- 37 (b) *On and after January 1, 2011, a person may not*  
 38 *manufacture, process, or distribute in commerce a product, or a*

- 1 *flame-retarded part of a product, containing more than one-tenth*
- 2 *of 1 percent of DecaBDE, by mass.*

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