

AMENDED IN ASSEMBLY MAY 14, 2007

AMENDED IN ASSEMBLY MAY 3, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 513

Introduced by Assembly Member Lieber

February 20, 2007

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 amended, 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, but only with regard to a product that is a mattress, mattress product, bedding product, upholstered furniture, *drapes*, or a television, computer monitor, or other electronic product; ~~drapes, or a product or component used in the passenger or driver compartment of a motor vehicle.~~

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:

5 (a) “OctaBDE” means octabrominated diphenyl ether or any
6 technical mixture in which octabrominated diphenyl ether is a
7 predominate congener.

8 (b) “PBDE” means polybrominated diphenyl ether.

9 (c) “PentaBDE” means pentabrominated diphenyl ether or any
10 technical mixture in which pentabrominated diphenyl ether is a
11 predominate congener.

12 (d) “Congener” means a specific PBDE molecule.

13 (e) “DecaBDE” means decabromodiphenyl ether.

14 (f) “Process” does not include the processing of metallic
15 recyclables containing PBDEs that is conducted in compliance
16 with all applicable federal, state, and local laws.

17 (g) (1) “Product” means a product manufactured on or after
18 June 1, 2006.

19 (2) The definition of product in paragraph (1) is applicable only
20 to subdivision (a) of Section 108922.

21 (3) “Product” means a mattress, mattress product, bedding
22 ~~product, upholstered furniture, a television, computer monitor or~~
23 ~~other electronic product, drapes, or a product or component used~~
24 ~~in the passenger or driver compartment of a motor vehicle. *product,*~~
25 ~~*upholstered furniture, drapes, or a television, computer monitor,*~~
26 ~~*or other electronic product.*~~

27 (4) The definition of product in paragraph (3) is applicable only
28 to subdivision (b) of Section 108922.

29 (h) “Metallic recyclable” has the same meaning as a metallic
30 discard, as defined in Section 42161 of the Public Resources Code.

31 (i) “Recycle” has the same meaning as defined in Section 40180
32 of the Public Resources Code.

33 (j) “Technical mixture” means a PBDE mixture that is sold to
34 a manufacturer. A technical mixture is named for the predominant
35 congener in the mixture, but is not exclusively made up of that
36 congener.

37 SEC. 2. Section 108922 of the Health and Safety Code is
38 amended to read:

1 108922. (a) A person may not manufacture, process, or
2 distribute in commerce a product, or a flame-retarded part of a
3 product, containing more than one-tenth of 1 percent of pentaBDE
4 or octaBDE, by mass, except for a product containing a small
5 quantity of PBDEs that is produced or used for scientific research
6 on the health or environmental effects of PBDEs.

7 (b) (1) On and after January 1, 2011, a person may not
8 manufacture, process, or distribute in commerce a product, or a
9 flame-retarded part of a product, containing more than one-tenth
10 of 1 percent of decaBDE by mass.

11 (2) A product containing a small quantity of PBDEs is exempt
12 from this subdivision that is produced or used for scientific research
13 on the health or environmental effects of PBDEs.