§ 37-0915. Enforcement and implementation.

1. Failure to provide notice. A children's product containing a high-priority chemical may not be sold, offered for sale or distributed for sale in this state unless the manufacturer has provided a report to the department required under section 37-0907 of this title by the date required in such section. The commissioner may exempt a children's product from this prohibition if, in the commissioner's judgment, the lack of availability of the children's product could pose an unreasonable risk to public health, safety or welfare.

2. Statement of compliance. The department may request the manufacturer of the children's product to provide a statement of compliance on a form provided by the department, within fifteen days of receipt of a request from the department. The statement of compliance shall:

(a) attest that the children's product does not contain the high-priority chemical; or

(b) attest that notification required by section 37-0913 of this title has been provided;

(c) attest that the manufacturer has notified persons who sell the product in this state that the sale of the children's product is prohibited;

(d) attest that the presence of a high-priority chemical is only as a trace contaminant; or

(e) attest that the chemical prohibited pursuant to subdivision two of section 37-0909 of this title is only present in an inaccessible component of the children's product.