

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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US Legislation Updates: Part 2 Phthalates and Bisphenol-A (cont)

California became the first State in the US to approve a Bill (AB 1108, Ma, 2007) to limit the quantity of six forms of phthalates (DBP, BBP, DEHP, DIDP, DNOP and DINP) in toys and childcare articles. This approval has led to a significant number of Bills being introduced both at the Federal and State level.

Our recent SafeGuards 'US Legislation Updates: Part 1' highlighted a number of Bills (proposals) in the restriction of phthalates, bisphenol-A and certain heavy metals both at the Federal and State level. Since its publication, the State of Washington has passed HB 2647 both at the House and the Senate with amended language and is waiting for the Governor's approval. This article is an extension on Part 1, highlighting Bills on the use of phthalates and bisphenol-A in products for children or in contact with foodstuffs across the US.

The table on following page highlights the proposals on the use of restricted substances in products for children or in contact with foodstuffs.



¹ [Safeguards 16/8 March 2008 'US Legislation Updates: Part 1](#)

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Jurisdiction	Bill	Highlights	Proposed Effective Date / Remark
Federal	HB 4030 and SB 2275	<p>To prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates</p> <p>≤ 0.1 % any combination of DBP, BBP or DEHP</p> <p>For children under the age of 3 and can be placed in the mouth ≤ 0.1 % any combination of DIDP, DNOP or DINP or</p> <p>≤ 0.1 % any combination of DBP, BBP, DEHP, DIDP, DNOP or DINP</p>	January 1, 2009
California	SB 1713	<p>Children's products: bisphenol A and lead</p> <p>< Detectable limits for bisphenol-A or lead (children under three)</p>	Not defined
Connecticut	5601	<p>Children's products containing lead, phthalates or bisphenol-A</p> <p>For children under the age of 12 ≤ 40 ppm lead content ≤ 0.1 % DBP, BBP or DEHP</p> <p>For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP for capable of being put in a child's mouth Prohibits bisphenol-A</p>	January 1, 2009
Connecticut	527	<p>Prohibiting certain harmful chemicals in children's products and banning the sale of recalled products</p> <p>For children under the age of 12 ≤ 40 ppm lead content ≤ 0.1 % DBP, BBP or DEHP</p> <p>For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP for capable of being put in a child's mouth</p>	October 1, 2008
Minnesota	SF 1858 / SF 2100	<p>Prohibiting bisphenol-A and phthalates in products for young children</p> <p>For children under the age of 3 ≤ 0.1 % bisphenol-A ≤ 0.1 % DBP, BBP or DEHP ≤ 0.1 % DIDP, DNOP or DINP for capable of being put in a child's mouth</p>	January 1, 2009
Missouri	HB 2426	<p>Prohibits persons or entities from manufacturing, selling, or distributing in commerce any toy or child care article that contains certain phthalates</p> <p>≤ 0.1 % DBP, BBP or DEHP</p> <p>For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP if can be placed in a child's mouth</p>	August 28, 2008
New Jersey	A 2332 / S 1428	<p>Toxic-free Children's Products Act</p> <p>≤ 0.1 % (sum of DBP, BBP, DEHP, DIDP, DNOP and DINP)</p> <p>Prohibits bisphenol-A</p>	January 1, 2010
New Jersey	A 2112	<p>Prohibits sale of food and beverage packaging and containers made with bisphenol A</p>	January 1, 2010
New Jersey	SR 46	<p>Urges FDA to ban the use of bisphenol A in food containers, toys, and baby bottles</p>	Not defined

Jurisdiction	Bill	Highlights	Proposed Effective Date / Remark
Rhode Island	H 7812, H 7813 and S 2685	Children's Product Safety Act ≤ 0.1 % DBP, BBP or DEHP For children under the age of 6 ≤ 0.1 % DIDP, DNOP or DINP if can be placed in a child's mouth Prohibits bisphenol-A	January 1, 2010
Vermont	S 261	Phthalates in Products for Young Children ≤ 0.1 % DBP, BBP or DEHP For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP if can be placed in a child's mouth	January 1, 2009
Vermont	H 666	Phthalates in Products for Young Children ≤ 0.1 % DBP, BBP or DEHP For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP if can be placed in a child's mouth	January 1, 2009
Washington	SB 6530	Children's Safe Products Act ≤ 40 ppm lead content ≤ 40 ppm cadmium content ≤ 0.1 % individually or sum of DBP, BBP, DEHP, DIDP, DNOP or DINP	January 1, 2009
West Virginia	HB 4084	Protection of Consumers from Toxins in Toys ≤ 0.1 % DBP, BBP or DEHP For children under the age of 3 ≤ 0.1 % DIDP, DNOP or DINP if can be placed in a child's mouth	January 1, 2009

SGS is committed to inform as development of these Bills occur.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for restricted chemicals in a comprehensive range of toys and consumer products for worldwide markets.

SGS also offers SRS (Standards & Regulations Services) to help companies stay abreast of national and international product requirements and legislation-related obligations. For further information, visit our website www.sgs.com/regulatorycompliance.



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