

# SAFEGUARDS

## CONSUMER GOODS AND RETAIL

HARDGOODS, TOYS & JUVENILE PRODUCTS, SOFTLINES, ELECTRICAL & ELECTRONICS, CPCH

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## US LEGISLATIVE UPDATES PART 3 HIGH PRIORITY CHEMICALS AND CHEMICALS OF HIGH CONCERN

In 2008, the US state of Maine enacted the '*Toxic Chemicals in Children's Products Law*'. The law requires a manufacturer or distributor in the state to report to the Department of Environmental Protection (DEP) if any accessible component of a children's product contains a chemical of high concern (CHC)<sup>1</sup>.

Also in 2008, Washington State enacted the *Children's Safe Products Act* (CSPA). The law mandates that a manufacturer of children's products report to the Department of Ecology (DOE) if a chemical of high concern to children (CHCC) is present in their products<sup>2</sup>.

Since the beginning of 2014, there has been considerable legislative activity at the state level to direct the establishment of lists of priority chemicals (PCs) or chemicals of high concern (CHCs) either as their own substances or in children's products and other consumer products. The states include Connecticut, Florida, Oregon and Vermont. Highlights of their bills are summarised in Table 1.



<sup>1</sup> [SGS-Safegurd 131/12](#), [SGS-Safegurd 218/13](#)

<sup>2</sup> [SGS-Safegurd 201/13](#) and references therein

TABLE 1.

JURISDICTION	BILL	SUBSTANCE	SCOPE	PROPOSED EFFECTIVE DATE
Connecticut	<a href="#">HB 5354</a>	Priority Chemicals (PCs)	<ul style="list-style-type: none"> <li>To create and maintain list of PCs that are of high concern to children</li> <li>To review and revise list of PCs at least once every 2 years</li> </ul>	by 1 January 2015
Florida	<a href="#">HB 991</a>	Chemicals of high concern (CHCs)	To publish an initial list of 50-100 CHCs by 1 January 2015	1 July 2014
			To review and revise list of CHCs every 3 years	
Oregon	<a href="#">A-Engrossed SB 1569</a>	High priority chemicals (HPCs) of concern for children's health used in children's products	<ul style="list-style-type: none"> <li>To establish and maintain list of HPCs by 1 January 2015 (list to include Washington's reporting list of Chemicals of High Concern to Children (CHCCs))</li> <li>To review and revise list of HPCs every 3 years</li> </ul>	1 July 2014
			Manufacturer to provide notice to Oregon Health Authority that manufacturer's products contain HPCs	1 January 2016
Vermont	<a href="#">S 239</a>	Chemicals of high concern (CHCs)	<ul style="list-style-type: none"> <li>To publish a list of priority chemicals that are of high concern for humans or the environment by 1 July 2015</li> </ul>	1 July 2014
			<ul style="list-style-type: none"> <li>To update list of CHCs at least every 2 years</li> </ul>	
			Not later than 1 year after chemical is placed on list of CHCs, a manufacturer to report CHCs in products if a <ul style="list-style-type: none"> <li>CHC is intentionally added or</li> <li>CHC is greater than 100 ppm</li> </ul>	

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for chemicals of high concern (CHCs) in consumer products for Washington, Maine, and other jurisdictions in the

US and for other international markets. Please do not hesitate to contact us for further information.

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