

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS, TOYS & JUVENILE PRODUCTS, SOFTLINES

NO. 131/12 AUG 2012

US STATE OF MAINE EXPANDS LIST OF CHEMICALS OF HIGH CONCERN

The US state of Maine recently expanded the list of chemicals of high concern (CHCs). Children's products that meet reporting requirements are required to be reported to the Department of Environmental Protection (DEP) by 27 December 2012.

In April 2008, the US state of Maine enacted the 'Toxic Chemicals in Children's Products law'¹. According to the law and its amendment², a manufacturer or distributor of a children's product in the state must report to the DEP if any accessible component of a children's product contains a CHC that is:

- i. intentionally added and exceeds the practical quantitation limit (PQL) or
- ii. a contaminant that exceeds 100 ppm unless the manufacturer had implemented a manufacturing control program and exercised due diligence to minimise the contamination

The written notice to the DEP must identify the:

- i. children's product
- ii. number of units sold or distributed in the state or nationally
- iii. name, quantity and purpose of the CHC in each unit of children's product

In January 2011, BPA, nonylphenol (NP) and nonylphenol ethoxylates (NPEOs) were designated as CHCs. Reporting the presence of these CHCs was initially due in July 2011 but extended to October 2011.

On 1 July 2012, the DEP expanded the list of CHCs to 49³. The inclusion of the newly-designated CHCs requires a manufacturer who meets the reporting requirements to report to the DEP by 27 December 2012 (i.e. 180 days after chemical has been identified as a CHC).

A number of these CHCs are identical to the chemicals of high concern for children (CHCCs) under the 'Children's Safe Products Act' (CSPA) in Washington state⁴.

Highlights of the reporting requirements for Maine are summarised in Table 1.



¹ [Safeguard 024/11](#)

² [An Act To Provide the Department of Environmental Protection with Regulatory Flexibility Regarding the Listing of Priority Chemicals](#), Public Law, Chapter 319, LD 1129, 125th Maine State Legislature,

³ [Chemicals of High Concern List, DEP, Maine](#)

⁴ [Safeguard 139/11](#)

TABLE 1.

JURISDICTION	SUBSTANCE	SCOPE	REPORTING REQUIREMENT	REPORTING BY
US Maine	Chemicals of High Concern (CHCs)	Accessible components in children's product	Reporting required if CHC is i. intentionally added and exceeds the practical quantitation limit (PQL) or ii. a contaminant that exceeds 100 ppm	27 December 2012 (180 days after inclusion)

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for CHCs and CHCCs in children's products for US market. Please do not hesitate to contact us for further information.



FOR ENQUIRIES:

Global Competence Support Centre: gcsc@sgs.com

HK – Hingwo Tsang Tel: +852 2774 7420 or Hingwo.Tsang@sgs.com

Asia – Hong Kong. Tel: +852 2334 4481 Fax: +852 2144 7001 mktg.hk@sgs.com

Australasia – Perth. Tel: +61 (0) 3 9790 3418 Fax: +61 (0) 3 9701 0988 au.cts@sgs.com

Europe – London – UK. Tel: +44(0) 203 008 7860 Fax: +44 (0) 203 00 7870 gb.cts.sales@sgs.com

Africa & Middle East – Turkey. Tel: +90 212 368 40 00 Fax: +90 212 296 47 82 sgs.turkey@sgs.com

Americas – USA. Tel: +1 973 575 5252 Fax: +1 973 575 7175 uscts.inquiries@sgs.com

www.sgs.com/cts Global Competence Support Centre: gcsc@sgs.com

If you wish to unsubscribe to this technical bulletin, go here: [Unsubscribe](#)

© 2012 SGS SA. All rights reserved. This is a publication of SGS, except for 3rd parties' contents submitted or licensed for use by SGS. SGS neither endorses nor disapproves said 3rd parties contents. This publication is intended to provide technical information and shall not be considered an exhaustive treatment of any subject treated. It is strictly educational and does not replace any legal requirements or applicable regulations. It is not intended to constitute consulting or professional advice. The information contained herein is provided "as is" and SGS does not warrant that it will be error-free or will meet any particular criteria of performance or quality. Do not quote or refer any information herein without SGS's prior written consent.