

SAFEGUARDS

CONSUMER GOODS AND RETAIL

CONSUMER PRODUCTS

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US - VERMONT APPROVES MEASURES TO DISCLOSE HAZARDOUS CHEMICALS IN CHILDREN'S PRODUCTS

Vermont has recently approved 'An Act Relating to the Regulation of Toxic Substances' to regulate Chemicals of High Concern to Children in children's product. The enforcement date for reporting will take effect on 1 July 2016.

In January 2014, a number of jurisdictions in the US introduced bills to regulate chemicals of high concern to children (CHCCs) / priority chemicals (PCs) in consumer products, including products primarily for children. These included Connecticut, Florida, Oregon and Vermont.¹

On 10 June 2014, the Governor of Vermont signed S.239 'AN ACT RELATING TO THE REGULATION OF TOXIC SUBSTANCES' into law which regulates CHCCs in products for children under 12.² The new law requires the manufacturer or the manufacturer's trade association to report the presence of a CHCC to the Department of Health (DoH) if the CHCC is in an accessible component of a children's product, and is

- Intentionally added at a level above the Practical Quantitation Limit (PQL) or
- Present as a contaminant (≥ 100 ppm)

The list of 66 CHCCs under Vermont is identical to the 66 CHCCs under Washington's Children's Safe Products Act (CSPA). The presence of CHCCs is to be disclosed biennially and will commence on 1 July 2016. By implementing the new law, Vermont joins the states of California,³ Maine,⁴ and Washington⁵ in reporting CHCCs or similar categories of chemicals in consumer products, including those for children.

Highlights of the new law are summarised in Table 1.



¹ [SGS-Safeguard 052/14](#)

² [Act 188](#)

³ [SGS-Safeguard 061/14](#) and references therein

⁴ [SGS-Safeguard 218/13](#) and references therein

⁵ [SGS-Safeguard 201/13](#) and references therein

TABLE 1.

VERMONT ACT 188 (S.239, 2014 SESSION)			
SUBSTANCE	SCOPE	REQUIREMENT	ENFORCEMENT DATE OF REPORTING
Chemicals of high concern to children (CHCCs)	Products for children under the age of 12, including <ul style="list-style-type: none"> • Clothing • Cosmetics • Jewellery • Products to help child with sucking or teething, to facilitate sleep, relaxation, or feeding • Toys • Child car seat 	Manufacturer or trade association representative to report CHCC in accessible component of children’s product to the Dept of Health if CHCC is <ul style="list-style-type: none"> • Intentionally added at a level above PQL or • Present as a contaminant (≥100 ppm) 	Biennially starting 1 July 2016
Remark <ul style="list-style-type: none"> • Practical Quantitation Limit (PQL) to be established for each CHCC • List of CHCCs to be reviewed biennially; commencing 1 July 2017 • Format for reporting to be specified by Commissioner • The law mandates a reporting fee • Reporting exempted for CHCC as contaminant if manufacturer implemented quality control and exercised due diligence to minimise the presence of contaminant in children’s product 			

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for CHCCs and other restricted substances in consumer products for the US and International markets. Please do not hesitate to contact us for further information.



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