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Senate Democrats approve Toxic Free Kids Act

SB 478 will protect children's health from dangerous chemicals

SALEM –Senate Democrats approved legislation this afternoon that will help keep dangerous toxic chemicals out of products designed for children. Senate Bill 478, the Oregon Toxic Free Kids Act, will require the Oregon Health Authority to establish a list of high priority chemicals of concern for children's health, and would require some manufacturers to incrementally phase these chemicals out of kids' products. This list would include chemicals like formaldehyde, benzene, mercury, arsenic, and other toxics that are hazardous to children's health.

"Skyrocketing rates of developmental disorders in our kids demand that we take action on dangerous chemicals in children's products," said Senator Chris Edwards (D-Eugene), chief sponsor of the bill. "Today the Oregon Senate is leading the nation toward better oversight over toxic chemicals in children's products. We know how dangerous these chemicals are and it's about time we took action to protect our kids."

Exposure to chemicals present in many children's products and toys can seriously affect a child's health—birth defects, cancer, asthma, diabetes, immune disorders, hormone disruption, developmental and cognitive delays, and other serious health problems have all been linked to toxic chemical exposure. According to the Centers for Disease Control and Prevention, 133 million people in the United States—almost half of all Americans—live with chronic diseases and conditions, which account for 70 percent of deaths and 75 percent of U.S. health care costs. Children and infants are particularly sensitive to chemical exposure, and toxic chemicals in consumer products are a preventable source of exposure to hazards that contribute to the development of chronic health conditions. Reducing these exposures can benefit the public's health, and reduce costs to our health care system.

“We can have the greatest impact on improving our population’s health if we address the exposure that occurs when people are most vulnerable: in infancy and childhood,” said Senator Laurie Monnes Anderson (D-Gresham), a retired public health nurse. “We have more information than ever on how toxics can harm the development of today’s children. Parents – and grandparents like myself—have a right to know what is in the products that are buying for their kids.”

With the exception of some specified exemptions and waivers, manufacturers of children’s products sold in Oregon will be required to disclose to the Oregon Health Authority when a product contains a chemical included on the authority’s list of high priority chemicals of concern. This list will conform with the Washington Department of Ecology’s reporting list, established under their ‘Children’s Safe Products Act’, and the bill allows OHA to enter into data sharing agreements with other states to streamline compliance activities for manufacturers. Additionally, manufacturers of certain high-risk products—things like pacifiers, children’s cups and spoons, cosmetics, and other products for infants and toddlers—will be required, over time, to remove or substitute these chemicals where feasible. OHA is required to report to the Legislature by September 15th of each odd-numbered year regarding the implementation of the bill.

SB 478 will now go to the House of Representatives for consideration.

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