

Enrolled

Senate Joint Memorial 8

Sponsored by Senator CARTER; Senator MONNES ANDERSON, Representatives GELSNER, NATHANSON, NOLAN, ROSENBAUM, TOMEI

To the President of the United States, the Commissioner of the United States Food and Drug Administration, the Commissioner of the United States Consumer Product Safety Commission and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas studies have shown that there is a correlation between phthalates, particularly dibutyl phthalate (DBP), and damage to the liver, kidneys, lungs and reproductive system and to genital abnormalities, including testicular atrophy, hypospadias, reduced sperm counts, ectopic testes and undescended testicles; and

Whereas studies have found a correlation between diisononyl phthalate (DINP) and cancer and adverse impacts on the reproductive system, kidneys, liver and blood; and

Whereas the 27 nations represented in the European Parliament in 2002 issued a directive that banned sale of personal care products and cosmetics that contain certain phthalates; and

Whereas the European Parliament has banned the phthalates di(2-ethylhexyl) phthalate (DEHP), DBP, DINP and butyl benzyl phthalate (BBP) in all toys and child care articles that can be placed in a child's mouth; and

Whereas other countries have restricted phthalates in children's toys, including Argentina, Fiji, Japan and Mexico; and

Whereas more than 90 percent of phthalates are used to plasticize polyvinyl chloride and polyvinyl chloride products such as children's toys, baby products and many other children's products that Oregonians use regularly; and

Whereas phthalates are added to cosmetics, hair spray, deodorants, nail polish, perfume and many other personal care products that Oregonians use every day; and

Whereas phthalates can be absorbed through the skin, ingested in breast milk or inhaled; and

Whereas the United States Food and Drug Administration does not require premarket safety testing, review or approval of ingredients in cosmetics; and

Whereas under the federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), cosmetics and their ingredients are not required to be approved before they are sold to the public; and

Whereas oversight of phthalates in cosmetics and children's toys is critical to the health and safety of Oregonians; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is respectfully urged to:

(a) Enact legislation that requires testing, review and approval of ingredients and materials used in cosmetics, personal care products and children's toys prior to the marketing or sale of these products.

(b) Enact legislation requiring manufacturers of cosmetics and personal care products to label all of the ingredients, including fragrances and flavoring.

(2) A copy of this memorial shall be sent to the President of the United States, to the Commissioner of the United States Food and Drug Administration, to the Commissioner of the United States Consumer Product Safety Commission and to each member of the Oregon Congressional Delegation.

Adopted by Senate May 9, 2007

Secretary of Senate

President of Senate

Adopted by House June 6, 2007

Speaker of House