

**Testimony to the Senate Health Care and Human Services Committee  
February 27<sup>th</sup>, 2014**

Founded in 1968, the Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization. We bring Oregonians together for a healthy environment.

The Oregon Environmental Council (OEC) **supports SB1569**. As you know, OEC has worked for three sessions on this legislation to protect children's health and spur green chemistry innovation in manufacturing. The original bill has bi-partisan sponsors and passed the House last year with a bi-partisan vote of 39-21.

However, while we continue to be confident that SB 1569 is the best way to protect children's health, we acknowledge that not all Legislators agree. We know that there is broader interest in adopting Washington's disclosure law to at least start tracking where these chemicals occur most frequently before deciding possible next steps. That is why, in the spirit of compromise, we support amending the bill and moving forward with Washington's disclosure law. Washington's law was passed in 2008 with 41 Republicans and 91 Democrats – a near unanimous vote with only 11 Legislators opposing.

I'd like to highlight some key points.

First – why pass this bill, when Washington is already collecting this information? As you heard from other witnesses, there is compelling science that these chemicals may have serious public health implications. If this Legislature agrees that the use of these chemicals have potential health consequences for Oregonians, Oregon should have the authority to collect information and analyze the impacts on Oregonians. We should not cede our authority to Washington state and hope they act in the best interest of Oregonians. While their website provides information about the presence of chemicals in Washington, we can't be sure that we have the exact same set of products and chemicals in Oregon. In addition, this bill allows Oregon to add and remove chemicals from the list if new science requires another look. While we appreciate the work that Washington has done to this point, Oregonians shouldn't just hope that Washington will make the right future decisions for Oregonians.

I'd also like to address the differences between this bill and the bill passed in Washington. There are only two differences – the first is that this bill exempts small businesses, while Washington's bill did not. Second, SB 1569 explicitly exempts food and food packaging from the law, while Washington's bill did not address this, although Washington's law in practice also exempts food and food packaging. In addition, one piece of Washington's law that they adopted in rulemaking is included in this bill – the ability of Oregonians to petition for chemicals to be added or removed from the list. In Washington, this has been used successfully by both industry and health groups to add

and remove a chemical from the list when new science came out. Because the process has worked successfully in Washington, we felt it was important to include it in the bill.

Lastly, I want to mention the fiscal impact of this bill in relation to the cost of the impact of toxic exposures. Diseases caused by toxic chemicals impose great economic burdens on families, schools, communities, health care providers and society. These diseases are enormously expensive. A recent analysis estimates that the costs of disease of environmental origin in New York's children amount to \$4.35 billion each year.<sup>i</sup> There is strong evidence that environmental factors contribute to asthma, which has tripled in the past three decades, birth defects, which are the leading cause of infant death, and leukemia and brain cancer in children, which have both increased 40%. The costs of caring for these diseases fall on the families of sick children and also on taxpayers by unnecessarily increasing the annual Medicaid budget and the budgets for special education and other programs for children who have been damaged by exposures in the environment. The cost of hiring one employee at Oregon Health Authority to manage this program is a small price to pay for taking the first step to reduce children's environmental exposures.

SB 1569 is smart public health policy that provides Oregon Health Authority with the necessary tools to effectively protect the health of Oregonians by reducing exposures to hazardous substances that may be encountered by children everyday.

There are many reasons to support SB 1569 and the public's right-to-know what chemicals are present in children's products.

### **Chemicals linked to disease are found in consumer products and in our bodies.**

The [Centers for Disease Control and Prevention \(CDC\) biomonitoring studies](#)<sup>i</sup> regularly find several hundred toxic chemicals in our bodies. According to the CDC, sources of exposure include "using products with chemicals in them or products stored in containers made with the chemicals."<sup>ii</sup> Chemicals used in products are detected in our homes, air, dust, and dirt. Yet the precise origin of these chemicals is uncertain: ingredient information is not fully disclosed to consumers or health officials.

### **Infants and children are at greatest risk**

CDC biomonitoring studies have found higher concentrations of many toxic chemicals in the youngest age groups. The natural habits of children—being on the floor; putting everything in their hands straight into their mouths; gumming, sucking and teething behaviors—these all contribute to children having higher exposures to potential harmful chemicals.

### **Early childhood is a critical period for preventing chronic disease**

The immature metabolism of children means that their bodies are often less able to remove harmful substances from their bodies. In addition, the brain and body are most vulnerable to chemical exposure during critical windows of development, in utero through adolescence. These exposures can be a significant risk factor for chronic disease later in life.

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<sup>i</sup> New York State's Children and the Environment, December 2013, Icahn School of Medicine at Mount Sinai, [http://www.mountsinai.org/static\\_files/MSMC/Files/Patient%20Care/Children/Childrens%20Environmental%20Health%20Center/NYS-Children-Environment.pdf](http://www.mountsinai.org/static_files/MSMC/Files/Patient%20Care/Children/Childrens%20Environmental%20Health%20Center/NYS-Children-Environment.pdf)

Extensive health studies over the past 30 years have demonstrated that a range of chemicals are contributing to increases in childhood cancers (up more than 20% since 1975), breast cancer, infertility in women and men, asthma, and other chronic disease including obesity and diabetes. It is clear that with chemicals, the proverbial ounce of prevention is the best way to mitigate the effects of these chemicals.

In 2010, the [President's Cancer Panel](#)<sup>iii</sup> confirmed that toxic chemical exposure is an important risk factor for cancer. The Panel summarized its investigation into evidence linking environmental chemicals to various kinds of cancer, and concluded that, despite remaining uncertainties, **we know enough to act to reduce exposures to chemicals of concern.**

One effective tool to prevent cancer and other disease is to eliminate exposure to cancer-causing and other harmful substances. We can have the greatest impact on improving our population's health if we address the exposures that occur when people are most vulnerable: in infancy and childhood.

### **Lack of data is a barrier to reducing health risks**

Children are exposed to skin lotions, toys, bedding, comfort items and many more consumer products every day. Emerging data from Washington's Children's Safe Products Act show that children's products on the market today are currently manufactured with chemicals including formaldehyde, toluene and arsenic<sup>iv</sup>. In order to prioritize exposure reduction and focus limited resources on interventions that result in the greatest improvements to our children's health, we must first understand where, when, and how exposures to potentially harmful chemicals occur.

The information obtained through SB 1569 provides data to OHA that could be used to determine which children's products are of concern, fully assess exposure pathways for a prioritized list of chemicals, and advance our scientific understanding of these exposures to adverse health impacts.

### **States take the lead to reduce health risk.**

In 2009, the Environmental Protection Agency (EPA) acknowledged that outdated chemical laws don't protect consumers from harmful exposures to chemicals in everyday products. The President's Cancer Panel includes state governments among those responsible for setting "tangible goals for reducing toxic environmental exposures implicated in cancer causation." The same experts recommend information sharing as a "bedrock component of the environmental health regulatory system."

With federal action stalled, Washington, Maine, Minnesota and California have passed laws to identify and provide information on chemicals that pose a risk to health in consumer products. The information collected through SB 1569 can help OHA gain a better understanding of what chemicals are in the products used by children and help to evaluate whether or not there is a hazard and, if so, what can be done about it.

### **Companies Large and Small are Creating Safer Products**

In August 2012, Johnson & Johnson announced it would remove potentially cancer-causing and other dangerous chemicals from nearly all its adult toiletries and cosmetic products worldwide in less than four years. Johnson and Johnson is on track to have baby products, including its Johnson's *No More Tears* baby shampoo, reformulated with safer ingredients by the end of 2013. Adult products will be reformulated by the end of 2015.<sup>v</sup>

In 2009, SC Johnson began listing all of the ingredients in their products on a new website, and is also making the ingredient lists public on product labels and through a consumer hotline. The company has had all ingredients for hair care and home cleaning products public since January 2012 on its website: [www.WhatsInsideSCJohnson.com](http://www.WhatsInsideSCJohnson.com). SC Johnson is listing not only the product ingredients, but providing explanations of what the ingredients do.

Oregon companies are finding profitable market niches with less toxic products.

[gDiapers](#), a Portland based biodegradable diaper company that is Cradle to Cradle certified. gDiapers worked with suppliers throughout their supply chain to eliminate hazardous chemicals from their product and in the process helped suppliers across the country manufacture less toxic inputs.

[Milkies](#), a global company based in McMinnville, manufactures breastfeeding products that are free of chemicals of concern such as bisphenol A and phthalates. Milkies' WIC approved products are sold throughout Oregon, nationwide and exported to 35 countries.

SB 1569 takes an efficient and cost-effective approach by providing a streamlined process to track chemicals of concern, rather than addressing one at a time. Under SB 1569, Oregon will collect information in a manner that is already being used successfully in other states such as Washington, which avoids placing undue burdens on manufacturers.

The Oregon Environmental Council (OEC) urges you to support SB 1569 and the proposed amendment as a step toward reducing preventable exposures to toxic chemicals and improving the health of all Oregonians.

Thank you again for the opportunity to testify before this Committee.

On behalf of Oregon Environmental Council  
Angela Crowley-Koch

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<sup>i</sup> Centers for Disease Control and Prevention. *National Report on Human Exposure to Environmental Chemicals*

<sup>ii</sup> <http://www.cdc.gov/exposurereport/faq.html>

<sup>iii</sup> [http://deainfo.nci.nih.gov/advisory/pcp/annualReports/pcp08-09rpt/PCP\\_Report\\_08-09\\_508.pdf](http://deainfo.nci.nih.gov/advisory/pcp/annualReports/pcp08-09rpt/PCP_Report_08-09_508.pdf)

<sup>iv</sup> <https://fortress.wa.gov/ecy/esporeporting/default.aspx>

<sup>v</sup> <http://www.safetyandcarecommitment.com/>