



April 3, 2017

Chairman Michael Dembrow
Senate Committee on Environment & Natural Resources
900 Court St. NE,
Salem, Oregon 97301

RE: Oregon SB 836

Dear Chairman Dembrow:

On behalf of the American Apparel & Footwear Association (AAFA), I am providing these comments in support of Oregon SB 836. This bill would allow for an exemption of “inaccessible parts” in children’s products from the Toxic-Free Kids Act’s mandated reporting.

AAFA is the national trade association representing apparel, footwear, travel goods, and other sewn products companies, and their suppliers, which compete in the global market. Representing more than 1,000 world famous name brands, our membership includes 340 companies, drawn from throughout the supply chain. AAFA is the trusted public policy and political voice of the apparel and footwear industry, its management and shareholders, its four million U.S. workers, and its contribution of \$361 billion in annual U.S. retail sales.

AAFA represents many U.S. companies that make and sell products that would be affected by this bill. In particular, the exception for “inaccessible parts and components” from the Toxic-Free Kids Act would prevent unnecessary testing and reporting for chemicals in our members’ products. Inaccessible components should be addressed and exempted in this law because they pose no risk to the consumer. For example, the lights in soles of children’s shoes are designed to never be accessible to a child. Any of the associated chemicals would never come into contact with a child’s skin whereby they might potentially cause a risk. This exemption would also be consistent with every other state that has taken action in this area – including Washington, Maine, Vermont, and Minnesota.

740 6th Street, NW
3rd & 4th Floors
Washington, D.C. 20001

(202) 853-9080
(800) 520-2262
www.aafaglobal.org

In addition, the OHA fee schedule for the TFKA establishes fees companies will pay for reporting, as well as fees for exemption requests submitted to the OHA. The current fee schedule provides that OHA outside consultants will be paid \$12,000 up front to review information from a manufacturer to demonstrate processes they already have in place. We support the limit that SB 836 would place on these reviews by outside consultants to \$2,000. It is not reasonable to make fees so high that critical and accepted processes in other states cannot be used in Oregon due to punitive fees.

Finally, this bill requires legislative ratification of chemicals that authority determines should be removed or substituted before they go into place. This ensures due process and helps prevent unforeseen consequences from automatic bans that do not take into consideration real-world scenarios.

In conclusion, for the points outlined above, AAFA supports Oregon SB 836. This bill eases reporting requirements for companies without sacrificing consumer protections. Oregon would still have the most expansive program for children's products in the nation.

Thank you for your time and consideration in this matter. Please contact Kristen Kern of my staff at 202-853-9080 if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink that reads "Rick Helfenbein". The signature is written in a cursive, flowing style.

Rick Helfenbein
President and CEO