
Implementation of the Toxic-Free Kids Act

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www.healthoregon.org/toxicfreekids

Overview - 2015 Toxic-Free Kids Act

- **2015 – Toxic-Free Kids Act (Senate Bill 478) enacted**
- **2018–2022 statutory deadlines**
 - 01/2018: manufacturers with sales greater than \$5 million global sales report children's products with High Priority Chemicals sold in Oregon
 - 01/2022: manufacturers must remove, substitute, or seek a waiver for High Priority Chemicals in a product that is
 - Mouthable
 - A children's cosmetic
 - For children < 3 years-old

Rulemaking

- **Phase 1** (September 2015 – December 2015)
 - Adopted High Priority Chemicals list in rule December 29, 2015
- **Phase 2** (April 2016 – January 2017)
 - Reporting requirements and exemption process adopted in February 2017
 - January 1, 2018 reporting deadline
 - Update to chemicals list adopted January 2019
- **Phase 3 Rulemaking** (May 10, 2019 – present)
- **Rulemaking advisory committees** included representatives from industry, environmental health, technical experts

Toxic-Free Kids Reporting To Date

- 114 reporters (manufacturers, distributors or retailers)
 - 962 product reports
- 64 chemicals (of 66 possible)
- 221 product categories (e.g., non-powered toy trucks)
- Approximately 75% of reports are for products only subject to reporting requirements
- Approximately 25% of reports are for products requiring removal or waiver by January 2022 (< 3 years, mouthable, cosmetics)

Other Completed Toxic-Free Kids Actions

- **Online Product Reporting System**
 - Available to manufacturers in October 2017
- **Review of Exemption Requests from Reporting Process**
 - For contaminants that are manufacturing by-products
 - Guidance issued May 2017
 - Approved 7 of 9 requests during July 2017–June 2019
- **Outreach to Industry**
 - Webinars and presentations at Oregon and national trade shows and meetings

Current Efforts

- **Phase 3 Rulemaking** (May 10, 2019 – present)
 - Addresses removal, substitution, or waiver process for high priority chemicals from certain children's products.
- **Multistate Reporting System**
 - Allows manufacturers to report once and comply with Oregon, Washington, and Vermont statutes.
 - EPA grant funded
 - Operational November 2019 – link at program website
 - Publicly searchable

Information Resources

- **Website:** healthoregon.org/toxicfreekids
 - Chemicals posted per statute
 - Statute, regulations, guidance documents, contact information and other materials
 - Future access to multistate reporting system
- **Biennial Reports to Legislature:**
 - 2017
 - 2019