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Environmental Public Health Section

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Memorandum

Date May 8, 2023

TO: The Honorable Janeen Sollman, Chair
Senate Committee on Energy and the Environment

FROM: Cynthia Branger-Muñoz, Senior Policy Advisor
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SUBJECT: House Bill 3043A: OHA Responses to Questions About the Toxic Free Kids Program

The Oregon Health Authority is pleased to provide the following information in follow up to questions raised by members of the Senate Committee on Energy and Environment at the May 4, 2023 hearing on HB 3043A.

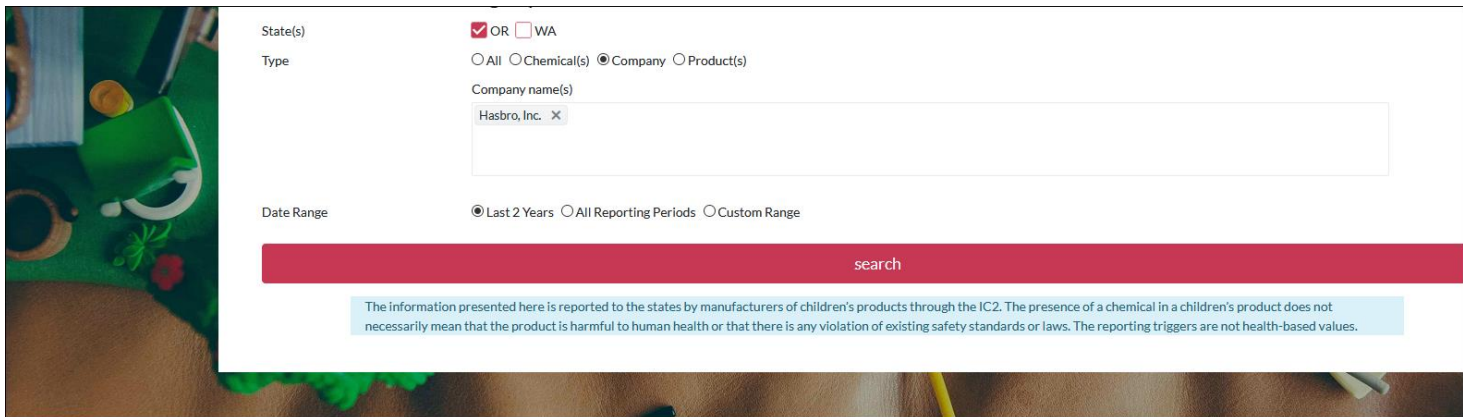
How can I access the Toxic Free Kids database to review reports of high priority chemicals in children's products?

The database is available on the [Toxic Free Kids Program website](#). Click on the [High Priority Chemicals Data System](#) (HPCDS) to be taken to the database. This database contains reports that have been made to satisfy Oregon's Toxic Free Kids Act and Washington's Children's Safe Product Act. These reports may be reviewed by state, chemical, product category (Product Brick), and by company. Page 6 of the HPCDS [Search Guide](#) explains how to display those columns.

Will the multistate High Priority Chemical Data System (HPCDS) Oregon uses be able to receive manufacturer reports by ‘brand name, product model’ level by HB 3043’S January 1, 2027 deadline?

Yes. Reporting by brand name and product model is a requirement of New York State’s 2020 [Toxic Chemicals in Children’s Products](#) law, and use of the HPCDS is part of that law. New York is working with the Interstate Chemicals Clearinghouse (IC2), the operator of the HPCDS, to add the mechanism for brand name and product model reporting to the HPCDS. New York expects reporting to the HPCDS for its law to start in 2025. Vermont is also negotiating with IC2 to join the HPCDS and provide financial support to add brand name and product model reporting capability. If for some reason New York and/or Vermont do not contract with IC2 to make this change to the system, Oregon has fee revenue to amend our contract with IC2 to make this level of reporting available by January 1, 2027.

Below is an example of categories of products (Product Bricks) reported by Hasbro Inc. sold or offered for sale in 2020 or 2021.



The information presented here is reported to the states by manufacturers of children’s products through the IC2. The presence of a chemical in a children’s product does not necessarily mean that the product is harmful to human health or that there is any violation of existing safety standards or laws. The reporting triggers are not health-based values.

Company	Product Brick	Component	Target Age	Chemical	CASRN	Concentration Category	Chemical Function	States	Period
Hasbro, Inc.	Dolls/Soft Toys (Non Powered) [10005142]	Synthetic Polymers (synthetic rubber, plastics, foams etc.)	Birth-12	2-Methoxyethanol [109-86-4]	109-86-4	Equal to or greater than 100 but less than 500 ppm	No function - Contaminant	OR	2022
Hasbro, Inc.	Dolls/Soft Toys (Powered) [10005143]	Synthetic Polymers (synthetic rubber, plastics, foams etc.)	Birth-12	2-Methoxyethanol [109-86-4]	109-86-4	Equal to or greater than 100 but less than 500 ppm	No function - Contaminant	OR	2022
Hasbro, Inc.	Dolls Buildings/Settings [10005147]	Synthetic Polymers (synthetic rubber, plastics, foams etc.)	Ages 3-12	2-Methoxyethanol [109-86-4]	109-86-4	Equal to or greater than 100 but less than 500 ppm	No function - Contaminant	OR	2022
Hasbro, Inc.	Dolls/Puppets/Soft Toys Accessories Other [10005150]	Synthetic Polymers (synthetic rubber, plastics, foams etc.)	Ages 3-12	2-Methoxyethanol [109-86-4]	109-86-4	Equal to or greater than 100 but less than 500 ppm	No function - Contaminant	OR	2022
Hasbro, Inc.	Baby/Infant Stimulation Toys (Non Powered) [10005153]	Synthetic Polymers (synthetic rubber, plastics, foams etc.)	Under 3	2-Methoxyethanol [109-86-4]	109-86-4	Equal to or greater than 100 but less than 500 ppm	No function - Contaminant	OR	2022

Under HB-3043-3, companies would be required to report brand names and product models of children's products containing high priority chemicals. Columns would be added between the *Product Brick* and *Component* above. To allow for rapid identification, additional search mechanisms based on these criteria will be built into the HPCDS.

How does this reporting translate to consumer knowledge about chemicals in children's products?

Current reporting requirements of the Toxic Free Kids Act require reporting of children's products at the brick level. Brick levels are categories of products, such as "Pacifiers/teething rings" and are not specific enough to identify a particular children's product. For example, if a parent wanted to know if a particular brand name pacifier was reported to the TFK Program as containing a High Priority Chemical of Concern for Children's Health, they would not be able to do so with the current reporting required in statute. Requiring reporting at the brand name and product model level will require manufacturers to provide this information and allow consumers to perform such a search. Parents could then make an informed decision on whether they want to buy (or if already purchased, continue to use) a specific product for their child.

OHA is happy to provide any additional clarifying information upon request.