

**HB 3355 STAFF MEASURE SUMMARY**

**House Committee On Energy and Environment**

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**Prepared By:** Misty Freeman, LPRO Analyst

**Meeting Dates:** 5/14

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**WHAT THE MEASURE DOES:**

Modifies definition of "mouthable" children's product to include any part of the product that may be brought or placed in the mouth, sucked or chewed, or if a part of the product is smaller than five centimeters. Removes restriction on the number of chemicals allowed to be placed on the list of high priority chemicals by the Oregon Health Authority (OHA). Modifies requirements for manufacturer's biennial notice to OHA of children's products sold or offered for sale in Oregon containing at least a de minimis level of any chemical on OHA's high priority chemical list to require notice of the brand name and product model of the children's product that contains the chemical. Modifies language to permit, rather than require, OHA to adopt rules providing additional exemptions from manufacturer requirement to remove or make substitution for chemicals in certain children's products. Removes option for manufacturer to apply for a waiver based on a quantitative exposure assessment. Becomes operative January 1, 2020. Authorizes OHA to take action necessary to enact provisions on operative date. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The presence of chemicals in toys and other children's products is of concern because infants and children often practice "mouthing," the process of putting these objects in their mouths to chew or suck on them. While not consuming these objects, mouthing can result in the ingestion of toxic chemicals such as lead, cadmium, or phthalates, which have been shown to be harmful to children's health. In 2015, Oregon began requiring the Oregon Health Authority (OHA) to establish and maintain a list of high priority chemicals of concern for children's health when used in children's products. Currently, OHA reviews and revises the list of high priority chemicals every three years and may not add more than five chemicals to the list.

House Bill 3355 would modify the definition of "mouthable" children's products, remove the limit on the number of chemicals the OHA may add to their list of high priority chemicals of concern in children's products, modify the requirements for a manufacturer's biennial notice to OHA of children's products sold or offered for sale in Oregon, modify language to permit, rather than require, OHA to adopt rules providing additional exemptions from manufacturer requirements, and declare an emergency, making the Act effective on passage.