



APR 19 2021

FROM THE DESK OF
Representative
Paul Holvey

Vote Yes on HB 2495A

On behalf of the government entities, businesses, medical professionals, businesses, and undersigned organizations representing thousands of members, we would like to express our support for HB 2495A, the Toxic Free Kids Act Modernization bill. Both HB 2495A and the 2015 Toxic Free Kids Act (TFKA) are the result of bipartisan collaboration. The program requires all major manufacturers who sell or produce children's products in Oregon to report the high priority chemicals in their products and ultimately phase them out in specific products.

Thousands of toxic chemicals lurk in products our kids use every day, and the EPA estimates that over 1,500 new chemicals are introduced into commerce *each year*.¹ Since the Toxic Free Kids Act Program was enacted 7 years ago, over 4000 reports have been filed disclosing harmful substances like arsenic, lead, and formaldehyde in children's products.² The health impacts from exposure to these chemicals include skin irritation, allergies, respiratory illness, headaches, endocrine disruption, reproductive disruption, and in the worst cases, cancer.

While we have made great progress in the last 7 years by requiring that all major manufacturers report high priority chemicals in their products, we still have work to do. HB 2495 modernizes and strengthens the Toxic Free Kids Act Program based on what we have learned will be the most impactful. It is also balanced and flexible for business.

- Manufacturers are currently required to phase out high priority chemicals by January 1, 2022 unless OHA grants them an exemption. HB 2495 gives them until 2023 to implement these phaseouts to account for COVID delays, and will also ensure that these exemptions are not granted in perpetuity, but limited to 3 years, to account for – and push producers to adopt – safer alternatives. The only way to get toxic chemicals out of our kids' bodies and our landfills and surrounding environment is to stop them from being put there in the first place.
- HB 2495 removes the current limit on the number of chemicals that can be regulated, and authorizes Oregon Health Authority (OHA) to add chemicals to the high priority list as necessary to protect children's health.
- The bill gives OHA the authority to regulate classes of chemicals, as opposed to the “whack-a-mole” approach of only regulating individual chemicals, to avoid cases of regrettable substitution.
- HB 2495 harmonizes some definitions with Washington's law, which will make it easier for manufacturers to report on chemicals of concern. This will also reduce costs since both states use the same reporting system to manage and analyze reporting data.
- Lastly, the bill is flexible and common-sense in requiring that brand name and model be included in the reporting of toxics starting in 2024. This gives manufacturers time to prepare, while also giving consumers the information they need to make safe choices.

We urge your support and aye vote to pass HB 2495A.

¹ https://www.gao.gov/key_issues/toxic_chemicals/issue_summary.
² <https://oeconline.org/toxic-free-kids-act-all-manufacturers-2018/>.

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