

COURTNEY NERON
STATE REPRESENTATIVE
DISTRICT 26



HOUSE OF REPRESENTATIVES
Testimony in Support of HB 3043 -A3

May 4th, 2023

Hello Chair Sollman, Vice-Chair Findley and members of the committee—

For the record, my name is Courtney Neron, State Representative for House District 26, and I am the chief sponsor of HB 3043 (Toxic Free Kids Modernization Act). I am a school teacher, a mother of two, and an everyday Oregonian who cares about what is in our kid's consumer products and what ultimately ends up in our environment and landfills.

I want to thank my co-chief sponsors Reps Hudson, Reynolds, and Senators Patterson and Meek, and the 24 co-sponsors for their support of the bill- including Senators Sollman and Golden on this committee.

To begin with a little bit of context, it has now been 8 years since the Toxic Free Kids Act Program was 1st established in 2015- requiring the reporting and ultimate phaseout of the worst chemicals in kid's products. Since then, **over 4,000** reports have been filed, disclosing things like arsenic, lead, and formaldehyde in kid's products. And since 2015, we've learned some ways the existing program can be modernized and aligned with Washington, the state in which we share a lab, reporting, and enforcement capability:

1. Oregon is limited to adding 5 chemicals every 3 years that can be regulated. Because of this, our partner state Washington is now over 12 chemicals ahead. HB 3043 removes this chemical limit so we can catch up and be in alignment.
2. We need to allow OHA to regulate classes of chemicals just like Washington to prevent bad chemicals from being replaced with other similarly bad chemicals.
3. There should be reporting requirements that are friendlier to consumers by requiring brand names and models to be reported for chemicals so that they can make more educated buying choices.
4. reporting dates can be streamlined with WA so that it is easier for manufacturers to comply with multiple states regulations.

Our office has collaborated with advocates and manufacturers to bring forward a -2 amendment (now engrossed in HB 3043 A) which

- Extends the timeline to comply with brand name and product model requirements by an additional 3 years.
- Allows manufacturers to exempt individual chemicals and subclasses in a class if they are shown to not be as harmful as the rest of the class.
- And we went back to a preferred definition of “mouthable” product per Nike’s request.

After additional conversations, we have reached an agreement with manufacturers like Nike on the -3 amendment which strikes the word “use” from the definition of class of chemicals, moving slightly away from the CDC definition for “class of chemicals.” While we are most comfortable sticking with the exact CDC definition, we are confident that under a strong agency this updated definition will be sufficient to capture factors that need to be considered when identifying chemical classes for regulation under the Toxic Free Kids program. With these accommodations in mind, I hope we can all agree to moving forward to protect the health of our kids, especially given that this bill has no fiscal impact.

HB 3043A is unfinished business from the 2021 long session and is the result of many years of collaborative bipartisan work, with OHA and impacted manufacturers at the table. HB 3043A passed the House Energy and Environment Committee unanimously and passed the House floor 42-14.

I want to end by thanking many of the stakeholders who have come to the table for their partnership and many months of collaboration and consensus including manufacturers like Nike.

Thank you for the opportunity to testify in support of HB 3043 -A3, I urge your aye vote.

Sincerely,

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