

Toxic Free Kids and Products!

In 2015, the Oregon Legislature passed the Toxic Free Kids Act (TFKA) – requiring the disclosure and eventual phaseout of toxic chemicals in certain children’s products. Thousands of toxic chemicals lurk in consumer products which can damage childhood development, the immune system, and are linked to hormonal disruptions, learning impediments, and developmental disabilities. Due to their size and age, children are *far* more vulnerable to toxic chemicals than adults. And Kids in lower income neighborhoods are disproportionately exposed to environmental pollution and toxic chemicals in products.



Since 2015, over 4,000 reports were filed on chemicals of concern used in kids’ products—including arsenic, phthalates, and formaldehyde. Starting in 2022, TFKA requires that children’s toy manufacturers remove toxic chemicals out of their products or use safer alternatives.

Since Oregon passed TFKA, over seven other states have passed similar laws - it’s time to update and streamline the program.

Key Elements of Existing TFKA:

- It creates a science-based list of chemicals of concern for children’s health. There are currently [68 toxic chemicals](#) listed.
- Manufacturers must file reports to the Oregon Health Authority (OHA) if their children’s products contain a listed chemical of concern. These reports are publicly available for consumers.
- It requires the eventual phase out of toxic chemicals or allows substitution with safer alternatives in certain children’s products (i.e., children’s cosmetics).
- It allows manufacturers to seek exemptions when manufacturers can prove that there is no potential for exposure from their products.

At least 7 states have passed laws protecting kids from chemicals:

- California
- Connecticut
- Maine
- Minnesota
- Vermont
- New York
- Washington

A Stronger & More Effective Toxic Free Kids Act

LC 1077 would make the existing Toxic Free Kids framework more efficient and even more protective of children's health. It would:

- **Modernize OHA's authority to address classes of chemicals so that they are not limited to regulating individual chemicals.** Groups of chemicals that share structural properties should be evaluated and regulated together to ensure more comprehensive chemical management to better protect our health. Regulating chemicals by class prevents a cycle of "regrettable substitution," whereby a phased out harmful chemical is replaced with a closely related and equally harmful chemical (i.e., phthalates). Many subsequent states have moved to regulating classes of chemicals as a best practice.
- **Limit exemptions granted to manufacturers to 3 years.** Currently, exemptions are granted in perpetuity. However, new products are made every year, so updates can and should be made when safer alternatives are available. This change helps spur innovation and demand for green chemistry.
- **Remove limits on the number of chemicals that can be added to the high priority chemicals of concern for children's health (HPCCCH) list.** Currently, OHA is limited to adding five chemicals for regulation every three years. According to the EPA, [over 1500 new chemicals](#) are introduced into commerce each year. Oregon's program needs to keep pace.
- **Adds brand-name and product model of a children's product to reporting requirements** to make it easier for consumers to understand what chemicals are in different toys.
- **Streamlines definitions to harmonize** with Washington's law, which helps make it easier for manufacturers to report on chemicals of concern. This also reduces costs for both states who are using the same reporting system to manage and analyze reporting data.

All children deserve a strong and healthy start, and limiting toxic exposure is key to achieving that. Please support LC 1077!



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