



Working to make consumer products safer

What's the issue?

Health messages often encourage us to “read the label” when grocery shopping, to factor health-related information such as fat and salt content, and even the specific ingredients used in the product, into our purchasing decisions. Many of us are also concerned about everyday exposures to potentially harmful chemicals in the products we buy. But it's not easy to find information about product content to help us avoid these potentially harmful chemicals.

Contaminants of concern are increasingly found in our bodies and in Minnesota's environment, including toxic metals, endocrine active chemicals, and other chemicals. Our exposure to these chemicals could play a role in increasing health problems, including infections, cancer, obesity, reproductive problems, and behavioral and learning disorders. Of particular concern are chemicals with potential developmental, reproductive, or carcinogenic effects found in products marketed to children.

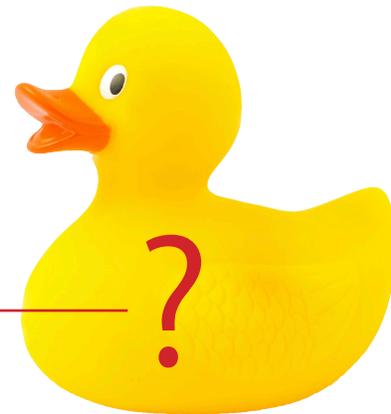
The Toxic Free Kids Act (TFKA), passed in 2009, requires Minnesota Department of Health (MDH) to identify chemicals of high concern in children's products and identify priority chemicals. It also required MDH and MPCA to provide the Legislature with recommendations for how to reduce and phase out the use of priority chemicals in children's products and promote the use of safer alternatives. The first recommendation in the ensuing 2010 report was that the Legislature consider requiring manufacturers that produce or sell children's products in Minnesota to report information about any priority chemicals contained in those products.

What we propose

This proposal will amend the TFKA to require manufacturers and distributors of children's products that contain priority chemicals to disclose this information to us. The reporting requirement would be phased in over six years, starting with the manufacturers and distributors with the greatest sales revenue in Minnesota. We will make the reported information available to the public.

NO disclosure required

Unlike nutrition labels on food, there are no labels to tell us if products we bring into our home contain harmful chemicals. This proposal will require the use of priority chemicals to be reported to state agencies, who will make the information available to the public.



Are any of these priority chemicals found in this toy?

- Bisphenol A (BPA)?
- Cadmium?
- Decabromodiphenyl ether (decaBDE)?
- Formaldehyde?
- Hexabromocyclododecane (HBCD)?
- Lead?
- Phthalates?

The proposal will also require that MDH and the Minnesota Department of Commerce reach out to and inform consumers about priority chemicals in consumer products, particularly children’s products. The proposal will give us authority to enforce the TFKA reporting requirements, and to work with Commerce to coordinate our approach to compliance, assistance, and enforcement to ensure compliance with previously enacted chemical restrictions and bans. Lastly, the three agencies will submit a joint report to the Legislature every three years summarizing the agencies’ implementation of the TFKA, including recommendations for any additional legislative policy addressing toxics in children’s products.

To fund the agencies’ efforts, and provide further incentive for discontinuing the use of priority chemicals, the proposal would require manufacturers and distributors of children’s products that contain priority chemicals to pay a fee of \$1,000 for each product category/priority chemicals combination reported to MPCA. The fee and reporting requirements would ramp-up in successive reporting cycles. Any revenues collected in excess of those needed for the agencies’ reporting, education, and compliance efforts would be made available as grants to accelerate the development of safer chemical alternatives to priority chemicals and their incorporation into children’s products as priority chemical replacements. Once a manufacturer or distributor replaces a priority chemical with a safer alternative and notifies us, the reporting requirement (and associated fee) would end.

How it will help

These initiatives will increase available information, enhance consumer awareness, and give product manufacturers incentives to reduce problem chemicals in consumer products.

- » Consumers have the information they need to make informed choices about the products they purchase for themselves and their families.
- » Consumer demand drives improvement in products being produced and sold in Minnesota.
- » Manufacturers and retailers have incentives to develop and market safer alternatives to priority chemicals and position Minnesota as a center for business innovation for toxics reduction and safe product development/production.
- » Agencies build on current efforts to understand and reduce the human health and ecological impacts of toxics in products, and enhance awareness of and compliance with existing chemical restrictions and bans.

Fiscal impact

	FY2016	FY2017
General Fund	\$543,000	\$826,000

Contact

Greta Gauthier

Legislative Director

Minnesota Pollution Control Agency

greta.gauthier@state.mn.us

Office: 651-757-2031 • Cell: 651-338-8955 • Fax: 651-296-6334