

N.C. Toxic Free Kids Act of 2013

H.B. 848 (McGrady)

The N.C. Toxic Free Kids Act takes a common sense approach to ensuring that children's products are safe before they end up in stores and our homes.

The N.C. Toxic Free Kids Act of 2013 will:

- Ensure that all manufacturers that use toxic chemicals in children's products disclose the presence of these chemicals.
- Require that manufacturers phase out the use of three Priority Chemicals in children's products.



What's the Problem?

Harmful chemicals continue to be found in children's products, even though safer alternatives are available. Toxic chemicals known to be used in the products that children use every day include:

- BPA in food packaging such as baby food and infant formula containers.
- Phthalates in toys, scented lotions, shampoos and other personal care products.
- Flame retardants in nursery furniture, nursing pillows and carseats.

Priority Chemicals are persistent in our environment and bodies. They have been found to cause health effects like cancer, reproductive harm or adverse effects on brain development. **Cancer** is on a slow and steady increase in American children, rising 22% from 1975 to 2004.¹ **Autism** now affects 1 in 88 American children, and 1 in 54 boys.² **Exposure to toxic chemicals is an important factor in these devastating diseases.**

There is no comprehensive system in place to assure that highly hazardous chemicals are not being used in children's products. That means many toxic chemicals are ending up in a place they shouldn't: our children's bodies.

What's the Solution?

In order to reduce our children's exposure to toxic chemicals, North Carolina needs a mechanism to begin phasing out the use of dangerous chemicals in children's products:

Disclosure. The NC Department of Environment & Natural Resources would work together with the NC Division of Public Health to develop a list of **Priority Chemicals** that pose unnecessary risks to children's health.

Phase Out. Ends the use of two cancer-causing Tris flame retardants (TCDPP and TCEP), as well as the plastic additives Bisphenol A (BPA) and phthalates in children's products.

Safer Products. Requires makers of children's products that contain chemicals from the Priority Chemicals List to begin identifying safer chemicals or materials for their products.

Market-Driven Approach

Thanks to innovative solutions, mercury, toxic flame retardants, lead, and other persistent toxic chemicals all are being phased out in several states. Providing manufacturers with a Priority Chemicals List can help end the toxic treadmill of substituting one bad chemical for another, and help businesses avoid costly substitution problems.

In the last decade, 18 states have passed more than 70 laws to ban chemicals in products or create new chemical management programs at the state level (for examples see Maine's Kid Safe Products Act; Washington's Children's Safe Product Act; Minnesota's Toxic Free Kids Act).

Priority Chemicals

Priority Chemicals are persistent in our environment and bodies, and have been found to cause health effects like cancer, reproductive harm or adverse effects on brain development. Three chemicals targeted for phase-out under this bill are:

- 1. Bisphenol A (BPA)** is a hormone-disrupting chemical found in polycarbonate plastic. BPA is widely used in food packaging, including baby food and formula.
- 2. Phthalates (BBP, DBP, DEHP)** are used as softeners in PVC plastic such as children's toys, and fragrance- binders in personal care products like baby shampoo. Phthalates are hormone-disrupters, and exposure is linked to reproductive and respiratory problems, and risk factors for breast cancer.
- 3. TRIS flame retardants** are used in textiles such as nursery furniture, and foam products like nursing pillows and the padding in carseats. They are linked to cancer, as well as adverse effects on learning and development. TRIS flame retardants were banned from children's pajamas in the 1970's due to cancer risks, but are back in the marketplace to replace hazardous Brominated flame retardants, which were taken off the market recently.



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Toxic Free NC is a non-profit organization dedicated to protecting children's health, a clean environment, and a vibrant economy. www.ToxicFreeNC.org