FOR RELEASE: January 28, 2014
Portland, OR

CONTACT: Sarah Doll, 503-522-6110
sarah@saferstates.org

States Grapple With Toxics Where Federal Action Fails

33 States To Consider Toxic Chemical Regulation In 2014

As meaningful federal toxic chemical reform languishes, state legislators are standing up to chemical industry pressure and acting to protect public health. Over half the country — at least 33 states — will consider policies in 2014 to address toxic chemicals in consumer products, according to an analysis by Safer States, a national coalition of state-based environmental health organizations.

Over the past decade, the chemical industry's multi-million dollar lobbying efforts have failed to smother health initiatives in 34 states, where over 200 policies to address hazardous chemicals in consumer products have been put in place. A majority of these state policies have been adopted with bipartisan support, and have been signed into law by both Republican and Democratic governors.

State initiatives in 2014 range from bans on toxic flame retardants to the endocrine disruptor bisphenol A and the probable carcinogen formaldehyde in consumer products. Because federal law has failed to ensure basic health and safety data for chemicals in commerce, some broad state bills aim to identify chemicals of concern and require manufacturers to disclose toxic chemicals in their products.

Sarah Doll, national director of Safer States: "When toxic chemicals are routinely found in household dust, air, water — and children's bodies — it's time to step up and make a change. State leaders are proving their mettle as defenders of public health."

New York State Senator Phil Boyle (R-Bay Shore) said: "It's a 21st century reality: we have the American ingenuity to identify and eliminate hazardous chemicals in consumer products. It's the responsible thing to do for our marketplace, our children and our future."

State legislatures continue to fill gaps in public health protections left by the failed federal law: the 1976 Toxic Substances Control Act (TSCA). The US EPA, health agencies and advocates widely recognize the failure of TSCA to protect consumers from risks of chemicals in commerce. Though reform legislation was introduced in May 2013, it fails to address glaring flaws in existing policy. It also includes sweeping pre-emption of state authority that would hobble or dismantle effective state programs to reduce hazards and protect health.

"Over the last decade, the most meaningful laws on toxic chemicals have come from the chambers of state legislatures," said Lindsay Dahl, Deputy Director of Safer Chemicals, Healthy Families. "While it's unclear if Congress can

pass meaningful federal legislation, we're encouraged to see the sustained and continued appetite for state legislators to tackle toxic chemicals."

Highlights of 2014 state policy include:

- **Identification and Disclosure of Chemicals Harmful to Children**: At least eleven states including Alaska, California, Connecticut, Delaware, Florida, Massachusetts, Michigan, Minnesota, New York, Oregon and Vermont will consider policy to identify chemicals of concern and require makers of consumer products to disclose their use of chemicals. Some of these policies will include provisions to encourage manufacturers to identify and use safer alternatives in their products.

- **Bans on Formaldehyde:** At least six states will consider policy to restrict formaldehyde (classified as a probable carcinogen) in children's personal care products. Policies are expected in Alaska, Hawaii, Iowa, Maryland, New York and Tennessee.

- **Bans on Toxic Flame Retardants:** At least six states will consider policy to phase out the use of toxic flame retardants, including chlorinated Tris, in consumer products. States that will consider restrictions include Alaska, Illinois, Massachusetts, Maryland, New York and Washington.

- **Restrictions on Bisphenol A:** At least eleven states will consider policy to restrict or label the use of the endocrine disruptor bisphenol A (BPA) in infant formula cans, food packaging, and receipt paper, including Hawaii, Kentucky, Massachusetts, Nebraska, New Jersey, New York, Pennsylvania, South Dakota, Tennessee, West Virginia, and Wisconsin.

- At least seven states will consider policies that restrict **phthalates, lead and/or cadmium** in children's products, including Hawaii, Massachusetts, Maine, Michigan, Mississippi, New Jersey, and New York.

- **Additional approaches:** At least five states will focus on using less toxic cleaning supplies in schools (Arizona, Kentucky, Massachusetts, North Carolina, Tennessee), and at least six other states will consider restrictions on mercury (Hawaii, Massachusetts, Michigan, New York, Washington, Wisconsin). Other approaches include safe cosmetics (Massachusetts, New York, Vermont) and more that are yet to be determined (Arkansas, Colorado, Idaho, New Mexico, South Carolina)

# # #

Safer States is a coalition of state-based organizations championing solutions to protect public health and communities from toxic chemicals.
www.saferstates.org, www.facebook.com/saferstates or @SaferStates