

## Children's Safe Product Act Reporting Rule, Chapter 173-334- WAC

### What is Chapter 173-334 WAC?

The purpose of this rule is to implement the reporting requirements of the Children's Safe Product Act (RCW 70.240). The rule is designed to collect information that will help government and the public better understand the presence of chemicals in children's products. It requires manufacturers of children's products to report if their products contain certain chemicals.

### Response to Comments

Ecology's response to comments received during the public comment period is now available. All of the comments we received are part of the official record and responded to in a document called a Concise Explanatory Statement (CES). You will be able to find your name listed in the document with a reference to where, in the document, Ecology responded your comments.

Download a copy at <http://www.ecy.wa.gov/laws-rules/wac173334/0904.html>.

### Whom does this rule affect?

The rule applies to companies that make children's products like toys, cosmetics, jewelry, and baby products. The largest manufacturers who make products that are likely to be placed in a child's mouth or on their skin, or products for children 3 and under, must report first. Other manufacturers will report according to the phased-in schedule in the rule (WAC 173-334-110). Retailers who only sell (but don't make or import) children's products are not subject to the rule.

#### MORE INFORMATION

##### On the web:

<http://www.ecy.wa.gov/programs/swfa/cspa/>

##### Effective date

Ecology adopted this rule on July 21<sup>st</sup>, 2011. It will become effective August 21<sup>st</sup>, 2011.

The first reports required under this rule will be due in August 2012.

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##### Special accommodations:

If you need this document in format for the visually impaired, call the Waste 2 Resources program at 360-407-6900.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

To get updates on Ecology's rule-making activities, sign-up for the WACTrack e-mail list at [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

## More information

### What chemicals will be reported on?

In consultation with the Department of Health, Ecology developed a list of 66 chemicals that manufacturers must report on. The list can be found in the rule. The list of chemicals is dynamic – Ecology may change the rule to update the list in the future as new information becomes available.

### How harmful are these chemicals?

As required by the law, all the chemicals on the list are toxic and have either been found in children's products or have been documented to be present in human tissue (blood, breast milk, etc.) But just because a chemical is present in a product does not mean that children are being exposed to it or harmed by it.

Manufacturers study their products carefully to make sure that using them does not cause harm. But each product is just one way that children might be exposed to a harmful chemical.

### Why are these chemicals in children's products?

These chemicals have many different uses in children's products. Sometimes they are present to protect children against other dangers. Some are preservatives, used to kill bacteria or fungus that might contaminate the product. Or a toxic chemical might be used to make plastics hard in eyeglasses. Even a "natural" material might have toxic chemicals present in it. Ideally, less toxic chemicals will be developed that work just as well.

### How will collecting this information help?

Rather than looking at just one chemical at a time in an individual product, under this rule Ecology will collect information that will make it easier to understand how chemicals are being used in a wide range of product categories. The information will also help us understand what components of those products contain these chemicals. Consumers in Washington will be able to use the information to understand if chemicals they are concerned about are present in the types of products their children use.

The first reports will be submitted to Ecology in 2012. Manufacturers can choose to test products to meet the reporting requirements, but they are not required to.

Reporting on the use of toxic chemicals is the first step toward getting safer products for children. Reports under this law will help policy makers decide if further actions are needed.

## Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or [bari.schreiner@ecy.wa.gov](mailto:bari.schreiner@ecy.wa.gov).

