
**Report to
The Vermont Legislature**

Chemicals of High Concern in Children's Products

**In Accordance with Act 188, 2014 Session,
*An Act Relating to the Regulation of Toxic Substances, Sec. 3,***

Submitted to: Senate Committee of Health and Welfare
House Committee on Human Services
House Committee on Ways and Means
Senate Committee on Finance
Senate and House Committees on Appropriations

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Introduction

This report is in response to 18 V.S.A. Chapter 38A. The statute requires the Health Department to address eight topics, which are noted in italics below.

2017 Updates

1. Any updates to the list of chemicals of high concern to children required under 18 V.S.A. § 1773.

No changes have been made to the list.

2. The number of manufacturers providing notice under 18 V.S.A. § 1775 regarding whether a children's product includes a chemical of high concern to children.

As of January 2, 2017, 337 notices have been submitted by 58 manufacturers since the reporting period opened on July 1, 2016 . Notices were due by January 1, 2017.

3. The number of chemicals of high concern to children for which manufacturers asserted trade secret protection for the specific identity of the chemical, and a recommendation of whether a process should be established to review the validity of asserted trade secrets.

No chemicals have been asserted as trade secret. A process was implemented to review asserted trade secrets. This process involves a questionnaire to be filled out by the manufacturer to substantiate the assertion that is examined by legal staff.

4. An estimate of the annual cost to the Department of Health to implement the chemicals of high concern to children program.

The cost of the program in state fiscal year 2016 was \$111,916.

5. The number of Department of health employees needed to implement the chemicals of high concern to children program.

A full time Chemical Disclosure Program manager is assigned to the program.

6. An estimate of additional funding that the Department may require to implement the chemicals of high concern to children program.

At this stage of program implementation, it is too soon to know if additional funding is required.

The program is currently contacting the manufacturers who reported to the State of Washington but have not reported to Vermont (approximately 150 manufacturers). The program does not know how many disclosures it will receive from these manufacturers since it is possible some manufacturers were reporting defensively and without testing or knowing the chemicals in their products because reporting in Washington is no-cost.

Disclosures do continue to come in past the deadline of January 1. In addition, the program will likely receive disclosure reports from manufacturers as new and seasonal products become available for sale in Vermont. The program will have a better estimate next year.

7. A recommendation of how the State should collaborate with other states in implementing the requirements of the chemicals of high concern to children program.

The Health Department is collaborating with Washington State, Oregon State, and the Interstate Chemical Clearinghouse to discuss a multi-state reporting system which would decrease the burden on manufacturers.

8. A recommendation as to whether the requirements of this chapter should be expanded to consumer products other than children's products.

The Health Department does not recommend extending the requirements of this chapter to consumer products at this time. The Health Department will evaluate notices and the state of the science that may support the inclusion of consumer products other than children's products in the future.