



# Healthy States

**Protecting Families  
from Toxic Chemicals While  
Congress Lags Behind**





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NOVEMBER 2010



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## **Healthy States: Protecting Families from Toxic Chemicals While Congress Lags Behind**

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*www.saferstates.org*

The State Alliance for Federal Reform (SAFER) of chemical policy, also known as SAFER States, is a coalition of states who are in the lead in championing solutions to protect public health and communities from toxic chemicals.

#### *Safer Chemicals, Healthy Families, Washington, DC*

*www.saferchemicals.org*

The Safer Chemicals, Healthy Families coalition represents more than 11 million parents, health professionals, advocates for people with learning and developmental disabilities, reproductive health advocates, environmentalists, and businesses from across the nation who are united by our common concern about toxic chemicals in our homes, places of work, and products we use every day.

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## Executive Summary

***Voting against this bill is like voting against brakes on a school bus.***

Bob Sump, Washington State Representative (R), House floor speech on final passage of the Children's Safe Products Act, February 18, 2008

**T**his first-ever analysis of votes on state laws aimed at protecting the public from toxic chemicals found that 18 states have passed 71 chemical safety laws in the last eight years by an overwhelming, bipartisan margin. This trend resulted from state legislators and governors from both parties responding to growing scientific evidence of harm, strong public outcry, and the failure of Congress to fix the broken federal law that allows dangerous and untested chemicals to be used in everyday products and materials. The states achieved this progress despite relentless and well-funded opposition from the chemical industry.

States will continue to adopt their own chemical laws until Congress enacts a meaningful overhaul of the Toxic Substances Control Act of 1976 (TSCA). Yet chemical industry lobbyists opposed federal policy action, using their influence to block TSCA reform legislation introduced in both the House and the Senate in 2010.

### **Report Findings**

- **Increasingly, the states have passed new laws to phase out chemicals that threaten children's health and restrict toxic chemicals in consumer products.** In the last eight years, both the number of state chemical laws and the number of states passing toxic chemical reforms have tripled.
- **State lawmakers passed tough laws on toxic chemicals with an overwhelming margin of support.** More than 8,000 (or 89%) of the more than 9,000 roll-call votes cast by state legislators favored tighter toxic chemical regulation, a margin of support greater than 8–1.
- **Tough state laws on toxic chemicals also received broad bipartisan support.** Of the votes cast, about 99% of Democrats and 73% of Republicans favored stronger protections of children's health and the environment from dangerous chemicals, with equal support from governors of each party.
- **State laws targeting specific chemicals and products that threaten children's health received the greatest attention and support.** Sixty-six laws banned bisphenol A (BPA) in baby and toddler products (with 98% support), phased out toxic flame retardants (PBDEs) in home products (93%), reduced children's exposure from common products containing lead (88%) and cadmium (86%), and promoted green cleaning (88%).
- **State legislators strongly supported recent state laws that create new programs for broad regulation of toxic chemicals.** Five comprehensive chemical policy reform laws passed in four states in the last three years—with the support of 84% of all votes cast, including a majority of Republicans (57%)—and were signed by governors from both parties in California, Maine, Minnesota, and Washington State.

- **The policy actions taken by the states advance many of the same chemical policy reforms proposed in Congress.** Both the new state chemical laws and proposed federal legislation (H.R. 5820 and S. 3209) require manufacturers to provide information on chemicals, mandate quick action on the most dangerous chemicals, and promote safer alternatives and greener chemistry.

### Report Conclusions

- **Three factors are driving urgent state action on toxic chemicals—growing scientific evidence of harm, strong public outcry, and frustration with Congress’s failure to act.** A growing body of new scientific research links toxic chemical exposures in early life to some of the most serious public health threats of our time, such as increased risks of breast and prostate cancer, infertility, and learning and developmental disabilities. A recent poll conducted by The Mellman Group found that 78% of Americans are seriously concerned about the threat to children’s health from toxic chemicals in day-to-day life.<sup>1</sup> And yet, heeding the aggressive opposition of chemical industry lobbyists rather than the support of the American electorate, Congress failed to pass TSCA reform legislation three times in six years.
- **Until Congress enacts meaningful TSCA reform, more states will pass more laws to restrict specific toxic chemicals and broadly regulate chemicals in products.** Until Congress acts, the states will find it necessary to lead the way, reflecting the strong bipartisan consensus that protecting the public health can’t wait. Given recent trends, legislation to restrict toxic chemicals will likely be introduced in as many as 25 states during the upcoming legislative session.

### Report Recommendations

- **The states should continue to pass state chemical legislation to protect their people’s health and to drive the chemical industry to accept meaningful reform.** State legislators can protect their residents and prompt Congress to act by

passing more state-level reforms. The chemical industry has expressed repeated frustration with the growing patchwork quilt of state laws and related decisions by product makers to stop using toxic chemicals. For this reason, more state legislative action will help drive Congressional leadership and eventual industry acceptance of broad federal reform.

- **The 112th Congress should make TSCA reform a top legislative priority.** The next Congress should recognize the urgent need and bipartisan support for fundamental federal reform. Effective state policy action cannot substitute for broad federal reform that protects the health of all Americans, directly regulates the chemical industry, and mobilizes federal expertise and resources to prevent chemical harm.
- **The chemical industry should support meaningful, commonsense federal reform.** Such significant reform will restore consumer confidence by providing Americans with the protection from toxic chemicals they demand. With strong federal policy leadership, state governments and businesses that use chemicals will find it less necessary to develop their own chemical restrictions; strong federal policy would also provide the chemical industry with greater regulatory certainty and market stability. Weak federal reform or continued Congressional inaction, however, will encourage continued state and business decisions to end the use of toxic chemicals.
- **Federal reform should continue to allow states to enact stronger protections when states determine they need such policies to protect their populations.** Federal legislation will lack credibility unless it protects the states’ ability to innovate through state regulation of chemicals, coordinated in partnership with the federal government.

By enacting substantial federal policy reform, Congress will protect the health of all Americans, and restore the confidence of consumers, state legislators, and businesses in the products of the chemical industry.

FIGURE 1

**States Passed Toxic Chemical Laws with Strong Bipartisan Support**

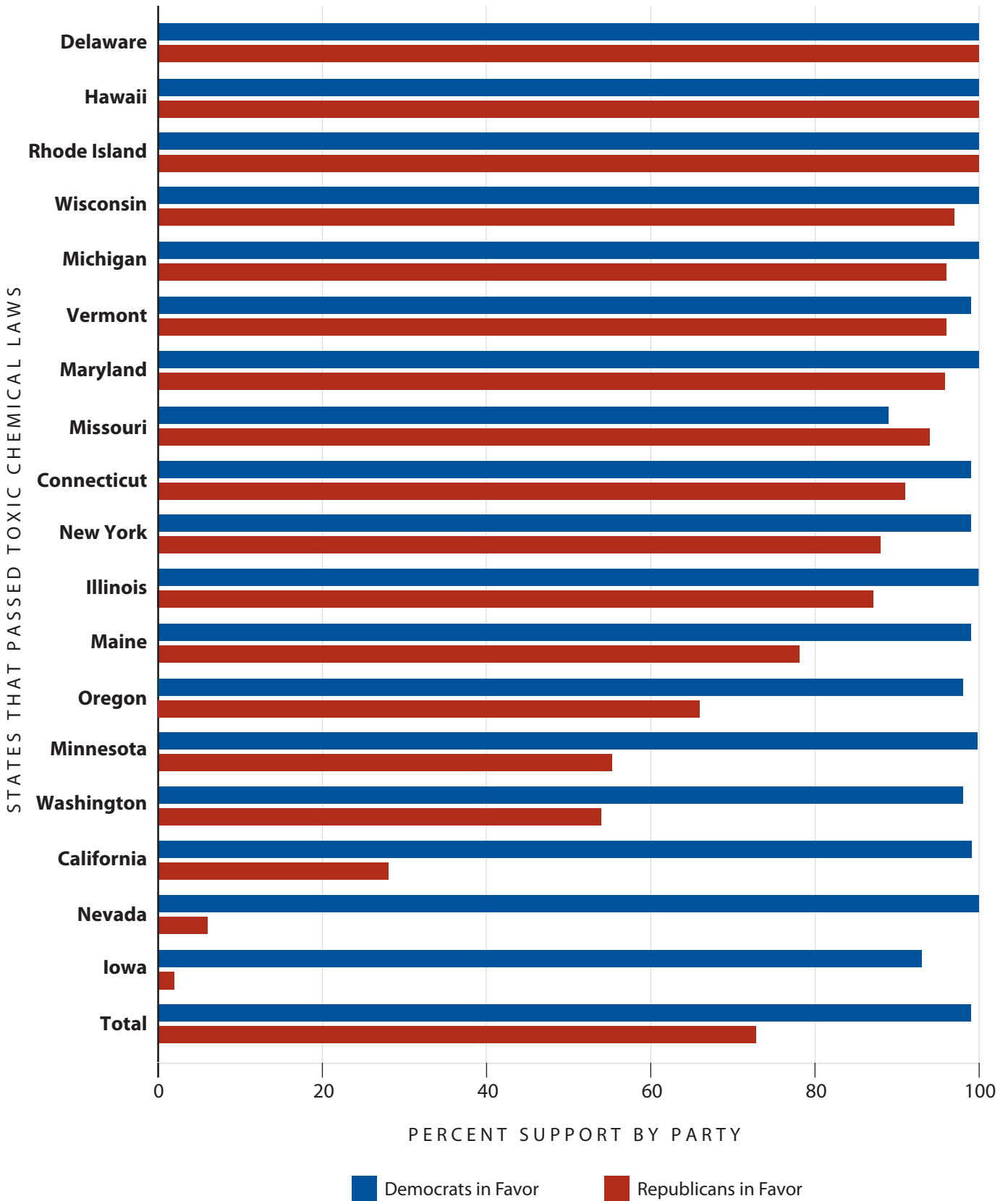




FIGURE 2

### New State Laws Target Specific Chemicals and Products of Concern

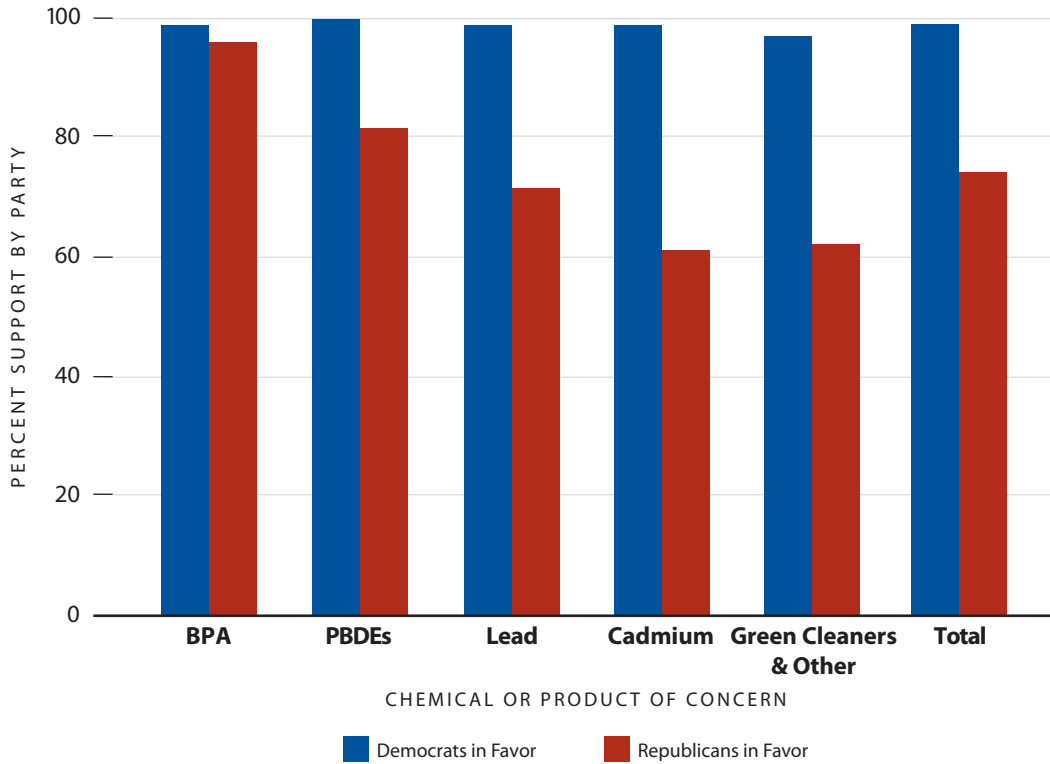
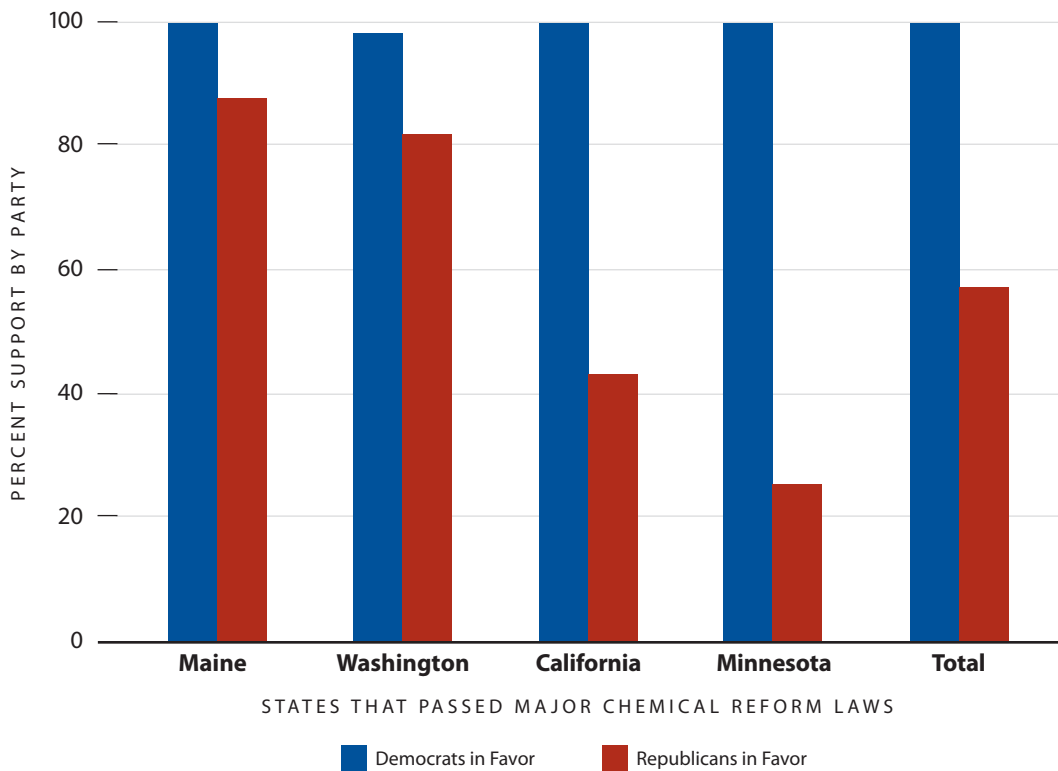


FIGURE 3

### New State Laws Broadly Regulate Toxic Chemicals in Products





## Introduction

***As a cancer survivor, I know first hand the physical, emotional and financial toll these deadly diseases can take on families across the state . . . I support the Kid-Safe Products Act because it will help prevent these devastating diseases — and that's good for our families and our pocketbooks.***

Meredith Strang Burgess, Maine State Representative (R),  
civic engagement mailer by the Alliance for a Clean and Healthy Maine, 2010

**B**reast cancer, prostate cancer, learning disabilities, infertility, and obesity—these are just a few of the 180 diseases and health conditions, many of them on the rise, that scientists have linked to exposures to toxic chemicals.<sup>2</sup> And yet, despite what is known of their dangers, thousands of dangerous and poorly tested chemicals are routinely used in everyday products and materials. Hundreds of harmful chemicals have intruded into our homes and bodies, and can be found everywhere from the cord blood of newborn babies to household dust.<sup>3</sup> Lacking complete information and good alternatives, parents are frustrated in their efforts to protect their families' health from toxic chemicals.

**Our federal chemical safety system is out of date and badly broken.**<sup>4</sup> The Toxic Substances Control Act of 1976 (TSCA) “grandfathered” in 62,000 chemicals then in commerce, with virtually no restrictions or mandatory health and safety testing. After nearly 35 years, the U.S. Environmental Protection Agency (EPA) has ordered chemical companies to test only about 200 of those chemicals, and has restricted only a few uses of just five

toxic substances. TSCA so severely handcuffs agency authority that a 10-year rulemaking to ban most uses of asbestos, which is proven to cause cancer in humans, was thrown out by a federal court, chilling further EPA action to restrict dangerous chemicals.<sup>5</sup>

Historically, the chemical industry has insisted that TSCA worked just fine, and that neither state nor federal chemical reform legislation was needed. In 2009, however, new state chemical laws and market movement against toxic chemicals drove the chemical industry to declare its support, in principle, for TSCA modernization.<sup>6</sup> Unfortunately, the chemical industry's sudden turnaround proved to be hollow and short-lived.

By early 2010, several fundamental points of disagreement regarding what constitutes meaningful TSCA reform were publicly revealed.<sup>7</sup> Public health advocates called for real reform, including:

- public disclosure of safety information for all chemicals in use
- prompt action to phase out or reduce the most dangerous chemicals
- deciding safety based on real-world exposure to all sources of toxic chemicals

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The fake reform advocated by the chemical industry includes:

- limited testing of a handful of chemicals, leaving us in the dark about safety hazards
- more lengthy and costly studies of chemicals already proven to be dangerous
- an assumption that we are exposed to only one chemical at a time, and from one source at a time

When extensive oversight hearings and stakeholder meetings were held, and sound TSCA reform legislation introduced, the chemical industry mounted a vigorous opposition campaign. The chemical industry aggressively lobbied against the passage of S. 3209, the Safe Chemicals Act of 2010 introduced by Senator Frank Lautenberg in April, and against H.R. 5820, the Toxic Chemicals Safety Act of 2010 introduced by Reps. Bobby Rush and Henry Waxman in July.

**The 111th Congress failed to enact legislation that would have modernized TSCA, despite the expressed support of 80% of all Americans for a new federal law to restrict toxic chemicals.**<sup>8</sup> Instead, Congress heeded chemical industry lobbyists, whose opposition to meaningful reform blocked further advance of federal TSCA reform legislation this year.<sup>9</sup>

In contrast, state legislatures have responded positively, time after time, to the need for stronger chemical policies. States are famously known as the “laboratories of democracy” in this country.<sup>10</sup> More than one-third of them are passing reforms, thus forging a path for Congress to fix our broken federal framework. Whether attacking specific chemical threats or creating major new chemical regulatory systems, the states are leading the way to real reform. States are making major progress, despite the money spent by the chemical industry lobbying against state laws in every statehouse.

### **How does it work when individual states regulate chemicals in products shipped across the country?**

Some companies comply with a state’s restrictions by not selling products containing the prohibited chemical in that state. Other manufacturers switch to safer alternatives for their entire U.S. market in reaction to even one state’s chemical restrictions. For example, when Maine established a date certain by which the use of DecaBDE (the toxic flame retardant) in plastic shipping pallets would end, the major distributor of the pallets stated its intent to comply with that requirement nationwide.<sup>11</sup> Furthermore, states are coordinating chemical management activities with one another through the Interstate Chemicals Clearinghouse (IC2), which 10 states have formally endorsed as a means to share chemical data, management strategies, and model policies.<sup>12</sup>

### **The purpose of this report is to distill the status and progress of states’ legislative activity on chemical policy.**

This study examines the trends in state lawmaking over the last eight years toward tighter regulation of toxic chemicals in consumer products, and documents the successful efforts of hardworking state legislatures and governors to protect public health. The data sources and research methods used to develop this report are described in Appendix 1 (p. 20).

### **The Toxic Substances Control Act of 1976 may be the most egregious example of ineffective regulation of chemical contaminants.**

President’s Cancer Panel, *2008–2009 Annual Report: “Reducing Environmental Cancer Risk — What We Can Do Now,”* April 2010



## Findings

***I'm pleased the Connecticut Legislature has worked in a bipartisan way to pass laws that provide necessary and timely solutions to the problems of toxic chemicals in our daily environment.***

John McKinney, Republican Minority Leader, Connecticut State Senate, October 2010

**I**ncreasingly, the states have passed new laws to phase out chemicals that threaten children's health, and to restrict toxic chemicals in consumer products. Since 2003, the rate of policymaking has more than tripled. State legislatures passed 31 toxic chemical laws in the 2009–2010 sessions, compared to seven toxics laws in 2003–2004. On average, four new state chemical laws were passed each year from 2003 to 2006. That approval rate increased to more than 14 state toxics laws per year from 2007 to 2010. The number of

states passing chemical laws has also more than tripled, from five to 18 states, over this same eight-year period. (See Table 1.)

### **State lawmakers passed tough laws on toxic chemicals with an overwhelming margin of support.**

The legislatures and governors of 18 states, representing 41% of the U.S. population, approved 71 laws to restrict toxic chemicals in everyday consumer products. Of the more than 9,000 votes cast, 89% favored tighter state regulation of toxic chemicals. On average, state chemical laws passed by a margin of more than 8–1. (See Table 2, p. 13.)

The chemical policy actions taken by the 18 states during the last eight years are as diverse and unique as the states themselves. California and Maine each passed 12 and nine chemical laws, respectively, including comprehensive reforms. Illinois and Maryland adopted six chemicals laws each. Five state laws were approved in Connecticut, Michigan, and Minnesota. The average state adopted four chemical policies. Michigan recorded the greatest number of roll-call votes from Republican legislators (356) in support of chemical legislation, followed closely by Illinois (344), Maine (281), Maryland (280) and Connecticut (222). The greatest Democratic roll-call support was recorded in Maryland (802), California (786), followed by Connecticut (643), Minnesota (606) and then Maine (476).

TABLE 1  
**The Quickening Pace of State Action on Toxic Chemicals**

Year	# of State Laws Passed		Number of States Acting (cumulative)
	by Session	by Legislature	
2003	2	7	2
2004	5		5
2005	6	8	8
2006	2		9
2007	10	25	11
2008	15		15
2009	15	31	17
2010	16		18
<b>In 8 years</b>	<b>71 state laws passed</b>		<b>in 18 states</b>

These do not include the dozens of state laws passed, beginning in 2000, to restrict mercury in products in some 32 states.

Governor Arnold Schwarzenegger (R-California) signed the most chemical bills into law, eleven, followed by nine bills signed by Governor John Baldacci (D-Maine) and five toxics bills signed by Governor Jodi Rell (R-Connecticut), Governor Jennifer Granholm (D-Michigan), Governor Tim Pawlenty (R-Minnesota), and Governor Martin O'Malley (D-Maryland).

The highest level of support for chemical laws was earned in Delaware, Rhode Island, and Hawaii (100%); Vermont and Maryland (99%); Michigan and Wisconsin (98%); Connecticut (97%); and

Illinois and New York (95%). The most recent states to pass first-time laws on chemicals in products are Wisconsin (BPA, 2010); Iowa and Nevada (green cleaning, 2009); Connecticut and Delaware (lead, 2008); Missouri (green cleaning, 2008); and Vermont (lead, phthalates, 2008).

**Tough state laws on toxic chemicals received broad bipartisan support.** Of the votes cast, about 99% of Democrats and 73% of Republicans voted for stronger protection of children's health and the environment from dangerous chemicals.

TABLE 2

### The States Passed Toxic Chemical Laws by an Overwhelming Margin

State	Party of Governor Who Signed	# Laws Passed	Votes in SUPPORT		Votes OPPOSED	
			D	R	D	R
California *	R-11, D-1	12	786	131	10	361
Connecticut	R	5	643	222	4	22
Delaware	D	2	27	28	0	0
Hawaii	R	2	120	26	0	0
Illinois	D	6	586	344	2	50
Iowa	D	1	79	1	6	61
Maine *	D	9	476	281	1	78
Maryland	D-5, R-1	6	802	280	1	11
Michigan	D	5	330	356	0	13
Minnesota *	R	5	606	178	7	145
Missouri	R	1	71	96	9	6
Nevada	R	1	46	1	0	16
New York	D-2, R-2	4	379	200	5	26
Oregon	D	2	92	50	2	26
Rhode Island	R	1	83	15	0	0
Vermont	R	4	150	52	1	2
Washington *	D	4	361	113	6	95
Wisconsin	D	1	68	58	0	2
<b>TOTALS: 18 States</b>	<b>D-38 R-33</b>	<b>71 Laws</b>	<b>5,705</b>	<b>2,432</b>	<b>54</b>	<b>914</b>
			<b>8,137</b>		<b>968</b>	

Only roll-call votes are counted in the vote totals. Democrats are identified as "D" and Republicans as "R" among state legislators and governors. States marked with an asterisk (\*) have passed comprehensive chemical policy laws in addition to state laws that focus on single chemicals or products.

Three-quarters of the bills (53 of 71) received strong support from a majority of voting Republican legislators. Governors from both parties signed these bills into law in about equal proportions. Ten Republican governors signed about half these bills (33 laws or 46%). Twelve Democratic governors signed the other half (38 laws or 54%). (See Figures 1 through 3, pp. 8–9, for bipartisan margins. See Table 2, p. 13, for detailed vote counts.)

The 71 state chemical laws profiled in this report fall into two categories: single-focus bills and major chemical reforms. The 66 single-focus laws include chemical-specific restrictions (such as bans on BPA or toxic flame retardants), as well as product-specific policies focused on green cleaning and safe cosmetics, for example. The major chemical policy reforms include five laws that create new state programs for regulating broad classes of chemicals in products. All together, these laws presage many of the necessary federal TSCA reforms.

**State laws targeting specific chemicals and products that threaten children’s health received the greatest attention and support.** Sixty-six targeted state laws are driving BPA, lead, cadmium, toxic flame retardants, phthalates, and other chemicals out of children’s products, cleaning products, cosmetics, and other consumer goods used in the home. Of the 8,374 votes cast by Republicans and Democrats on these bills, 90% were in support of restrictions on specific chemicals or products or other narrowly focused chemical policies. (See Table 3.)

These single-focus bills received strong bipartisan support. Nearly three-quarters (74%) of all Republican votes were cast in favor of this legislation. On average, that means Republican support outweighed Republican opposition by a margin of nearly 3–1. Meanwhile, support by Democrats registered at nearly 99%.

Bipartisan support was even higher for specific-chemical bills. For example, states outlawed BPA

CONTINUED ON PAGE 16

TABLE 3  
**The States Are Phasing Out Chemicals of High Concern in Products**

Chemicals Restricted	# of States	# of Laws	Votes in SUPPORT		Votes OPPOSED	
			D	R	D	R
BPA	7	7	781	355	4	24
Cadmium	5	6	432	132	4	86
Lead	11	22	1,644	721	10	298
PBDEs / flame retardants	12	18	1,378	701	6	161
Other	13	17	1,012	369	28	228
<b>TOTALS</b>	<b>18 States</b>	<b>66 Laws</b>	<b>5,247 (99%)</b>	<b>2,278 (74%)</b>	<b>52 (1%)</b>	<b>797 (26%)</b>
			<b>7,525</b>		<b>849</b>	

“BPA” refers to the chemical known as bisphenol A. “PBDEs/flame retardants” refers to 209 related chemicals known as polybrominated diphenylethers, which have been sold in three commercial mixtures: Penta, Octa, and Deca. The “Other” category includes 11 laws promoting green cleaning, three laws prohibiting chemicals known as phthalates in children’s products (adopted in CA, VT, and WA), and single laws regulating chemicals in cosmetics (CA), promoting green chemistry through a chemical innovations institute (CT), and extending an industrial toxics use reduction law to commercial uses of chemicals in products (ME). The sum of the number of laws passed in each chemical category exceeds the total number of single-focus laws adopted because two laws targeted more than one chemical each. The vote counts for Washington’s restrictions on lead, phthalates, and cadmium are included in Table 4 rather than Table 3, since they were part of a comprehensive chemical policy reform law.

## The Leadership of 22 Governors Advanced Safer Chemicals Policy Reform

Governors provide critical leadership in two ways. They empower state environmental and health agencies to develop and support expanded chemical management programs and policies. Then, with the power of the pen, they decide whether to sign into law the toxic chemical bills enacted by legislatures.



**Under Republican Governor Tim Pawlenty's leadership, Minnesota became the first state in the U.S. to ban BPA in baby bottles and sippy cups, and the fourth to pass major chemical policy reform.**



**"I want to keep Connecticut at the forefront of chemical policy reforms," said Republican Governor M. Jodi Rell. "This law builds on our successes in phasing out toxic chemicals from children's products—products like lead and bisphenol-A." Press Release, June 4, 2010: Governor Rell Bans Cadmium in Children's Jewelry**



**Arnold Schwarzenegger, the Republican governor of California, signed eleven bills to restrict toxic chemicals, including a pair of laws that begin to fix our broken chemical safety system.**



**Maine Governor John Baldacci, a Democrat, signed nine bills, including a first-in-the-nation law to regulate toxic chemicals in products at the state level, the Kid-Safe Products Act.**



**Christine Gregoire, the Democratic governor of Washington State, signed the Children's Safe Products Act, which sets the nation's toughest standards on lead, cadmium, and phthalates, and requires industry reporting of other priority chemical use in children's products.**



**Five toxics bills became law with the signature of Governor Martin O'Malley, a Democrat from Maryland, which became the fifth state to ban BPA in baby bottles and sippy cups.**

TABLE 4

**The States Are Fixing Our Broken Chemical Safety System**

State	Bill # (Year)	Votes in SUPPORT		Votes OPPOSED		Votes by Each Legislative Body	
		D	R	D	R	House	Senate
California	AB 1879 (2008)	69	19	0	25	64 – 12	24 – 13
	SB 509 (2008)	63	18	0	24	57 – 12	25 – 12
Maine	LD 2048 (2008)	102	59	0	9	129 – 9	35 – 0
Washington	HB 2647 (2008)	91	41	2	9	92 – 2	40 – 9
Minnesota	HF 2123 (2009)	133	17	0	50	98 – 35	52 – 15
<b>TOTALS</b>	<b>5 laws in 4 states</b>	<b>458</b>	<b>154</b>	<b>2</b>	<b>117</b>	<b>440 – 70</b>	<b>176 – 49</b>
		<b>612</b>		<b>119</b>			

The “House” in California is the Assembly. The primary opposition behind the NO votes in Minnesota was based on objections to other unrelated portions of omnibus legislation to which was attached the state’s chemical reform policy.

—the chemical that wreaks hormone havoc—in plastic baby bottles and other food and beverage containers with supporting votes from 99% of Democratic and 94% of Republican legislators. About 81% of Republican votes favored restrictions on PBDEs, and 71% on lead aimed at protecting children’s health. Governors from each party signed about the same number of bills, further underlining the nonpartisan nature of chemical policy reform. (See Figure 2, p. 9.)

**State legislators strongly supported recent state laws that create new programs to regulate chemicals broadly.** Five comprehensive reform laws were approved in four states in just the last three years. These states have “graduated” from legislating chemicals one at a time to taking the bolder step of adopting comprehensive laws that establish new state programs to regulate broad classes of chemicals. Of the 731 votes cast by Democrats and Republicans, 84% were in favor of comprehensive chemical policy reform at the state level. These major state chemical

reforms passed by an average 5–1 margin of victory. (See Figure 3, p. 9, and detailed vote counts in Table 4.)

These major reforms received strong bipartisan support, with 57% of all Republican votes and almost every Democratic vote in favor of reform. Further, Republican governors signed the majority of these bills into law.

Republican Governors Arnold Schwarzenegger (R-California) and Tim Pawlenty (R-Minnesota) signed three of the comprehensive chemical bills into law, and Democratic Governors John Baldacci (D-Maine) and Christine Gregoire (D-Washington) signed two into law. Policy watchers expect these trends to continue.

**The policy actions taken by the states advance many of the same chemical policy reforms proposed in Congress.** For example, the states have phased out uses of several PBTs (persistent, bioaccumulative, and toxic chemicals), such as lead, and toxic flame-retardant chemicals, such as PBDEs, and taken



TABLE 5

**State Chemical Laws Closely Track Proposed Federal Legislation**

<b>Policy Element</b>	<b>Proposed 2010 FEDERAL Reform</b>	<b>Enacted STATE Reforms</b>
<b>Chemical hazard &amp; exposure data</b> information reported by industry	<b>YES</b> Requires minimum data set; testing authorized	<b>NO</b> But CA requires a hazard database to be compiled
<b>Chemical use</b> information reported by industry	<b>YES</b> Part of minimum data set; must be kept current and disclosed to supply chain	<b>YES</b> ME & WA require use reporting for priority chemicals in products
<b>Prioritize chemicals</b> to act on “worst first”	<b>YES</b>	<b>YES</b> In CA, ME, MN, & WA
<b>PBTs</b> phased out except for critical uses with no viable alternative	<b>YES</b> Reduce exposure to the greatest extent practicable	<b>YES</b> Authorized in CA & ME; required in 13 states’ laws
<b>Expedited action</b> taken to restrict priority chemicals	<b>YES</b> Rapid safety determinations for 22 named chemicals	<b>YES</b> Authorized in ME & required in 7 states’ laws
<b>Safety standard</b> health-based safety determination	<b>YES</b> Must show “reasonable certainty of no harm”	<b>NO</b> Not directly addressed
<b>Safer alternatives</b> defined & promoted	<b>YES</b> Speeds introduction of inherently safe or safer new chemicals	<b>YES</b> Authorized in CA & ME; implicit in 18 states’ laws
<b>Hot spots</b> of disproportionate exposure identified	<b>YES</b> U.S. EPA must develop action plans with states	<b>NO</b> Not directly addressed
<b>New chemicals</b> must meet same standards as existing chemicals	<b>YES</b>	<b>NO</b>
<b>Green chemistry</b> incentives & funding	<b>YES</b>	<b>YES</b> New programs in CT & NY

expedited action to reduce children’s exposure to other dangerous chemicals, such as BPA. Similar policy elements are also advanced in H.R. 5820, the Toxic Chemicals Safety Act of 2010. S. 3209, the Safe Chemicals Act of 2010, also envisions expedited action on priority chemicals.

Other specific policy measures that are commonly reflected in the new state laws and the proposed federal legislation include chemical data reporting, prioritizing chemicals for urgent action, and promotion of safer alternatives and green chemistry. (See Table 5.)

Meaningful chemical policy reform will: require that all chemicals be proven safe; protect our health using the best science; inform the market, consumers, and the public; promote environmental justice; boost innovation, development of safer chemicals, and jobs; and support the states and tribal governments. Appendix 2 (p. 21) details how these policy goals are advanced in proposed federal legislation, and includes further explanation of the policy elements listed in Table 5, as well as other important provisions of real chemical reform.



## Conclusions

***The Safe Chemicals Act currently before the U.S. Senate is modeled in part after Maine's Kid-Safe Products Act. KSPA is a national model for protecting children from harmful chemicals in consumer products. I was proud to be part of its nearly unanimous passage by the Maine Legislature in 2008.***

Karl Turner, former Republican State Senator from Maine, *Portland Press Herald*, September 24, 2010

**Three factors are driving urgent state action on toxic chemicals: growing scientific evidence of harm, the resulting strong public outcry, and frustration with the failure of Congress to act.** The growing body of new scientific research linking early-life exposures to toxic chemicals to increased risk of breast cancer, prostate cancer, learning disabilities, and other diseases and disorders is too overwhelming to be ignored.<sup>13</sup> It's not surprising that a recent poll conducted by The Mellman Group found that 78% of Americans are seriously concerned about the threat to children's health from toxic chemicals in day-to-day life.<sup>14</sup> And yet, heeding the vigorous opposition of chemical industry lobbyists rather than the American electorate, Congress failed to pass legislation introduced in 2010 to overhaul the Toxic Substances Control Act of 1976. This marks the

third time in the last six years that TSCA reform legislation has failed to advance in the face of chemical industry opposition.<sup>15</sup>

**Until Congress enacts meaningful TSCA reform, more states will pass more laws to restrict specific toxic chemicals and broadly regulate chemicals in products.** Until Congress acts, the states will continue to lead the way, reflecting the strong bipartisan consensus for chemical policy reform. Given recent trends, legislation to restrict toxic chemicals will likely be introduced in as many as 25 states during the upcoming legislative session. New chemical regulations will be adopted in California, Maine, Washington, and Minnesota to implement the recently adopted major reform laws. More states will likely consider similar comprehensive reform legislation.



## Recommendations

***A patchwork of 50 different state chemical management laws is not necessarily good for the global competitiveness of this industry . . . the public lacks confidence in the federal chemical regulation statute, so we still need to do something.***

Peter A. Molinari, The Dow Chemical Company, vice president of federal and state government affairs, *Chemical & Engineering News*, October 25, 2010

- 1. The states should continue to pass state chemical legislation to protect their people's health and to drive the chemical industry to accept meaningful reform.** State legislators can prompt Congress to act by passing more state-level restrictions on toxic chemicals. The chemical industry has expressed repeated frustration with the growing patchwork quilt of state laws and related decisions by product makers to stop using toxic chemicals. For this reason, more state legislative action will help drive Congressional leadership and eventual industry acceptance of federal reforms that are truly rigorous enough to protect public health.
- 2. The 112th Congress should make TSCA reform a top legislative priority.** The next Congress should recognize the urgent need and bipartisan support for fundamental federal reform. Effective state policy action cannot substitute for broad federal reform that protects the health of all Americans, directly regulates the chemical industry, and mobilizes federal resources and expertise to prevent chemical harm. Congress needs to act to protect the health of all Americans, not just those lucky enough to live in states that can face down chemical industry lobbyists. In 2011, Congress should follow the states' lead by enacting meaningful, commonsense TSCA reform legislation that restores confidence in the federal government's ability to protect our health and environment from dangerous chemicals.
- 3. The chemical industry should support meaningful, commonsense federal reform.** Such significant reform will restore consumer confidence by providing Americans with the protection from toxic chemicals they demand. With strong federal policy leadership, state governments and businesses that use chemicals will find it less necessary to develop their own chemical restrictions; strong federal policy would also provide the chemical industry with greater regulatory certainty and market stability. Weak federal reform or continued Congressional inaction, however, will encourage continued state and business decisions to end the use of toxic chemicals.
- 4. Federal reform should continue to allow states to enact stronger protections when states determine they need such policies to protect their populations.** Federal legislation will lack credibility unless it protects the states' ability to innovate through state regulation of toxic chemicals in partnership with the federal government.

By enacting substantial federal policy reform, Congress will protect the health of all Americans, and restore the confidence of consumers, state legislators, and businesses in the products of the chemical industry.

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## Appendix 1

# Methodology

State laws to regulate chemicals in consumer products were identified through a combination of research sources, including public health advocates affiliated with the *SAFER States* and *Safer Chemicals, Healthy Families* coalitions, the Environmental Health Legislation Database of the National Conference of State Legislatures,<sup>16</sup> the U.S. State-level Chemicals Policy Database of the Lowell Center for Sustainable Production,<sup>17</sup> and state legislative websites.

Once relevant laws were identified, the vote counts and party status of voting state legislators were tabulated, and legislative enactment and governors' approvals confirmed. Only roll-call votes are included in the vote counts in the Tables, which in turn inform the bar graphs in the Figures that show bipartisan support.<sup>18</sup>

A master spreadsheet was used to track legislative information on the 71 bills by year passed, state, and policy subject. The data were analyzed to determine the degree of bipartisan support and approval margins. A general policy analysis identified commonalities in policy content among state chemical laws, and between these laws and proposed federal legislation on chemical safety. Trends in legislative pace and activity were also characterized.

The time period covered includes state chemical policy passed during the last four legislatures in each state, i.e., the eight-year period from 2003 through 2010, inclusive. Although state toxic chemical policies extend much further back in history, this fully represents the modern era of state regulation of toxic chemicals in consumer products.

The year 2003 also marked a turning point in state chemical policy. Previously, states regulated

chemicals in products more as an *environmental problem* caused by waste disposal. For example, dozens of state laws to restrict mercury products in the waste stream have been passed in some 32 states.<sup>19</sup>

In 2003, state laws began attacking toxic chemicals more as a direct *health problem* related to the use of toxic chemicals in products. States passed then the first restrictions on the flame-retardant chemicals known as PBDEs in home furniture foam.<sup>20</sup> Ever since, state policymakers have centrally focused on protecting children's health from toxic chemicals used in common products.

There are a few limits to the report's methodology. Importantly, none of the dozens of laws passed in 32 states to restrict the toxic metal mercury in products are included in the analysis. Mercury product laws were left out because their volume would drown out the data on other state chemical policies examined. Also, the first pioneering laws to phase out mercury in products pre-date the time period reviewed in this report.

The only lead laws included are those adopted in the last eight years that prohibit lead in toys, jewelry, and wheel weights, or that fund alternative assessments for lead in products. Other lead laws that exclusively focus on lead-safe housing renovation or lead paint-poisoning prevention are not included in this report.

Also, policy research on proposed state chemical legislation that failed passage by the legislature or was vetoed by a governor was beyond the scope of this report, as were key committee votes or other roll-call votes on critical amendments or preliminary floor debates. Only final roll-call votes on toxics bills signed into law are included herein.

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## Appendix 2

# H.R. 5820, the Toxic Chemicals Safety Act of 2010

**O**ur chemical safety system is badly broken. The Toxic Substances Control Act of 1976 (TSCA), the nation's primary chemical safety law, has failed public health, the environment, and our communities. Toxic chemicals linked to chronic diseases and conditions, such as prostate cancer, learning disabilities, asthma, infertility, and obesity, do not belong in the products we use in our homes, schools, and workplaces.

We now have a once-in-a-generation opportunity to protect our families! Representative Bobby Rush (IL) has introduced the Toxic Chemicals Safety Act (H.R. 5820) in the House of Representatives. Original co-sponsors of H.R. 5820 include Representatives Henry Waxman (CA), Kathy Castor (FL), Diana DeGette (CO), John Sarbanes (MD), and Janice Schakowsky (IL). Senator Frank Lautenberg (NJ) introduced companion legislation, the Safe Chemicals Act (S. 3209), in April 2010.

### ***H.R. 5820 requires that all chemicals be proven safe***

**The chemical industry must prove that their chemicals are safe.** Both existing and new chemicals must meet a health-based safety standard in order to stay on or enter the market—just as we already require for pharmaceuticals and pesticides under other laws. The U.S. Environmental Protection Agency (EPA) will make an independent safety determination to ensure that the industry has proven safety.

**Immediate action must be taken on the worst chemicals.** EPA must immediately act to reduce exposure to PBTs (chemicals that are persistent, bioaccumulative, and toxic) to the greatest practicable extent. PBTs, including lead, mercury, and

many halogenated compounds, persist in the environment and build up in the food chain. Nineteen other high-priority chemicals are identified in the legislation and targeted for immediate safety decisions; these include bisphenol A, phthalates, TCE (trichloroethylene), formaldehyde, and hexavalent chromium. EPA is to add to this list of priority chemicals, identifying 300 within the first year.

### ***H.R. 5820 protects our health using the best science***

**The safety standard must protect the most vulnerable among us.** Toxic chemicals especially threaten the health of the developing fetus, babies, young children, and teens. Other uniquely vulnerable groups include the elderly, people with pre-existing medical conditions, workers, and low-income communities—predominantly people of color—located near chemical “hot spots.”

**The safety standard must account for chemical exposures from all sources.** Exposures to a chemical aggregated across all sources—reflecting how people are exposed in the real world—must be quantified and shown to be safe.

**When determining chemical safety, EPA must use the best available science.** EPA must follow the recommendations of the National Academy of Sciences, the nation's top scientific experts, when assessing chemical safety.

### ***H.R. 5820 informs the market, consumers, and the public***

**Chemical manufacturers must provide essential health and safety information for all chemicals.** Chemical producers must provide EPA with all of

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the data on chemical hazards, uses, and exposures it needs to determine safety. Honoring the public's right to know, EPA must provide basic safety data to the public through an Internet-accessible database. Chemical makers must also provide information on the chemicals they supply to product manufacturers, so manufacturers can make informed decisions about which chemicals they want to use, and which they want to avoid.

**The bill makes it harder to keep chemical safety information secret.** The bill ensures that information about health hazards and the presence of chemicals in children's products is made public—it can't be kept "secret." All claims of confidential business information (CBI) have to be justified up front and will expire after five years unless rejustified. EPA will be required to review a sufficient number of CBI claims to ensure they are valid.

#### ***H.R. 5820 promotes environmental justice***

**EPA must identify "hot spots" and take prompt action to reduce chemical exposures in those communities.** Many local geographic areas, often home to people of color and low-income residents, face much greater exposure to toxic chemicals than the national average. EPA must name at least 20 hot spots and develop chemical action plans to reduce chemical exposures significantly.

**EPA must consider cumulative impact and exposures arising from all stages of a chemical's life cycle** when making safety determinations. EPA must take into account multiple exposures to different chemicals with the same adverse effects, such as cancer or learning disabilities, when determining safety. All exposures to a chemical or products containing it must be factored in, including those from industrial facilities, consumer products, and waste disposal.

#### ***H.R. 5820 will help American manufacturers and workers compete***

**The bill rewards innovation that leads to new, safer chemicals.** The American chemical industry claims its "edge" in the world marketplace is innova-

tion. H.R. 5820 will reward innovative companies by expediting the approval of new chemicals that are inherently low-hazard, offer safer alternatives to specific uses of existing chemicals, or serve critical uses. Also, as many existing chemicals will be subjected to safety testing and determinations for the first time, companies will gain advantage by meeting the growing global market demand for newer, safer chemicals.

**The bill helps American manufacturers compete in a world demanding safer products.** Many American companies have been stymied in their efforts to meet the growing demand for safer products and materials because they often lack information on the chemicals in their supply chains, and their hazards. This is particularly problematic for companies competing in Europe, where chemical standards are more advanced. But the bill also applies domestically, as American consumers and institutional buyers (such as hospitals) increasingly shun problematic chemicals. H.R. 5820 would provide this information to domestic product manufacturers and retailers for the first time. Also, by applying to chemicals in imported goods as well as those in domestic goods, the bill creates a level playing field and reduces incentives to ship manufacturing overseas.

**The bill spurs investment in green chemistry research and worker training.** The bill establishes and funds a network of regional green chemistry research centers to speed the adoption of safer alternatives and create new green business development opportunities. In addition, the bill provides workforce development grants to help American workers in manufacturing the new chemicals and safer products that the market increasingly demands.

#### ***H.R. 5820 supports the states and tribes***

**The new bill supports state-level and tribal chemical programs.** To ensure chemical safety, EPA is to provide grants to, and coordinate and share data with, existing state and tribal government agencies. The bill will not preempt stronger state and tribal rules.

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## Endnotes

1. Mark Mellman, The Mellman Group, “Presentation of Findings from a Survey of 825 Voters in 75 Swing Congressional Districts” (July 29–August 1, 2010): 9. [www.saferchemicals.org/PDF/resources/schf-poll-final.pdf](http://www.saferchemicals.org/PDF/resources/schf-poll-final.pdf)
2. See, for example: (1) E. Diamanti-Kandarakis et al., “Endocrine-Disrupting Chemicals: An Endocrine Society Scientific Statement,” *Endocrine Reviews* 30(4): 293–342 (2009). [www.endo-society.org/journals/scientificstatements/upload/edc\\_scientific\\_statement.pdf](http://www.endo-society.org/journals/scientificstatements/upload/edc_scientific_statement.pdf); (2) The Collaborative on Health and the Environment, CHE Toxicant and Disease Database. [www.healthandenvironment.org/tddb](http://www.healthandenvironment.org/tddb); (3) Linda Birnbaum, Director, National Institute of Environmental Health Sciences and Director, National Toxicology Program, U.S. Department of Health and Human Services, “Human Health and the Environment: The Role of HHS,” Testimony before the U.S. House of Representatives, Energy and Commerce Committee, Subcommittee on Health, April 22, 2010. [http://energycommerce.house.gov/Press\\_111/20100422/Birnbaum\\_Testimony\\_04.22.2010.pdf](http://energycommerce.house.gov/Press_111/20100422/Birnbaum_Testimony_04.22.2010.pdf)
3. Hundreds of chemicals have also been found in blood, urine, and tissues of adult humans, and in indoor air, drinking water, and our food supply. See, for example: (1) Centers for Disease Control and Prevention, National Report on Human Exposure to Environmental Chemicals. <http://www.cdc.gov/exposurereport/>; (2) R. A. Rudel, R. E. Dodson, L. J. Perovich, R. Morello Frosch, D. E. Camann, M. M. Zuniga, A. Y. Yau, A. C. Just, and J. G. Brody, “Semivolatile Endocrine Disrupting Compounds in Paired Indoor and Outdoor Air in Two Northern California Communities,” *Environmental Science & Technology* 44(17) (2010): 6583–6590, doi:10.1021/es100159c. <http://pubs.acs.org/doi/full/10.1021/es100159c>; (3) R. A. Rudel, D. E. Camann, J. D. Spengler, L. R. Korn, and J. G. Brody, “Phthalates, Alkylphenols, Pesticides, Polybrominated Diphenyl Ethers, and Other Endocrine-Disrupting Compounds in Indoor Air and Dust,” *Environmental Science & Technology* 37(20) (2003): 4543–4553, doi:10.1021/es0264596. <http://pubs.acs.org/doi/abs/10.1021/es0264596>
4. Testimony of Richard Denison, Senior Scientist, Environmental Defense Fund, before the U.S. House of Representatives, Energy and Commerce Committee, Subcommittee on Commerce, Trade and Consumer Protection at a hearing on H.R. 5820, The Toxic Chemicals Safety Act of 2010, July 29, 2010. [http://energycommerce.house.gov/documents/20100729/Denison\\_Testimony\\_07.29.2010.pdf](http://energycommerce.house.gov/documents/20100729/Denison_Testimony_07.29.2010.pdf)
5. Lowell Center for Sustainable Production, “The Promise and Limits of the United States Toxic Substances Control Act,” October 10, 2003. Excerpt from the report: “The EPA’s experience in attempting to regulate asbestos in 1990, demonstrates the near impossibility for EPA to restrict chemicals in commerce through regulatory means. Following ten years of research, public meetings, and regulatory impact analyses in 1989 the EPA issued a final rule under Section 6 of TSCA to prohibit the future manufacture, importation, processing and distribution of asbestos in almost all products. The asbestos industry challenged the EPA’s ban and took its appeal to the Fifth Circuit Court of Appeals. In a landmark case (*Corrosion Proof Fittings v. EPA*, 947 F.2d 1201, 22 ELR 20037, 5th Cir. 1991), the court all but eliminated the EPA’s ability to use TSCA Section 6 to restrict problem chemicals. Overall, the court held that the EPA had presented insufficient evidence (including risk information) to justify its asbestos ban. The court found that: (1) the agency had not used the least burdensome regulation to achieve its goal of minimizing risk, (2) had not demonstrated a reasonable basis for the regulatory action, and (3) had not adequately balanced the benefits of the restriction against the costs to industry. In its conclusions the court held that ‘the EPA’s regulation cannot stand if there is any other regulation that would achieve an acceptable level of risk as mandated by TSCA’ and that ‘EPA, in its zeal to ban any and all asbestos products, basically ignored the cost side of the TSCA equation.’ Such a sharp reprimand from the court has placed a chill on any further efforts by the EPA to use its Section 6 authority to restrict chemical production or use.” [www.chemicalspolicy.org/downloads/Chemicals\\_Policy\\_TSCA.doc](http://www.chemicalspolicy.org/downloads/Chemicals_Policy_TSCA.doc)

6. American Chemistry Council, “ACC Releases Roadmap to Next Generation of Chemical Safety,” August 4, 2009. [www.americanchemistry.com/s\\_acc/sec\\_news\\_article.asp?SID=1&DID=9941&CID=206&VID=142&RTID=0&CIDQS=&Taxonomy=False&SpecialSearch=False](http://www.americanchemistry.com/s_acc/sec_news_article.asp?SID=1&DID=9941&CID=206&VID=142&RTID=0&CIDQS=&Taxonomy=False&SpecialSearch=False); American Chemistry Council, “10 Principles for Modernizing TSCA,” n.d. [www.americanchemistry.com/s\\_acc/sec\\_article\\_acc.asp?CID=2178&DID=9939](http://www.americanchemistry.com/s_acc/sec_article_acc.asp?CID=2178&DID=9939)
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8. Safer Chemicals, Healthy Families, “New Polling Data Indicates Overwhelming Support for Chemicals Regulation,” September 14, 2010. [www.saferchemicals.org/2010/09/new-polling-data-indicates-overwhelming-public-support-for-chemicals-regulation.html](http://www.saferchemicals.org/2010/09/new-polling-data-indicates-overwhelming-public-support-for-chemicals-regulation.html); Mark Mellman, The Mellman Group, “Presentation of Findings From a Survey of 825 Voters In 75 Swing Congressional Districts” (July 29–August 1, 2010): 38. [www.saferchemicals.org/PDF/resources/schf-poll-final.pdf](http://www.saferchemicals.org/PDF/resources/schf-poll-final.pdf)
9. See, for example, chemical industry testimony on H.R. 5820, the Toxic Chemicals Safety Act, before the U.S. House of Representatives, Energy and Commerce Committee, Subcommittee on Commerce, Trade and Consumer Protection, July 29, 2010. Excerpts: (1) Cal Dooley, President and CEO of the American Chemistry Council, “There are still significant fundamental issues in the legislation that undermine its workability ... its foundation is still unworkable.” [http://energycommerce.house.gov/documents/20100729/Dooley\\_Testimony.07.29.2010.pdf](http://energycommerce.house.gov/documents/20100729/Dooley_Testimony.07.29.2010.pdf); (2) Beth D. Bosley, President, Boron Specialties, on behalf of the Society of Chemical Manufacturers & Affiliates, “We are sorry to say that the bill before us today is still overreaching and unworkable. It would have a substantial negative impact on a strategic American industry . . . I’m gravely concerned that the system that H.R. 2860 [sic] would create would indeed drive innovative manufacturing from our shores.” [http://energycommerce.house.gov/documents/20100729/Bosley\\_Testimony.07.29.2010.pdf](http://energycommerce.house.gov/documents/20100729/Bosley_Testimony.07.29.2010.pdf). According to an investigation by Politics Daily, the chemical industry is “a group that can afford to buy a lot of influence.” The chemical industry spent \$100 million lobbying Congress and federal agencies on all issues in 2009, and spent \$40 million in the first half of 2010. Their combined campaign contributions in the 2010 midterm election cycle total at least \$10 million. [www.politicsdaily.com/2010/10/13/reform-of-toxic-chemicals-law-collapses-as-industry-flexes-its-m/](http://www.politicsdaily.com/2010/10/13/reform-of-toxic-chemicals-law-collapses-as-industry-flexes-its-m/)
10. Supreme Court Justice Louis Brandeis envisioned the state legislatures as “laboratories of democracy” willing to tackle new and innovative approaches in meeting the needs of society. In 1932, in a dissenting opinion to a Supreme Court decision striking down state regulation of the manufacture and sale of ice, Justice Brandeis wrote, “It is one of the happy incidents of the federal system that a single courageous state may, if its citizens choose, serve as a laboratory, and try novel social and economic experiments without risk to the rest of the country.” *New State Ice Co. v. Liebmann*, 285 U.S. 262 (1932).
11. Lewis Taffer (Chief Marketing Officer, iGPS), personal communication with the author, March 2010.
12. K. Geiser and T. Goldberg, Interstate Chemicals Clearinghouse, “Envisioning the Future of the Interstate Chemicals Clearinghouse” (web conference, July 15, 2010). [www.newmoa.org/prevention/webconferences/plancom/IC2\\_Future.pdf](http://www.newmoa.org/prevention/webconferences/plancom/IC2_Future.pdf)
13. See Endnote 2.
14. See Endnote 1.
15. Major legislation to overhaul the Toxic Substances Control Act of 1976 was also introduced by Senator Frank Lautenberg as the Kid-Safe Chemicals Act of 2005, and again as the Kid-Safe Chemicals Act of 2008, which was also introduced in the House by Reps. Hilda Solis and Henry Waxman.
16. National Conference of State Legislatures, Environmental Health Legislation Database. [www.ncsl.org/?tabid=17322](http://www.ncsl.org/?tabid=17322)
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18. Four bills passed unanimously without a roll-call vote and another nine bills passed with roll-call votes in only one body of the bicameral legislature. These laws are included among the 71, but only roll-call votes are included in the number of votes reported or percent support calculated. Therefore, this analysis conservatively understates the true margin of support for state legislation on toxic chemicals.
19. Northeast Waste Management Officials’ Association (NEWMOA), Interstate Mercury Education and Reduction Clearinghouse (IMERC), Mercury Products Legislation. [www.newmoa.org/prevention/mercury/modelleg.cfm](http://www.newmoa.org/prevention/mercury/modelleg.cfm); J. Schifano et al., “State Leadership in Formulating and Reforming Chemical Policy: Actions Take and Lessons Learned” (Lowell Center for Sustainable Production, July 2009): 9. [www.chemicalspolicy.org/downloads/StateLeadership.pdf](http://www.chemicalspolicy.org/downloads/StateLeadership.pdf)
20. L. Birnbaum and D. F. Staskal, “Brominated Flame Retardants: Cause for Concern?” *Environmental Health Perspectives* 112 (2004): 9–17.





# Healthy States

**Protecting Families from Toxic Chemicals While Congress Lags Behind**



**T**his first-ever analysis of votes on state laws aimed at protecting the public from toxic chemicals found that 18 states have passed 71 chemical safety laws in the last eight years by an overwhelming, bipartisan margin. This trend resulted from state legislators and governors from both parties responding to growing scientific evidence of harm, strong public outcry, and the failure of Congress to fix the broken federal law that allows dangerous and untested chemicals to be used in everyday products and materials. The states achieved this progress despite relentless and well-funded opposition from the chemical industry. By enacting substantial federal policy reform, Congress will protect the health of all Americans, and restore the confidence of consumers, state legislators, and businesses in the products of the chemical industry.



**Safer Chemicals, Healthy Families, Washington, DC**  
[www.saferchemicals.org](http://www.saferchemicals.org)

The Safer Chemicals, Healthy Families coalition represents more than 11 million parents, health professionals, advocates for people with learning and developmental disabilities, reproductive health advocates, environmentalists, and businesses from across the nation who are united by our common concern about toxic chemicals in our homes, places of work, and products we use every day.



**SAFER States, Portland, Oregon**  
[www.saferstates.org](http://www.saferstates.org)

The State Alliance for Federal Reform (SAFER) of chemical policy, also known as SAFER States, is a coalition of states who are in the lead in championing solutions to protect public health and communities from toxic chemicals.