

Proposed toxics law: Kids deserve better

Jun 13, 2013 by Kristin Schafer



There's a new toxics bill in town. A few weeks ago, a draft law emerged in the Senate to overhaul the dramatically outdated national rules that govern "industrial chemicals" — aka the thousands of impossible-to-pronounce ingredients in everyday products, from household cleaners to couches, water bottles to children's toys.

Major reform of these rules is long overdue, but unfortunately the [new bill is problematic](#). Unless significantly strengthened, it won't do enough to protect the most vulnerable among us — particularly our [children](#) — from the harms of toxic chemicals. We can, and must, do better.

The proposed new law is a bipartisan compromise introduced by Sen. David Vitter (R-LA) and Sen. Frank Lautenberg (D-NJ). Public and environmental health groups across the country have flagged a number of [fundamental problems](#), and note that the compromise bill does much less to protect vulnerable populations than previous versions of chemical policy reform driven by Senator Lautenberg.

Sadly, Senator Lautenberg passed away soon after the bill's introduction. For a thoughtful tribute to his work to protect public health, see this [appreciation](#) from our colleague Andy Igrejas, campaign director for Safer Chemicals Healthy Families.

The preemption problem

One of the key problems with the compromise bill is that it would undermine real progress on toxics policy that's been made in [several states](#), potentially overturning hard-fought laws that take real steps to protect children from chemical harms.

The new compromise bill says once EPA takes action on a chemical, more protective state laws would be null and void.

This "preemption" of state laws — meaning weaker rules at the national level override them — is emerging as a key and insidious industry strategy. Turns out it's much easier for chemical industry lobbyists to win one weak federal law than to do battle state by state by state.

Other weaknesses of the compromise legislation include a lack of firm deadlines to act on harmful chemicals (we know this will be problematic from our experience with pesticide law); no tools to address the [special dangers](#) of chemicals that are longlasting and can build up in the human body; and no safeguards for "hotspot" communities that face disproportionate harm.

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There are other issues as well, and several of our partners have put together thoughtful analyses. See, for example, these pieces from the [BlueGreen Alliance](#), [Safer Chemicals Healthy Families](#), the [Environmental Working Group](#), and this [joint statement](#) from concerned groups across the country (including PAN).

Kids & chemical soup

Here's why it's important to get this right: to a child's growing body, it doesn't matter where harmful chemicals come from — they could be pesticide residues on [blueberries](#) topping the morning's bowl of cereal, flame retardants in a cozy mattress or softeners wafting from a favorite rubber duck.

Whatever the source, [the science](#) is increasingly clear that many chemicals in our everyday world are harming our kids. And that the national rules for protecting children from these health threats — whether pesticides or chemicals in everyday products — aren't working very well.

So along with our efforts to press for pesticide protections and alternatives, PAN has in recent years supported the national campaign to overhaul the antiquated national rules on industrial toxics. It's been an effective effort.

The Safer Chemicals Healthy Families campaign and its partners across the country have brought the links between hazardous chemicals and children's health into the national spotlight. From [stroller brigades](#) to [giant rubber ducks](#), they've used creative strategies to bring this important issue into the public conversation — creating space for real policy reform.

Now that policy change is in motion, it's important that we get it right. It's been 37 years since the last reform of the Toxics Substances Control Act; the rules put in place in this round will likely be the law of the land for decades to come.

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