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Press Release of Senator Lautenberg

Lautenberg, Solis, Waxman Introduce Legislation To Protect Americans From Hazardous Chemicals In Consumer Products

‘Kid Safe Chemical Act’ Would Ensure All Chemicals Used In Every Day Products, Including Those Used in Baby Bottles and Children’s Toys, Are Proven Safe

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Tuesday, May 20, 2008

WASHINGTON, D.C. – Today, Senator Frank R. Lautenberg (D-NJ) and Representatives Hilda L. Solis (D-CA) and Henry Waxman (D-CA) introduced major legislation to protect Americans, especially children, from toxic chemicals in everyday consumer products. The bill would ensure for the first time that all the chemicals used in baby bottles, children’s toys and other products are proven to be safe before they are put on the market.

“Every day, consumers rely on household products that contain hundreds of chemicals. The American public expects the federal government to keep families safe by testing chemicals—but the government is letting them down,” Lautenberg said. “We already have strong regulations for pesticides and pharmaceuticals—it’s common sense that we do the same for chemicals that end up in household items such as bottles and toys.”

“Recent news regarding bisphenol A in baby bottles underscores the need for significant reform to ensure children are not unnecessarily exposed to chemicals which threaten their health and environment,” Solis said. “The Kids-Safe Chemicals Act is needed to repair the fundamentally flawed chemical regulatory structure. Our nation’s children deserve adequate protection and I look forward to working with my colleagues to ensure their health is protected.”

“It is critical that we modernize our nation’s chemical safety laws,” said Rep. Waxman. “The Kid Safe Chemical Act will deliver what its name implies – a non-toxic environment for our children.”

Out of the 80,000 chemicals used to produce the products in our homes, the Environmental Protection Agency (EPA) has only required testing of 200. That lack of testing and regulation is putting people in danger, especially our children. For example, new scientific studies by the EPA have demonstrated a link between “Bisphenol A,” a chemical used to make baby bottles and water bottles, and a host of medical problems, including cancer and reproductive issues.

The legislation, called the “Kid Safe Chemical Act,” would therefore establish a safety standard for each chemical on the market. It would also shift the burden for proving chemicals are safe from EPA to the chemical manufacturers. Under the bill, the manufacturers would have to provide the EPA the data necessary to determine if a chemical is safe. The bill would give new authority to EPA to restrict the use of chemicals which fail to meet the EPA’s safety standard.

A summary of the Kids Safe Chemical Act is below.

In a 2006 report, the GAO cited the weakness of the current law, known as the Toxic Substances Control Act (TSCA), as one of the reasons for the lack of safety and consumer protection. Only five chemicals that existed 29 years ago when Congress passed TSCA have ever been restricted by EPA, according to the GAO. The new bill would have the EPA evaluate every chemical product created for commerce, to make sure that it is safe before it is allowed onto the market.
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**Highlights of the Kid Safe Chemicals Act of 2008**

**Require Basic Data on Industrial Chemicals**
Chemical companies must demonstrate the safety of their products, backed up with credible evidence. Chemicals that lack minimum data could not be legally manufactured in or imported into the United States. [Section 505]

**Place the Burden on Industry to Demonstrate Safety**
EPA must systematically review whether industry has met this burden of proof for all industrial chemicals within 15 years of adoption. [Section 503]

**Restrict the Use of Dangerous Chemicals Found in Newborn Babies**
Hazardous chemicals detected in human cord blood would be immediately targeted for restrictions on their use. [Section 504]

**Use New Scientific Evidence to Protect Health**
EPA must consider and is authorized to require additional testing as new science and new testing methods emerge, including for health effects at low doses or during fetal or infant development and for nanomaterials. [Section 503]

**Establish National Program to Assess Human Exposure**
The federal government’s Center for Disease Control and Prevention (CDC) is to expand existing analysis of pollutants in people to help identify chemicals that threaten the health of children, workers, or other vulnerable populations. [Section 505]

**Expand the Public Right to Know on Toxic Chemicals**
New, Internet-accessible public database on chemical hazards and uses will inform companies, communities, and consumers. EPA is to rein in excessive industry claims of confidentiality. [Sections 511 and 512]

**Invest in Long-Term Solutions**
New funding and incentives are provided for development of safer alternatives and technical assistance in “green chemistry.” [Section 508]

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