



Twin Cities Small Businesses Support the Toxic Free Kids Act

Even though safer alternatives are available, toxic chemicals such as formaldehyde, BPA, and phthalates contaminate many of the products our children use every day.

The Metro Independent Business Alliance (MetroIBA), an association of over 300 locally owned, independent Twin Cities businesses, and the American Sustainable Business Council (ASBC), a national coalition of over 200,000 businesses, support the Minnesota Toxic Free Kids Act and its aim to protect kids from unnecessary exposures to these toxic chemicals.

We are not alone. According to an independent poll¹, 73% of small businesses support government regulation to assure that consumer products are free of toxins. Nine out of 10 small businesses surveyed believe that chemical manufacturers should be held responsible for ensuring that chemicals they use are safe, and 94% support disclosure of toxic chemicals in products.

Currently, federal chemical regulation through the Toxic Substances Control Act of 1976 (TSCA) is ineffective. Thousands of chemicals are overlooked by the TSCA and new untested chemicals are added to consumer products almost every day. Given the lack of federal control, states have begun to take action.

Minnesota already restricts the use of bisphenol A, lead, cadmium, mercury, brominated flame retardants, triclosan, and formaldehyde. The Minnesota Toxic Free Kids Act (TFKA) would strengthen these efforts by requiring manufacturers to disclose their use of nine priority chemicals identified by the Minnesota Department of Health.

Minnesota's Priority Chemical List

- 1. Bisphenol A (BPA)** is a hormone disruptor used in polycarbonate plastics. Found in food packaging and a wide variety of consumer products.
- 2. Cadmium and lead** are heavy metals that may contaminate a variety of materials. Exposure is linked to adverse effects on learning and brain development.
- 3. Formaldehyde** is commonly found in children's shampoo and textiles. Exposure is linked to cancer and respiratory problems.
- 4. Phthalates (BBP, DBP, DEHP)** are used as softeners in PVC plastic and as fragrance binders in personal care products. They are hormone disruptors and exposure is linked to reproductive and respiratory problems.
- 5. Brominated flame retardants (deca-BDE and HBCD)**, used in textiles, electronics, and foam products, are linked to adverse effects on learning and development.

¹ASBC, 2012. See <http://asbcouncil.org/node/846>

These nine Priority Chemicals have been found to cause health effects like cancer, reproductive harm, or adverse effects on brain development. Under the TFKA, manufacturers would be required to inform the public if they include a Priority Chemical in their children's products.

From a business perspective, moving away from toxic substances toward less toxic products will drive innovation and job creation while also making workplaces and communities healthier. By changing the rules about how chemicals in commerce are reported, the market will develop safer alternatives. Retailers and consumers will be able to choose less toxic products for their customers and families when meaningful transparency rules are in place.

Using safer chemicals makes sense for our economy, health, and environment. The business benefits of the Toxic Free Kids Act and potential subsequent reform of federal chemical regulation are significant, including:

- Giving small businesses the same access to product safety information which is currently available only to large multi-nationals with the purchasing power to demand it.
- Leveling the playing field by requiring existing chemicals to meet the same testing requirements as new chemicals.
- Expanding markets for safer and greener chemicals and products.
- Lowering expenses from chemically-induced employee illness and enhancing productivity with improved employee health.
- Increasing consumer confidence.
- Increasing trust among consumers, retailers, employees, and investors.
- Improving transparency and communication throughout the supply chain, leading to increased confidence for downstream users.
- Creating a more competitive, innovative, and economically sustainable chemical and consumer product industry in the U.S.

The TFKA would apply only to products intended for children under age 12 and targets only the Priority Chemicals identified by the MN Department of Health.

• Disclosure: *Manufacturers would be required to disclose the existence of a Priority Chemical in a children's product being sold in Minnesota.*

• Data: *Manufacturers would report which Priority Chemicals they are using, in which products, and how many of these products are being sold in Minnesota.*

• Public Education: *Information collected will be used to inform retailers and consumers about products that contain Priority Chemicals.*

• Small Businesses: *The TFKA includes protections for small batch manufacturers.*