

# Public Health Seattle & King County

Hi Kara,

Public Health Seattle and King County would like to submit comments on the current rulemaking.

We thank you for the opportunity to provide comments and for all of the excellent work that you guys do!

Shirlee Tan, PhD  
Toxicologist  
Environmental Health Division  
Public Health Seattle & King County  
401 5th Avenue, Seattle, Wa. 98104  
206-477-7978  
[shirlee.tan@kingcounty.gov](mailto:shirlee.tan@kingcounty.gov)

**Environmental Health Services Division**

401 Fifth Avenue, Suite 1100  
Seattle, WA 98104-1818

**206-263-9566** Fax 206-296-0189

TTY Relay: 711

[www.kingcounty.gov/health](http://www.kingcounty.gov/health)

**Public Health**  
Seattle & King County 

May 11, 2017

Kara Steward  
Washington State Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

RE: Children's Safe Products Reporting Rule Update (Chapter 173-334 WAC)

Dear Ms. Steward,

Public Health Seattle & King County (PHSKC) Environmental Health Division thanks you for the opportunity to comment on the Washington State Department of Ecology's (ECY) proposed update to the rule requiring manufacturers to report certain chemicals of high concern found in children's products. Your program provides those of us working in the field of public health with valuable information and we are grateful that our State has this very successful program.

PHSKC focuses on protecting the residents of King County from exposures to toxic chemicals, particularly for our most vulnerable residents. Children are particularly sensitive to chemical exposures due to their small size, quick metabolism, and certain behaviors such as mouthing. Early exposures to certain chemicals can have lasting developmental effects, resulting in outcomes that can affect them into adulthood. We strongly support ECY's proposal to add 21 new chemicals to the Chemicals of High Concern to Children (CHCC) list for mandatory reporting. CHCC reporting will help experts form a better picture of children's exposures to many of these chemicals of concern, possibly informing local education and outreach efforts and potential policy interventions.

To further strengthen ECY's rule, we offer the following recommendations:

1. **Update the Children's Safe Products Reporting Rule and the CHCC list more frequently.** Chemical substitutions occur on a relatively quick time scale. When information on the toxicity of a chemical becomes more abundant, manufacturers often replace it with a chemical of similar structure but little known health information. Understanding more about the frequency of use for many of these replacements provides valuable information for risk assessors. Furthermore, scientific knowledge of certain chemicals may change and should be updated. Therefore, we request that ECY consider updating the Children's Safe Products Reporting Rule and the CHCC list more frequently (e.g., every 2-3 years). This frequency would allow for quick updates on chemicals based on new or changing information, and could be smaller in scope to allow for the frequency of review.
2. **Require manufacturers to report the product name.** A product name allows consumers to understand the chemicals that are in the products they purchase. Manufacturers should be required to report the CHCCs list chemicals for all product names and categories that they sell in Washington State. Furthermore, reporting would then allow EYC to perform some verification that reporting is in line with values EYC generates on products that they test in their own labs.
3. **Retain D4 on the CHCC list.** D4 is very persistent and bioaccumulative, and has demonstrated estrogenic properties. Studies have indicated that D4 is a possible endocrine disrupting chemical, showing effects on reproduction and development. More toxicological studies are needed to further explore the endocrine effects of D4, and continued reporting on its use in children's products provides valuable data on potential childhood exposures to this chemical.

4. **Include lead on the CHCC list.** As with the new flame retardant chemicals that were recently banned in Washington State, please add lead to the CHCC list. Although EYC does test for lead in some children's products sold in Washington State each year, it is not possible to consistently verify that manufacturers are keeping lead out of children's products sold in our state. We continue to encounter children with elevated blood lead levels in King County exposed to lead through children's toys or toy jewelry. A lead reporting requirement may close this loop by requiring that children's product suppliers ensure that no lead is in products, including those provided by third party manufacturers (e.g., sources of jewelry attached to clothing).
5. **Consider other perfluorinated chemicals (PFCs).** We are pleased that PFOA is a proposed addition to the CHCC list. However, we would like to ask the EYC consider addition of related PFC substances to the CHCC list now or in the near future. This class of chemicals is widely distributed in the environment, and is persistent and bioaccumulative. More data on the PFC compounds in children's products will provide valuable exposure information needed to understand how children's products contribute to early exposures to PFCs.
6. **Consider the addition of DIPP, DEMP, DIOP.** These three phthalates were omitted from the proposed CHCC list. Because all three have been shown to have endocrine disrupting properties and may serve as substitutes to many of the more well-studied phthalates of high concern, it would be useful for health assessors to understand how these three phthalates are being used in children's products. The phthalate class of chemicals is widely used in consumer products, and reporting through the Children's Safe Products Reporting Rule would provide a larger picture of how these compounds are being used and in what combinations.

PHSKC appreciates the proactive work that EYC has done under the Children's Safe Products Reporting Rule. The addition of new chemicals is a difficult process, and we value both the dedication and expertise of EYC staff. Thank you again for the opportunity to comment on the current updates to the rule. Please do not hesitate to contact my office with any questions regarding our suggested recommendations.

Sincerely,

 on behalf of Ngozi Oleru

Ngozi T. Oleru  
Director  
Environmental Health Division  
Public Health Seattle & King County  
401 5<sup>th</sup> Avenue, Seattle, WA. 98104  
(206) 263 8476  
[ngozi.oleru@kingcounty.gov](mailto:ngozi.oleru@kingcounty.gov)