

# Senate Bill 1569

Sponsored by Senator EDWARDS, Representatives KENY-GUYER, CONGER, THOMPSON; Representatives BERGER, GOMBERG (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Health Authority to establish and maintain list of designated high priority chemicals of concern for children's health used in children's products. Requires authority to post list, and information regarding health impacts associated with exposure to each chemical, on authority's website. Requires authority to periodically review and revise list.

Requires manufacturers of certain children's products to provide notice to authority regarding chemicals on list.

Provides that, five years after chemical is placed on list, manufacturer must seek waiver if manufacturer continues to sell certain children's products containing chemical. Establishes criteria for granting waivers.

Allows authority to enter into certain data sharing agreements with other states. Allows authority to participate in Interstate Chemicals Clearinghouse.

Allows authority to establish certain fees by rule. Allows authority to impose civil penalties. Allows authority to accept certain funding.

Requires manufacturers to submit certain hazard assessments to authority. Allows authority to establish methodology and standards for hazard assessments by rule.

Establishes High Priority Chemicals of Concern for Children's Health Fund. Continuously appropriates moneys in fund to authority. Specifies uses of moneys.

Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by authority.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to high priority chemicals of concern for children's health; appropriating money; limiting  
3 expenditures; and declaring an emergency.

4 Whereas many children's products contain chemicals that may pose a risk to the health of  
5 children; and

6 Whereas reducing the exposure of children to harmful chemicals in children's products contrib-  
7 utes to the health of children and the long-term well-being of children; and

8 Whereas providing the public with information regarding the presence of certain chemicals in  
9 children's products helps to ensure this state's commitment to the health of present and future  
10 generations; now, therefore,

11 **Be It Enacted by the People of the State of Oregon:**

## DEFINITIONS

### **SECTION 1. As used in sections 1 to 15 of this 2014 Act:**

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16 (1) "Chemical" means:

17 (a) A substance with a distinct molecular composition and the breakdown products of the  
18 substance that form through decomposition, degradation or metabolism.

19 (b) A group of structurally related substances and the breakdown products of the sub-  
20 stances that form through decomposition, degradation or metabolism.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (2)(a) “Children’s cosmetics” means products that are intended to be rubbed, poured,  
 2 sprinkled or sprayed on, introduced into or otherwise applied to the human body or any part  
 3 thereof for cleansing, moisturizing, beautifying, promoting attractiveness or altering the  
 4 appearance.

5 (b) “Children’s cosmetics” does not mean soap, dietary supplements or food and drugs  
 6 approved by the United States Food and Drug Administration.

7 (3)(a) “Children’s product” means:

8 (A) Any of the following products that are made for, marketed for use by or marketed  
 9 to children under 12 years of age:

10 (i) A product designed or intended by the manufacturer to facilitate sucking, teething,  
 11 sleep, relaxation or feeding, or to be worn as clothing.

12 (ii) Car seats.

13 (iii) Children’s cosmetics.

14 (iv) Children’s jewelry.

15 (v) Toys.

16 (B) Any component part of a product specified in subparagraph (A) of this paragraph.

17 (b) “Children’s product” does not mean:

18 (A) Athletic shoes with cleats or spikes.

19 (B) Batteries.

20 (C) BB guns, pellet guns and air rifles.

21 (D) Bicycles and tricycles.

22 (E) Chemistry sets.

23 (F) Consumer electronic products, including personal computers, audio and video equip-  
 24 ment, calculators, wireless telephones and game consoles, handheld devices that incorporate  
 25 a video screen and are used to access interactive software, and the associated peripherals.

26 (G) Interactive software intended for leisure and entertainment, such as computer  
 27 games, and their storage media, such as compact discs.

28 (H) Model rockets.

29 (I) Pocketknives and multitools.

30 (J) Roller skates.

31 (K) Scooters.

32 (L) Sets of darts with metallic points.

33 (M) Slings and catapults.

34 (N) Snow sporting equipment, including skis, poles, boots, snowboards, sleds and  
 35 bindings.

36 (O) Sporting equipment, including bats, balls, gloves, sticks, pucks and pads.

37 (P) Video toys that can be connected to a video screen and are operated at a nominal  
 38 voltage exceeding 24 volts.

39 (Q) Food and food packaging regulated by the United States Food and Drug Adminis-  
 40 tration.

41 (4) “Contaminant” means a small amount of one or more chemicals that are incidental  
 42 to manufacturing a children’s product and that serve no intended function in the children’s  
 43 product, including but not limited to unintended by-products of chemical reactions during the  
 44 manufacture of the product, low-level impurities in feedstock, incompletely reacted chemical  
 45 mixtures and degradation products.

1 (5) “De minimis level” means:

2 (a) For a chemical that is an intentionally added chemical, the practical quantification  
3 limit; or

4 (b) For a chemical that is a contaminant, a concentration of 100 parts per million.

5 (6) “Intentionally added chemical” means a chemical that is added during the manufac-  
6 ture of a children’s product to provide a specific characteristic, appearance or quality or to  
7 perform a specific function.

8 (7) “Manufacturer” means:

9 (a) A person that manufactures or assembles a final consumer product sold at retail or  
10 whose brand name is affixed to the consumer product.

11 (b) An importer or domestic distributor of a consumer product imported into the United  
12 States if the person that manufactured or assembled the consumer product or whose brand  
13 name is affixed to the consumer product does not have a presence in the United States.

14 (8)(a) “Mouthable” means, in describing a children’s product or any part of a children’s  
15 product, that the product or part of the product may be brought to the mouth and placed in  
16 the mouth so that the product or part can be sucked and chewed.

17 (b) “Mouthable” does not mean, in describing a children’s product or any part of a  
18 children’s product, that the product or part of the product may only be licked, but not placed  
19 in the mouth. If a children’s product or part of a children’s product in one dimension is  
20 smaller than five centimeters, the product or part can be placed in the mouth.

21 (9) “Practical quantification limit” means the lowest concentration of a chemical that can  
22 be reliably measured within specified limits of precision, accuracy, representativeness, com-  
23 pleteness and comparability during routine laboratory operating conditions.

24 (10) “Trade association” means a membership organization of persons engaging in the  
25 same or a similar or related line of commerce, organized to promote and improve business  
26 conditions in that line of commerce and not to engage in regular business activities that  
27 ordinarily are carried on for profit.

28  
29 **HIGH PRIORITY CHEMICALS OF CONCERN FOR CHILDREN’S**  
30 **HEALTH USED IN CHILDREN’S PRODUCTS**

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32 **SECTION 2.** (1) The Oregon Health Authority shall establish and maintain a list of high  
33 priority chemicals of concern for children’s health used in children’s products. The authority  
34 shall include on the list chemicals that are listed on both:

35 (a) The Department of Environmental Quality’s Toxics Focus List on the effective date  
36 of this 2014 Act; and

37 (b) The Washington State Department of Ecology’s Reporting List of Chemicals of High  
38 Concern to Children on the effective date of this 2014 Act.

39 (2) The authority shall consider guidance developed by the State of Washington and other  
40 federal, state and nongovernmental organizations with the applicable expertise, as that  
41 guidance is in effect on the effective date of this 2014 Act, in establishing by rule the prac-  
42 tical quantification limits for chemicals on the list.

43 **SECTION 3.** The Oregon Health Authority shall post the list of high priority chemicals  
44 of concern for children’s health used in children’s products established under section 2 of  
45 this 2014 Act on its website. For each chemical on the list, the authority shall post infor-

1 **mation regarding the known health impacts associated with exposure to the chemical.**

2 **SECTION 4. Section 3 of this 2014 Act becomes operative on July 1, 2014.**

3 **SECTION 5. (1) The Oregon Health Authority shall review and revise the list of high**  
 4 **priority chemicals of concern for children’s health used in children’s products established**  
 5 **under section 2 of this 2014 Act every three years.**

6 **(2) In completing the revisions under subsection (1) of this section, the authority shall**  
 7 **consider the addition or removal of a chemical from the list established under section 2 of**  
 8 **this 2014 Act that has been added to or removed from both the Department of Environmental**  
 9 **Quality’s Toxics Focus List and the Washington State Department of Ecology’s Reporting**  
 10 **List of Chemicals of High Concern to Children, or removed from one of the lists, after the**  
 11 **effective date of this 2014 Act.**

12 **(3) The authority by rule may remove a chemical from the list if the authority deter-**  
 13 **mines that the chemical is no longer being used in children’s products.**

14 **(4) The authority shall update the list on its website within one year of the date on which**  
 15 **a chemical is added to or removed from the list under this section.**

16 **SECTION 6. Section 5 of this 2014 Act becomes operative on January 1, 2015.**

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 18 **MANUFACTURER DISCLOSURE OF HIGH PRIORITY CHEMICALS**  
 19 **OF CONCERN FOR CHILDREN’S HEALTH USED IN**  
 20 **CHILDREN’S PRODUCTS**  
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22 **SECTION 7. (1) A manufacturer of a children’s product sold or offered for sale in this**  
 23 **state that contains a chemical included on the list established and maintained under section**  
 24 **2 of this 2014 Act in an amount at or above a de minimis level shall provide the notice de-**  
 25 **scribed in subsection (2) of this section to the Oregon Health Authority:**

26 **(a) Every two years; and**

27 **(b) Within one year of the date on which the authority adds the chemical to the list in**  
 28 **the manner provided for revisions under section 5 of this 2014 Act.**

29 **(2) The notice required by subsection (1) of this section must contain:**

30 **(a) The name and Chemical Abstracts Service Registry Number of the chemical contained**  
 31 **in the children’s product;**

32 **(b) A brief description of the children’s product that contains the chemical;**

33 **(c) A description of the function of the chemical in the children’s product;**

34 **(d) The amount of the chemical used in each unit of the children’s product reported in**  
 35 **ranges rather than exact amounts;**

36 **(e) The name and address of the manufacturer, and the name, address and telephone**  
 37 **number of a contact person for the manufacturer; and**

38 **(f) Any other information that the manufacturer deems relevant to the appropriate use**  
 39 **of the children’s product.**

40 **(3)(a) The authority may enter into reciprocal data sharing agreements with other states**  
 41 **in which manufacturers of children’s products are required to disclose information related**  
 42 **to high priority chemicals of concern for children’s health used in children’s products. The**  
 43 **authority must use the GS1 Global Product Classification system to identify and specify**  
 44 **product categories subject to the data sharing agreements. If the authority has entered into**  
 45 **a data sharing agreement with another state, and a manufacturer has reported the infor-**

1 mation required in the notice described in subsection (2) of this section to that state, the  
 2 manufacturer may request that the other state provide the authority with the information  
 3 in lieu of the manufacturer's direct reporting of the information to the authority.

4 (b) A manufacturer fulfills the notice requirement of subsection (1) of this section when  
 5 the authority receives the information from the other state and the authority determines  
 6 that the information received satisfies the requirements for the notice specified in subsection  
 7 (2) of this section.

8 (4) In lieu of the manufacturer's providing notice to the authority under subsection (1)  
 9 or (3) of this section, the authority may require that the notice described in subsection (2)  
 10 of this section be submitted to the Interstate Chemicals Clearinghouse. The authority by rule  
 11 shall specify procedures for the provision of such notice by manufacturers to the Interstate  
 12 Chemicals Clearinghouse.

13 (5) Manufacturers of children's products with annual worldwide gross sales of less than  
 14 \$5 million, as reported on the most recent tax return filed by the manufacturer before the  
 15 notice required by this section, are exempt from the requirements of this section.

16 (6) A trade association may provide required notices on behalf of its member manufac-  
 17 turers under the provisions of this section.

18 (7) When a manufacturer provides notice to the authority under the provisions of this  
 19 section, the manufacturer may submit recommendations to the authority regarding techni-  
 20 cal, financial or logistical support deemed necessary for innovation and green chemistry  
 21 solutions related to high priority chemicals of concern for children's health used in children's  
 22 products.

## 23 OREGON HEALTH AUTHORITY

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 26 **SECTION 8.** (1) The Oregon Health Authority may conduct testing of children's products  
 27 sold or offered for sale in this state in order to determine compliance with section 7 of this  
 28 2014 Act.

29 (2) The authority may establish by rule a schedule of fees for manufacturers that are  
 30 based on the costs to the authority for administering sections 1 to 15 of this 2014 Act. Fees  
 31 collected by the authority under this subsection shall be deposited in the High Priority  
 32 Chemicals of Concern for Children's Health Fund established under section 13 of this 2014  
 33 Act.

34 **SECTION 9.** (1) Sections 7 and 8 of this 2014 Act become operative on January 1, 2016.

35 (2) The first notice under section 7 of this 2014 Act must be provided to the Oregon  
 36 Health Authority not later than July 1, 2016.

## 37 INTERSTATE CHEMICALS CLEARINGHOUSE

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 40 **SECTION 10.** The Oregon Health Authority is authorized to participate in the Interstate  
 41 Chemicals Clearinghouse in cooperation with other states and government entities to assist  
 42 the authority in carrying out sections 1 to 15 of this 2014 Act.

## 43 CIVIL PENALTIES

1       **SECTION 11.** (1) Except as provided in subsection (5) of this section, the Oregon Health  
2 Authority may impose a civil penalty on a person for a violation of any provision of sections  
3 1 to 15 of this 2014 Act.

4       (2) For purposes of assessing civil penalties under this section, a violation consists of a  
5 single course of conduct with regard to an entire children's product line that is sold or of-  
6 fered for sale in this state.

7       (3) The authority shall adopt by rule a schedule of civil penalties for violations of sections  
8 1 to 15 of this 2014 Act. A civil penalty may not exceed \$5,000 for the first violation. A civil  
9 penalty may not exceed \$10,000 for the second and each subsequent violation.

10       (4) In imposing a penalty under subsection (1) or (5) of this section, the authority shall  
11 consider the following factors:

12       (a) The past history of the person incurring a penalty in taking all feasible steps or pro-  
13 cedures necessary or appropriate to correct any violation.

14       (b) Any prior violations of statutes, rules, orders or permits pertaining to high priority  
15 chemicals of concern for children's health used in children's products.

16       (c) The gravity and magnitude of the violation.

17       (d) Whether the violation was a sole event, repeated or continuous.

18       (e) Whether the violation was as a result of an unavoidable accident, negligence or an  
19 intentional act.

20       (f) The violator's cooperativeness and efforts to correct the violation.

21       (g) The economic and financial conditions of the person incurring a penalty.

22       (h) If a manufacturer asserts that a high priority chemical of concern for children's  
23 health used in children's products is present in a children's product only as a contaminant,  
24 evidence that the manufacturer conducted a reasonable manufacturing control program for  
25 the contaminant and exercised due diligence.

26       (5)(a) If a person violates the notice requirements under section 7 of this 2014 Act, the  
27 authority shall provide the person with written notice informing the person of the violation  
28 and stating that the person may avoid a civil penalty for the violation by providing the proper  
29 notice required under section 7 of this 2014 Act within 90 days.

30       (b) If the person fails to cure the violation within 90 days, the authority may impose a  
31 civil penalty not to exceed \$2,500. For a continuing violation, each 90-day period that the vi-  
32 olation continues after the preceding imposition of a civil penalty is a separate offense sub-  
33 ject to a separate civil penalty not to exceed \$5,000. The authority is not required to provide  
34 the person with an opportunity to cure the continuing violation before imposing a civil pen-  
35 alty for the continuing violation.

36       (6) If the authority has reason to believe that a children's product that contains a high  
37 priority chemical of concern for children's health used in children's products is being sold  
38 or offered for sale in this state in violation of sections 1 to 15 of this 2014 Act, the authority  
39 may request that the manufacturer provide a statement of compliance on a form provided  
40 by the authority. The manufacturer must submit the statement of compliance within 10 days  
41 of receipt of a request. To prove compliance with sections 1 to 15 of this 2014 Act, the man-  
42 ufacturer must:

43       (a) Show that the children's product does not contain the high priority chemical of con-  
44 cern for children's health used in children's products;

45       (b) Show that the manufacturer has previously provided the authority with notice as re-

1 **quired by section 7 of this 2014 Act;**

2 **(c) Provide the authority with notice as required by section 7 of this 2014 Act; or**

3 **(d) Provide the authority with documentation that the manufacturer has previously**  
4 **complied with section 14 or 14a of this 2014 Act.**

5 **(7) Civil penalties described in this section shall be imposed in the manner provided in**  
6 **ORS 183.745.**

7 **(8) All civil penalties recovered under this section shall be paid into the High Priority**  
8 **Chemicals of Concern for Children’s Health Fund established under section 13 of this 2014**  
9 **Act.**

10 **SECTION 12. Section 11 of this 2014 Act becomes operative on January 1, 2016.**

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12 **HIGH PRIORITY CHEMICALS OF CONCERN FOR**  
13 **CHILDREN’S HEALTH FUND**

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15 **SECTION 13. (1) The High Priority Chemicals of Concern for Children’s Health Fund is**  
16 **established in the State Treasury, separate and distinct from the General Fund. Interest**  
17 **earned by the High Priority Chemicals of Concern for Children’s Health Fund shall be cred-**  
18 **ited to the fund. Moneys in the fund are continuously appropriated to the Oregon Health**  
19 **Authority to administer sections 1 to 15 of this 2014 Act.**

20 **(2) The authority may accept gifts, grants or contributions from any public or private**  
21 **source for the purpose of carrying out sections 1 to 15 of this 2014 Act.**

22 **(3) The High Priority Chemicals of Concern for Children’s Health Fund shall consist of:**

- 23 **(a) Moneys accepted by the authority pursuant to subsection (2) of this section.**
- 24 **(b) Fees and charges collected under sections 8 and 14a of this 2014 Act.**
- 25 **(c) Civil penalties imposed under section 11 of this 2014 Act.**

26  
27 **ASSESSMENTS**

28  
29 **SECTION 14. (1) Within five years after the date that a high priority chemical of concern**  
30 **for children’s health used in children’s products is included on the list maintained and re-**  
31 **vised pursuant to sections 2 and 5 of this 2014 Act, a manufacturer of children’s products**  
32 **sold or offered for sale in this state that is subject to section 7 of this 2014 Act must remove**  
33 **or make a substitution for the chemical, or seek a waiver under section 14a of this 2014 Act,**  
34 **if the chemical is present in a children’s product that is:**

- 35 **(a) Mouthable;**
- 36 **(b) A children’s cosmetic; or**
- 37 **(c) Made for, marketed for use by or marketed to children under three years of age.**

38 **(2)(a) When a manufacturer of children’s products sold or offered for sale in this state**  
39 **removes a high priority chemical of concern for children’s health used in children’s products**  
40 **from a children’s product described in subsection (1) of this section and substitutes another**  
41 **chemical, the manufacturer must submit a hazard assessment to the Oregon Health Au-**  
42 **thority that explains how the children’s product, and any substitute chemical the children’s**  
43 **product contains, is inherently less hazardous than before the substitution was made.**

44 **(b) When a manufacturer of children’s products sold or offered for sale in this state re-**  
45 **moves a high priority chemical of concern for children’s health used in children’s products**

1 from a children's product described in subsection (1) of this section and does not substitute  
 2 another chemical, the manufacturer must submit notice to the authority that the manufac-  
 3 turer is no longer using the chemical or a substitute chemical.

4 (3) The authority shall establish by rule the methodology that a manufacturer must use  
 5 and the standards that a children's product must meet in order to comply with the hazard  
 6 assessment requirements under subsection (2)(a) of this section.

7 (4) The authority shall approve or disapprove a hazard assessment within 180 days of its  
 8 submittal. If the authority fails to act within 180 days, the hazard assessment is deemed  
 9 approved, and the manufacturer may continue to sell or offer for sale in this state the  
 10 children's product for which the manufacturer submitted a hazard assessment. If the au-  
 11 thority disapproves a hazard assessment, the manufacturer may submit a revised hazard  
 12 assessment for consideration within 180 days of the authority's disapproval.

13 (5) A manufacturer with 25 or fewer employees may apply for a two-year extension of the  
 14 time period specified in subsection (1) of this section to meet the requirements of this sec-  
 15 tion.

16 (6) Manufacturers are exempt from meeting the requirements of this section for  
 17 children's products described in subsection (1) of this section that contain high priority  
 18 chemicals of concern for children's health used in children's products at levels that are at  
 19 or below allowable levels for children's products as established by the Consumer Product  
 20 Safety Improvement Act of 2008, P.L. 110-314, 122 Stat. 3016, as in effect on the effective date  
 21 of this 2014 Act.

22 (7)(a) The authority shall adopt rules providing for additional exemptions from the re-  
 23 quirements of this section.

24 (b) For purposes of this subsection, any consumer product safety standard adopted under  
 25 federal law that establishes allowable levels for children's products of a high priority chemi-  
 26 cal of concern for children's health used in children's products is presumed to establish the  
 27 maximum allowable level of the chemical that may be used in children's products that are  
 28 sold or offered for sale in this state. The authority may not require a manufacturer in  
 29 compliance with the federal standard to also comply with the provisions of this section un-  
 30 less the authority establishes in the rulemaking process that a lower maximum allowable  
 31 level for children's products of a high priority chemical of concern for children's health used  
 32 in children's products than the allowable level set by the federal standard is necessary to  
 33 protect human health and welfare.

## 34 WAIVERS

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 36  
 37 **SECTION 14a.** (1) When a manufacturer of children's products sold or offered for sale in  
 38 this state that is subject to section 14 of this 2014 Act fails to remove a high priority chemi-  
 39 cal of concern for children's health used in children's products from a children's product  
 40 described in section 14 (1) of this 2014 Act within the period specified in section 14 (1) of this  
 41 2014 Act, the manufacturer must apply to the Oregon Health Authority for a waiver. The  
 42 authority shall grant a waiver if the application:

43 (a) Includes an alternatives assessment demonstrating that removal of the high priority  
 44 chemical of concern for children's health used in children's products is not financially or  
 45 technically feasible; or



1 (b) Includes a quantitative exposure assessment demonstrating that the high priority  
2 chemical of concern for children's health used in children's products is not reasonably an-  
3 ticipated to result in exposure based upon an analysis of leachability and bioavailability of the  
4 high priority chemical of concern for children's health used in children's products.

5 (2) An alternatives assessment or quantitative exposure assessment submitted under  
6 subsection (1) of this section must be conducted in a manner consistent with the guidance  
7 and frameworks for such assessments in effect on the effective date of this 2014 Act and as  
8 established by the United States Environmental Protection Agency, the Interstate Chemicals  
9 Clearinghouse or other states or nongovernmental organizations with the applicable exper-  
10 tise, or as developed by the authority by rule. The authority may recommend or require that  
11 a manufacturer follow particular guidance or frameworks in order to meet the requirements  
12 of this section.

13 (3) If the authority determines that an alternatives assessment or a quantitative expo-  
14 sure assessment as described in this section is incomplete, the authority may obtain the  
15 assessment from another party. The manufacturer that submitted the assessment that was  
16 determined to be incomplete must pay for the assessment performed by the other party.

17 (4) The authority shall approve or disapprove a waiver application within 180 days of its  
18 submittal. If the authority fails to act within 180 days, the waiver application is deemed ap-  
19 proved, and the manufacturer may continue to sell or offer for sale in this state the  
20 children's product described in section 14 (1) of this 2014 Act for which the manufacturer  
21 submitted a waiver application. If the authority disapproves a waiver application, the man-  
22 ufacturer may submit a revised waiver application for consideration within 180 days of the  
23 authority's disapproval.

## 24 25 REPORTS TO LEGISLATIVE ASSEMBLY

26  
27 **SECTION 15.** The Oregon Health Authority shall provide a report to the Legislative As-  
28 sembly once every two years regarding the implementation of sections 1 to 15 of this 2014  
29 Act, including:

30 (1) Any revisions made under section 5 of this 2014 Act to the list of high priority  
31 chemicals of concern for children's health used in children's products.

32 (2) The number of manufacturers in compliance with section 7 of this 2014 Act and an  
33 analysis of the information collected pursuant to section 7 of this 2014 Act specifying:

34 (a) The number and types of children's products sold or offered for sale in this state that  
35 contain high priority chemicals of concern for children's health used in children's products.

36 (b) The range of amounts of high priority chemicals of concern for children's health used  
37 in children's products, and an analysis of the levels of the high priority chemicals of concern  
38 for children's health used in children's products for various categories of children's products.

39 (c) The potential for exposure to high priority chemicals of concern for children's health  
40 used in children's products based on the number of children's products sold or offered for  
41 sale in this state that contain chemicals on the list established under section 2 of this 2014  
42 Act, likely exposure routes and the typical use patterns for the children's products that  
43 contain chemicals on the list established under section 2 of this 2014 Act.

44 (d) Recommendations to limit, reduce or prevent exposure to high priority chemicals of  
45 concern for children's health used in children's products based on an analysis of the infor-

1 mation collected.

2 (3)(a) Details about the implementation of sections 14 and 14a of this 2014 Act regarding  
 3 hazard assessments and waivers. In cases where the authority grants waivers for the con-  
 4 tinued use of high priority chemicals of concern for children’s health used in children’s pro-  
 5 ducts in which the application includes an alternatives assessment, the authority may  
 6 develop recommendations on opportunities to provide technical assistance, provide grants  
 7 and promote public-private partnerships and other actions to encourage manufacturers to  
 8 produce children’s products through green chemistry that do not contain high priority  
 9 chemicals of concern for children’s health used in children’s products.

10 (b) In developing the recommendations described in paragraph (a) of this subsection, the  
 11 authority may consult with the Department of Environmental Quality, the Oregon Business  
 12 Development Department and other state agencies.

13 (4) Any recommendations submitted to the authority by manufacturers under section 7  
 14 (7) of this 2014 Act.

15 SECTION 16. Section 15 of this 2014 Act becomes operative on January 1, 2016.

16  
 17 MISCELLANEOUS

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 19 SECTION 17. Notwithstanding any other law limiting expenditures, the amount of \$57,046  
 20 is established for the biennium beginning July 1, 2013, as the maximum limit for payment of  
 21 expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but ex-  
 22 cluding lottery funds and federal funds, collected or received by the Oregon Health Authority  
 23 for carrying out the duties of the authority under sections 1 to 15 of this 2014 Act.

24 SECTION 18. The unit captions used in this 2014 Act are provided only for the conven-  
 25 ience of the reader and do not become part of the statutory law of this state or express any  
 26 legislative intent in the enactment of this 2014 Act.

27  
 28 EMERGENCY CLAUSE

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 30 SECTION 19. This 2014 Act being necessary for the immediate preservation of the public  
 31 peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect  
 32 on its passage.

33 \_\_\_\_\_