State and Federal Government Lists of Chemicals of Concern

These are suggested sources of lists of chemicals of concern for use by companies in the Safer Chemistry Challenge Program. This is a reference guide for companies and is not a mandatory requirement to participation in the program. The rationalization of the chemicals listed in specific state or federal lists should be taken up with those bodies. California will be added later this year.

National

United States Environmental Protection Agency
Office of Pollution Prevention and Toxics

This list is of those the U.S. EPA has selected for the completion of an action plan. Action plans summarize available hazard, exposure, and use information on chemicals; outline the risks that each chemical may present; and identify the specific steps the Agency is taking to address those concerns.

United States Environmental Protection Agency
Waste Minimization Program

The National Waste Minimization Program focuses efforts on reducing 31 Priority Chemicals (PCs) found in our nation's products and wastes by finding ways to eliminate or substantially reduce their use in production. If these chemicals cannot easily be eliminated or reduced at the source, we focus on recovering or recycling them.

States

Colorado
Department of Public Health and the Environment

The list begins on page 19 of this report. This list is of toxics of concern monitored/biomonitored by the U.S. EPA, State of Colorado, and the Centers for Disease Control and Prevention. This is not legislated.
June 2011, Public Law 2011, c. 319 [An Act to Provide the DEP with Regulatory Flexibility Regarding the Listing of Priority Chemicals, LD 1129, 125th Legislature] was signed into law amending 38 MRSA Chapter 16-D, Toxic Chemicals in Children’s Products. The amendments include modifying the list formerly known as Chemicals of High Concern. As of September 1, 2011, this list became known as the “chemicals of concern list.” The list of over 1700 compounds must be revised to remove any chemical that is either:

- Used solely in an item that is not a consumer product, including, but not limited to, a food or beverage, drug or biologic, paper or forest product or pesticide; or
- Used solely in a consumer product that is exempt from the requirements of this chapter pursuant to section 1697.

Minnesota Department of Health

Minnesota legislation requires the Minnesota Department of Health (MDH) to create two lists of chemicals: one list called “Chemicals of High Concern” and one called “Priority Chemicals.”

Washington Department of Ecology

Ecology's Reducing Toxic Threats Initiative is based on the principle that preventing exposures to toxics is the smartest, cheapest and healthiest way to protect people and the environment. The Children's Safe Product Act (CSPA - Chapter 70.240 RCW) is an important part of this initiative.

This law consists of two parts. The first part limited the amount of lead, cadmium and phthalates allowed in children's products sold in Washington after July 1, 2009. These standards were substantially preempted when the U.S. Congress passed the Consumer Product Safety Improvement Act (CPSIA) in July, 2008. The federal Consumer Product Safety Commission will enforce this act.

The second part of the CSPA requires Ecology, in consultation with the Department of Health, to develop a list of chemicals that manufacturers must report on. This list is called the Reporting List of Chemicals of High Concern to Children. As required by the law, chemicals on the list are toxic and have either been found in children’s products or have been documented to be present in human tissue (blood, breast milk, etc.). However, the mere presence of these chemicals in children’s products does not necessarily indicate that there is a risk of harm.

Beginning in August 2012, manufacturers of children's products must report to Ecology if their products contain these chemicals. This second part of the CSPA was not affected by the federal law.