



**American
Forest & Paper
Association**

TO:
Public Health Committee
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**AF&PA Statement on
S.B. 126
An Act Concerning Children's Exposure to Chemicals**

February 28, 2014

The American Forest & Paper Association (AF&PA) appreciates the opportunity to share our perspective on legislation under consideration by the Connecticut Public Health Committee, S.B. 126.

AF&PA serves to advance a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative - [*Better Practices, Better Planet 2020*](#). The forest products industry accounts for approximately 4.5 percent of the total U.S. manufacturing GDP, manufactures approximately \$200 billion in products annually, and employs nearly 900,000 men and women. The industry meets a payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 47 states. In Connecticut, the industry employs over 4,000 individuals, with an annual payroll of over \$250 million. The industry pays an estimated \$1.7 million in state and local taxes that support vital public services.

It ultimately is the Legislature's responsibility to strike the proper balance between the scope of the program and the resources available to achieve success. Programs that take on more than they can achieve generally are unsustainable and may do little to advance public health and environmental protection.

The State of Connecticut should devise the most efficient way for the Commissioner of Public Health to regulate consumer products and must be careful to avoid duplicating prior regulatory efforts. AF&PA urges the Legislature to exempt food packaging or food contact materials (FCMs), as FCMs are already regulated by the U.S. Food and Drug Administration (FDA) under the Federal Food, Drug, and Cosmetic Act (FDCA), a comprehensive federal regulatory structure that ensures the safety of these materials for public health and the

environment throughout the full life cycle of the materials. In this area the FDA employs more than 30 chemists, toxicologists, and other scientific staff, for the sole purpose of evaluating the safety and environmental impacts of chemicals in FCMs. With all of the decades of experience that the FDA has in this area, it would be wasteful, from both a policy and resource perspective, for Connecticut to attempt to duplicate this system. An additional layer of state regulation inadvertently could inhibit technological innovation and the development of safer and more environmentally friendly food packaging materials, and, ultimately could even force safe packaging materials out of the Connecticut market. The Legislature should focus the bill on products not already subject to forceful regulation. Since the FDA regulatory system already is in place, the regulation would not further protect the public.

The program should focus only on chemicals intentionally added to products to serve a specific function. The goal and intent of S.B. 126 is to provide the legislature with information on better, safer options, in terms of products children use on a daily basis. Chasing unintentional trace levels of chemicals that have no adverse impact on public health or the environment would diminish the overall benefits and effectiveness of the program. AF&PA recommends that the program be amended to focus on intentionally added functional chemicals in products. Washington State has adopted an approach in its Children's Safe Product Act (70.240 RCW) that allows product manufacturers the option not to report contaminants. Washington rightfully acknowledges that intentionally-added chemicals offer the greatest opportunity for substitution with a safer alternative.¹ Maine's Toxic Chemicals in Children's Products law also focuses on intentionally-added chemicals that perform a specific function.² We believe it would serve Connecticut well to have the same focus.

We appreciate the opportunity to comment on the proposed S.B. 126. If you have any questions regarding AF&PA's position on the proposal, please contact Abigail Turner at (202) 463-2596. Thank you for your consideration.

¹ Washington Department of Ecology, *Children's Safe Product Act Reporting Rule*, May 4, 2011.

² Maine Department of Environmental Protection, *Chapter 880: Regulation of Chemical Use in Children's Products*.