

Chemicals of High Concern in Children's Products Working Group

Date: April 3, 2023

Location and Time: Teams Meeting; 12:00-1:00pm

Present: Kate Crawford (Assistant Professor Middlebury College), Martin Wolf (Seventh Generation), Paul Burns (Vermont Public Research Interest Group, John Beling (Vermont Department of Environmental Conservation), Sarah Owen (Vermont Department of Health)

Meeting Facilitator and Note Taker: David Englander; Kerry Morlock

Agenda Item	Discussion
1. Opening Remarks, Introductions and Questions	<ul style="list-style-type: none"> Participants introduced themselves. Kate Crawford is a newly appointed working group member and John Beling has joined. D. Englander clarified that the intention of this meeting is to reconvene the Working Group. Meetings were suspended during COVID-19. VDH estimated that at least six million brand name and product model reports (SKU-level reports) have been submitted to the program. D. Englander clarified the distinction between "brick" and "SKU" reporting. D. Englander clarified that three PFAS were added to the Chemicals of High Concern to Children list this year and reporting is required by law, but these chemicals are not currently listed in rule.
2. Charge to the Committee	<ul style="list-style-type: none"> D. Englander explained that the purpose of the creation of the Working Group under 18 V.S.A. § 1776 is to provide the Department of Health with advice regarding the recommendations for the implementation of requirements of the Chemicals Disclosure Program. The Working Group reviews the chemicals to be listed in statute and makes recommendations to the Commissioner whether rules should be adopted to regulate children's products containing Chemicals of High Concern to Children. D. Englander explained the statutory requirement for the Commissioner of Health, as of July 1st, 2017 and biennially thereafter, to recommend at least two Chemicals of High Concern to Children to

	<p>the Working Group for regulation of products offered for sale or distribution in Vermont or to require product labeling.</p> <ul style="list-style-type: none"> • The Working Group has the authority to make recommendations to the House and Senate Committees of Jurisdiction regarding their reflections on recommendations or advice regarding Chemicals of High Concern to Children.
3. Review of Framework – Dr. Sarah Owen	<ul style="list-style-type: none"> • S. Owen presented a framework to prioritize Chemicals of High Concern to Children for potential regulation considering statutory requirements and available datasets and showed how each dataset aligns with statutory requirements. • S. Owen provided an overview of each factor which will be considered in combination to prioritize chemicals. These factors are toxicity (reference dose, reference concentration, cancer slope factor, and inhalation unit risk), hazard designation (neurotoxicant, reproductive/developmental toxicant, carcinogen, persistent, bioaccumulative, and toxic chemicals), regulations (California, federal, Canada and European Union regulations), and Vermont function set data. • D. Englander clarified that there is a provision in statute 18 V.S.A § 1773 that the Department of Health review chemical designations by other states, the federal government, or other countries. Group members clarified that this language was added due to concerns from the legislative committee that Vermont would a unique list. Mr. Burns recalled that policymakers were reassured that decisions made by other credible jurisdictions, some with capacity exceeding Vermont, would be considered.
4. Public Comment/ Closing Remarks	<ul style="list-style-type: none"> • Mr. Burns asked whether chemicals have been selected for prioritization and whether this includes chemicals as a class and the three PFAS recently added to the list. VDH responded that only the process is being presented today, and that the three PFAS could be included, but were not considered due to timing. S. Owen responded that none of the listed chemicals have toxicity values corresponding to class, therefore chemicals were not ranked in this manner. • M. Wolf noted that presence in the Vermont database doesn't actually account for exposure in Vermont homes. S. Owen responded that VDH struggled to quantify exposure without Vermont urine levels or household exposure studies. Generally, studies on chemicals on house dust were considered to assess exposure when considering chemicals for listing, which could be representative of dust composition in VT households. VDH is open to suggestions on how exposure could be further considered.

- Mr. Burns commented that the framework is not unreasonable as constructed and is interested in what other states regulate moving forward. This will be important for VDH to consider.
- K. Crawford asked about the ranking system used to prioritize chemicals and whether there is a weighting system that quantifies the process. S. Owen responded that VDH initially looked at a ranking system called Toxpi to use different data sets and scale them on a 60-point scale. The answer to this will be part of VDH's next presentation.
- VDH clarified that several top-ranked chemicals will be presented at the next Working Group meeting for review, and that only chemicals on the Chemicals of High Concern to Children will be considered for ranking on a rolling basis.
- D. Englander confirmed that the Working Group would also be continuing with the process to review chemicals for listing as well and that members could bring recommendations to a meeting or write to D. Englander and the Health Commissioner. Recommendations would be examined by VDH and brought to the Working Group for further discussion.
- Mr. Burns asked how many times the Working Group needs to meet. D. Englander responded at least two meetings a year and that Working Group members could discuss addition of chemicals to the list. D. Englander confirmed that there could possibly be an additional meeting this year to catch-up.
- M. Wolf noted that the Working Group is supportive of more frequent meetings.
- Appointed members that were not present today include Ruma Kohli and Andy Hackman.
- The Health Department noted that:
 - Minutes and today's presentation will be emailed to working group members following this meeting.
 - The next meeting will likely occur mid-late summer. The Working Group will receive information about VDH's proposals prior to this meeting.
- Adjourned.