#### THE INTERNATIONAL CADMIUM ASSOCIATION

**REGULATORY UPDATE**

**September 28, 2011**[[1]](#footnote-1)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# NEW DEVELOPMENTS

New information is available on the following issues in this Update:

Federal Issues

CAA Issues

EPA Amends NESHAP For Plating And Polishing Area Source Category, page 3

Congress Considers Bills That Would Delay Boiler And Incinerator Rules, page 3

TSCA Issues

## EPA Announces CDR Rule, Which Replaces the IUR Modifications Rule, page 3

ITC Adds Cadmium And Cadmium Compounds To Priority Testing List, page 4

EPA Holds Webinar On Discussion Guide For Identifying Priority Chemicals, page 4

State Issues

Safer States Announces Victories For Environmental Health, page 5

NGOs Release Report On State Regulation Of Coal Ash, page 6

*California*

Legislature Passes Bill Concerning Certification Of Lead And Cadmium In Jewelry, page 7

County Court Approves Settlement That Limits Cadmium In Jewelry, page 7

*Massachusetts*

Hearing Held On Bill To Prohibit Cadmium In Children’s Jewelry, page 8

Miscellaneous Issues

U.S. Air Force Intends To Conduct Biological Cadmium Monitoring At Tinker AFB, page 8

ASTM Adopts Standard Concerning Children’s Jewelry, page 8

President Signs Bill Amending CPSIA, page 9

CPSC Directs Staff To Begin Drafting Proposed Rule Concerning Cadmium In Children’s Jewelry, page 10

IRIS Assessment

*Senators Ask EPA To Suspend IRIS Review Process For Certain Reviews*, page 11

FDA Includes Cadmium On List Of HPHCs In Tobacco Products And Tobacco Smoke, page 11

International Issues

Quebec Promulgates Clean Air Regulation, page 12

ChemSec Promotes SIN List In China, page 12

Japan Adopts Recommendations To Lower Cadmium Tolerance Level In Water Bodies, page 12

Philippine Congress Considers Resolutions Concerning The Use Of Toxic Chemicals In Children’s Products, page 13

Vietnam Limits Toxic Substances In Electrical Products, page 14

**FEDERAL ISSUES**

**CAA ISSUES**

**EPA Amends NESHAP For Plating And Polishing Area Source Category**

On September 19, 2011, EPA promulgated a final rule amending the area source standards for plating and polishing area sources. The amendments in the final rule clarify that the emission control requirements of the plating and polishing area source NESHAP do not apply to any bench-scale activities. Also, according to EPA, it made several technical corrections and clarifications that do not make significant changes in the rule’s requirements. Under the June 12, 2008, NESHAP, plating and polishing metal HAP “means any compound of any of the following metals: **cadmium**, chromium, lead, manganese, and nickel, or any of these metals in the elemental form, with the exception of lead.” The final rule will take effect on **October 19, 2011**.

**Congress Considers Bills That Would Delay Boiler And Incinerator Rules**

The House Energy and Commerce Committee approved the EPA Regulatory Relief Act (H.R. 2250) on September 21, 2011. The bill would prevent EPA from issuing revised air pollution standards for boilers and incinerators for 15 months after enactment. Under the bill, EPA would impose “the least burdensome” regulatory alternatives and ensure that emissions standards “can be met under actual operating conditions.” The bill would give industry at least five years to comply with the rules, an increase from the three years allowed under the CAA. Republican leaders could bring the bill before the full House for consideration during the week of October 3, 2011. The Senate passed similar legislation (S. 1392). The CISWI rule, part of the Boiler MACT that EPA promulgated in March 2011, established emission limits for nine pollutants, including **cadmium**. More information regarding EPA’s rules is available at <http://www.epa.gov/airquality/combustion>.

**TSCA ISSUES**

## EPA Announces CDR Rule, Which Replaces the IUR Modifications Rule

EPA announced on August 2, 2011, the final TSCA CDR Rule, previously referred to as the IUR Modifications Rule. The CDR is intended to enable EPA to collect and publish information on the manufacturing, processing, and use of commercial chemical substances and mixtures on the TSCA Inventory. This includes current information on chemical substance production volumes, manufacturing sites, and how the chemical substances are used. According to EPA, this information helps it determine whether humans or the environment potentially are exposed to reported chemical substances in ways that could prove harmful. EPA will publish submitted CDR data that are not CBI. The final CDR Rule amends the previous IUR Rule to require submission of information that EPA believes will better address its and the public’s information needs, improve the usability and reliability of the reported data, and ensure that data are available in a timely manner. EPA is requiring electronic reporting of CDR information and modifying reporting requirements, including certain circumstances that trigger reporting, the specific data to be reported, the reporting standard for processing and use information, and CBI reporting procedures. The CDR Rule establishes the upcoming submission period, which will be from **February 1, 2012**, to **June 30, 2012**, and which will include submission of production information from 2010 and production, processing, and use information from 2011. The CDR Rule took effect September 15, 2011. More information is available at <http://www.epa.gov/cdr/>.

**ITC Adds Cadmium And Cadmium Compounds To Priority Testing List**

EPA published on August 1, 2011, a *Federal Register* notice announcing that the TSCA ITC transmitted its 68th Report to EPA on June 14, 2011. In the 68th ITC Report, ITC added **cadmium** and 103 **cadmium compounds** to the TSCA Section 4(e) Priority Testing List. According to the notice, required information would be limited to unpublished health and safety studies, including those relating to the **cadmium** content in consumer products containing **cadmium** or **cadmium compounds**, and/or studies that assess exposure to **cadmium** or **cadmium compounds** from such products. The rationale for recommendation states that EPA and CPSC “are concerned with the content of **cadmium** or **cadmium compounds** in certain children’s toys, jewelry, and other consumer products due to known toxicity and health concerns from exposure to **cadmium** or **cadmium compounds**. . . . Information obtained on this category may assist both EPA and CPSC in taking further action as appropriate to protect consumers from exposure to **cadmium** or **cadmium compounds** in consumer products.” ICdA submitted comments to EPA concerning its rationale for testing, the substances being tested, the type(s) of tests being utilized, and inconsistencies of statements made with known information on **cadmium**.

**EPA Holds Webinar On Discussion Guide For Identifying Priority Chemicals**

EPA held a September 7, 2011, webinar on its proposed two-step process to identify priority chemical substances for review and assessment under TSCA. According to EPA, its goal is “to identify priority chemicals for near-term evaluation, not to screen and prioritize the entire TSCA Inventory of approximately 84,000 chemicals.” To identify candidate chemicals for review, EPA intends to consider the following risk-based prioritization factors:

* Chemicals identified as potentially of concern for children’s health (*e.g*., chemicals with reproductive or developmental effects);
* Chemicals identified as PBT;
* Chemicals identified as probable or known carcinogens;
* Chemicals used in children’s products;
* Chemicals used in consumer products; and
* Chemicals detected in biomonitoring programs.

According to EPA, chemicals meeting one or more of these prioritization factors would become part of the initial group of priority chemicals for review. In the second step of the prioritization process, EPA intends to refine that group by using a broader range of data sources to analyze further and select specific chemicals from the initial group for further assessment. EPA’s presentation closely followed the Discussion Guide it posted describing the two-step process. Comments during the webinar included a suggestion that EPA expand the factors to include chemicals such as neurotoxins and endocrine disruptors. Other participants urged EPA to make optimum use of data and information generated under REACH. Additional suggested data sources include EPA’s Endocrine Disruptor Screening Program, the SIN List developed by the International Chemical Secretariat, an NGO, and EPA’s ToxCast Database. Other participants recommended against the use of NGO-derived lists. According to EPA, after it identifies priority chemicals for review (Step 1), it will publicly announce the data and sources of information that it intends to use to inform its review in Step 2. If stakeholders believe there are better and/or more recent data available that EPA should consider, they will have an opportunity to provide information to EPA for review. More information is available at <http://www.epa.gov/oppt/existingchemicals/pubs/chemprioritizations.html>.

**STATE ISSUES**

**Safer States Announces Victories For Environmental Health**

On August 4, 2011, Safer States issued a report entitled *2011 State Policy Victories Curb Toxic Chemicals While Congress Lags Behind*. The “Highlights of 2011 State Progress” include:

* Maryland banned BPA in infant formula containers and **cadmium** in jewelry for children. The BPA law goes into effect in **2014**, and adds to the 2010 ban on BPA in baby bottles and sippy cups. The state also restricted **cadmium** in jewelry for children under 13, joining other states including CA, CT, IL and MN. The new law takes effect on **July 1, 2012**.

. . .

* Minnesota published a list of nine Priority Chemicals of High Concern that are found in the human body, the environment, household dust, water or children's products. The list includes three phthalates (BBP, DBP, DEHP); two halogenated flame retardants (deca and HBCD); as well as lead, **cadmium**, formaldehyde and BPA. This list is a subset of the list of 1,756 Chemicals of High Concern that are persistent, bio-accumulative and toxic that was published by MN in July 2010.

In its August 4, 2011, press release, Safer States also notes that WDE’s recent rule concerning the Children’s Safe Products Act “classifies 66 chemicals -- including **cadmium**, lead, BPA, formaldehyde and phthalates -- as chemicals of high concern to children, and most notably requires that children’s product manufacturers report to the state if their products contain any of the 66 chemicals.” More information is available at <http://www.saferstates.com/2011/08/2011-state-victories-for-environmental-health.html>.

**NGOs Release Report On State Regulation Of Coal Ash**

Earthjustice and Appalachian Mountain Advocates released on August 17, 2011, a report entitled *State of Failure: How States Fail to Protect Our Health and Drinking Water from Toxic Coal Ash*. The NGOs reviewed state regulations in 37 states, which together comprise over 98 percent of all coal ash generated nationally. The report “highlights the lack of state-based regulations for coal ash disposal and points to the 12 worst states when it comes to coal ash dumping: Alabama, Georgia, Illinois, Indiana, Kentucky, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Texas, South Carolina and Virginia.” The report states that coal ash “contains a long list of carcinogenic and neurotoxic chemicals such as arsenic, lead, hexavalent chromium, **cadmium** and mercury.” EPA proposed to regulate coal ash under two options: the first option would classify coal ash as hazardous waste, requiring water quality monitoring, liners, and the phase out of dangerous “wet” storage of coal ash. The second option would continue to allow states to regulate coal ash by, according to the report, “establishing only guidelines that states are free to ignore.” Two bills in the House would require EPA to let the states decide how to regulate ash. Earthjustice states: “Strong, federally enforceable safeguards are needed to guarantee that our drinking water remains free of arsenic, lead, mercury and other toxic metals found in coal ash. The myth that states are doing a good job protecting Americans from coal ash is busted.” More information is available at <http://earthjustice.org/news/press/2011/study-finds-state-protections-for-coal-ash-grossly-inadequate>.

***California***

**Legislature Passes Bill Concerning Certification Of Lead And Cadmium In Jewelry**

On August 25, 2011, the Assembly passed S.B. 646, which would revise the requirements that a manufacturer or supplier of jewelry must provide, upon request, certification to a person who sells or offers for sale this jewelry. The bill would impose a state-mandated local program by creating a new crime with regard to the sale, or offering for sale, of this jewelry and the preparation of the certification. The revised requirements would require a manufacturer or supplier to prepare a certification. The certification shall attest that the jewelry does not contain a level of lead or **cadmium** that prohibits the jewelry from being sold or offered for sale. The Senate passed the bill on August 30, 2011, and it was enrolled and presented to the Governor on September 7, 2011.

**County Court Approves Settlement That Limits Cadmium In Jewelry**

CEH announced on September 6, 2011, that the Alameda County Superior Court approved a legal agreement between CEH and 26 major jewelry retailers and suppliers, including Saks Incorporated, Target, The Gap (including Old Navy and Banana Republic), and Forever 21, setting strict limits on **cadmium** in jewelry. The agreement calls for jewelry sold by the companies to contain no more than 0.03 percent (300 ppm) of **cadmium** by **December 31, 2011**. In February 2010, CEH initiated its legal action after finding high levels of **cadmium** in jewelry. Earlier this year, it reached agreement with Tween Brands, a division of Dress Barn, limiting **cadmium** in jewelry. That settlement also calls for no more than 0.03 percent **cadmium** in jewelry and is effective on **December 31, 2011**. CEH’s press release states:

**Cadmium** is a heavy metal that can cause cancer, genetic damage, and kidney damage. A study published in March 2011 found that children who mouth on or swallow **cadmium**-tainted jewelry can be exposed to as much as 100 times the maximum exposure limit. Also, a 2006 study concluded that exposure in children “should be limited as much as possible” to prevent direct health problems and problems later in their lives. People can be exposed to **cadmium** if they touch, suck on or accidentally swallow metal pieces, and studies show the toxin can stay in our bodies for more than two decades.

CEH’s press release is available at <http://www.ceh.org/making-news/press-releases/29-eliminating-toxics/540-settlement-ends-health-threat-from-cadmium-tainted-jewelry>.

***Massachusetts***

**Hearing Held On Bill To Prohibit Cadmium In Children’s Jewelry**

On September 13, 2011, the Joint Committee on Public Health held a hearing on S.B. 1074, which would prohibit the manufacture, sale, and distribution of children’s jewelry containing **cadmium** in any paint or surface coating or accessible substrate that exceeds 75 ppm, unless superseded by a federal standard applicable to children’s jewelry. The bill would define child as an individual who is six years of age or younger, and children’s jewelry as jewelry that is primarily designed, marketed, and intended for use by a child.

**MISCELLANEOUS ISSUES**

**U.S. Air Force Intends To Conduct Biological Cadmium Monitoring At Tinker AFB**

According to a September 16, 2011, presolicitation notice, the U.S. Air Force intends to solicit and negotiate with only one source (Pacific Toxicology Laboratories) to provide all specialized laboratory testing related to biological **cadmium** monitoring at Tinker AFB, Oklahoma. According to the notice, the proposed period of performance is anticipated to be a one-year base period beginning **October 23, 2011**, through **October 23, 2012**, with three one-year option periods. More information is available at <https://www.fbo.gov/index?s=opportunity&mode=form&id=b9e8d73af68199c632848eeab47c3b67&tab=core&_cview=0>.

**ASTM Adopts Standard Concerning Children’s Jewelry**

Earlier this month, ASTM adopted the standard for children’s jewelry. Under the standard, children’s jewelry -- defined as items primarily intended for children 12 years and under -- would be lab tested to see whether it contains more than 0.03 percent **cadmium**. Items that failed the “total content” test could be scrapped or sent for further analysis. For smaller pieces, a second test would gauge how much **cadmium** would dissolve into stomach acid a day after the jewelry was swallowed; for larger pieces, an additional test would measure how much **cadmium** escapes under conditions that simulate licking. CPSC Chair Inez Tenenbaum stated: “ASTM’s approval of a new **cadmium** standard for children’s jewelry is a positive step forward. It is very important for ASTM to also complete their work and publish the new **cadmium** standard for toys as soon as possible.” The ASTM standard could take effect by early **November 2011**.

**Responsible Electronics Recycling Act Introduced In House And Senate**

There is no new publicly available information to report regarding the Responsible Electronics Recycling Act of 2011 (H.R. 2284 and S. 1270), which would amend RCRA to establish a category of “restricted electronic waste” that would be barred from exports 24 months after the measure’s enactment. Under the bill, covered electronic equipment includes batteries containing **cadmium**, as well as the following items containing **cadmium**: circuit boards; printer drums; liquid crystal displays; flatscreen glass; and light emitting diodes; or “any other covered electronic equipment, or materials derived therefrom, containing any other toxic material, in elemental or compound form, identified by the Administrator.” More information is available in our July 28, 2011, Update.

**President Signs Bill Amending CPSIA**

On August 12, 2011, President Obama signed legislation (H.R. 2715) intended to provide CPSC with greater authority and discretion in enforcing the CPSIA. The bill:

* Amends the CPSIA to apply the limit on lead content in children’s products only to products manufactured after the effective date of the respective limit;
* Amends the CPSA to authorize CPSC to revise third party testing regulations to reduce testing costs consistent with assuring compliance with children’s product safety rules;
* Requires CPSC to exempt small batch manufacturers from third party testing requirements if no alternative testing requirement is available or economically practicable;
* Sets forth procedures that apply when CPSC adopts a voluntary consumer product safety standard issued by an organization;
* Considers any provision that restates or incorporates a regulation promulgated by FDA or any statute administered by FDA to be a consumer product safety standard issued by CPSC;
* Applies limits on phthalates in children’s toys or child care articles to plasticized component parts of such toys or articles, unless such component is not accessible to a child;
* Authorizes CPSC to: (1) exclude a specific product or class of products from regulations requiring that products contain distinguishing marks to identify production information if it is not practicable for such product or class of products to bear such marks; and (2) establish alternative requirements for identification of products;
* Revises provisions regarding reports of harm relating to the use of consumer products for the database on the safety of consumer products to: (1) require a stay of five days before submitting such information if CPSC receives notice that information in a report is materially inaccurate; and (2) establish procedures for when the CPSC receives a report missing a model or serial number for the product; and
* Gives the CPSC the authority to: (1) issue subpoenas for the production of physical evidence; and (2) delegate to CPSC’s general counsel the authority to issue subpoenas to federal, state, or local government agencies.

**House Bill Includes Findings Regarding Cadmium In Vieques, Puerto Rico**

There is no new publicly available information to report regarding the Vieques Recovery and Development Act of 2011 (H.R. 1645), which would construct a specialty hospital and toxins research center on the island of Vieques, Puerto Rico, and would provide individual compensation to certain residents. More information on the bill is available in our April 28, 2011, Update.

**CPSC Directs Staff To Begin Drafting Proposed Rule Concerning Cadmium In Children’s Jewelry**

As reported in our September 16, 2011, e-mail, in a September 16, 2011, *Federal Register* notice, CPSC announced that, on September 6, 2011, it granted the petition requesting standards restricting cadmium in children’s products, especially toy metal jewelry. CPSC directed CPSC staff to begin drafting a proposed rule, unless a voluntary standard for cadmium in children’s jewelry is published by ASTM International, Inc. within three months after September 16, 2011. If ASTM publishes a voluntary standard for cadmium in children’s jewelry within this timeframe, then CPSC staff is directed to assess the adequacy of the voluntary standard and whether there is substantial compliance with the voluntary standard and based on these assessments make a recommendation on the disposition of this petition within nine months after September 16, 2011. CPSC staff had recommended that CPSC defer its decision on the petition an additional six months and direct staff to continue its participation in the ASTM F15.24 Subcommittee to develop a voluntary standard addressing accessible cadmium from children’s metal jewelry, as well as continue its participation in the ASTM F15.22 Subcommittee to amend the ASTM F963 toy safety standard. The August 30, 2011, briefing package is available at <http://www.cpsc.gov/library/foia/foia11/brief/cadmiumpetupd.pdf>.

**IRIS Assessment**

***Senators Ask EPA To Suspend IRIS Review Process For Certain Reviews***

Senators James Inhofe (R-OK), Ranking Member of the Senate Environment and Public Works Committee, and David Vitter (R-LA), Ranking Member of the Committee’s Transportation and Infrastructure Subcommittee, sent a September 26, 2011, letter to EPA Science Adviser Paul Anastas, asking EPA to “suspend the IRIS review process for all current reviews where serious concerns have been raised.” The letter does not specify which IRIS assessments should be suspended, nor did Inhofe’s staff respond to a query as to whether a specific assessment triggered the letter. An EPA spokesman stated that EPA will review the Senators’ letter and respond appropriately.

***Cadmium (Qualitative Draft)***

There is no new publicly available information to report regarding the detailed tracking report for **cadmium** (qualitative and quantitative), which includes the following information:

| **Activity/Event** | **Start Date** | **End Date** |
| --- | --- | --- |
| **1. Draft Development** | TBD | TBD |
| **2. Agency Review** | TBD | TBD |
| **3. Interagency Review** | TBD | TBD |
| **4. External Peer Review** | TBD | TBD |
| **5. Final Assessment/Posting** | TBD | TBD |

**FDA Includes Cadmium On List Of HPHCs In Tobacco Products And Tobacco Smoke**

As reported in our September 26, 2011, e-mail, in an August 12, 2011, *Federal Register* notice, FDA requested comments, including scientific and other information, concerning HPHCs in tobacco products and tobacco smoke. According to FDA, this information will help it establish a list of HPHCs in tobacco products and tobacco smoke. The list of chemicals and chemical compounds identified as HPHCs includes **cadmium**, which is designated as a carcinogen, respiratory toxicant, and reproductive or developmental toxicant. FDA states that it is “particularly interested” in comments on the following topics:

* The criteria FDA should use in determining whether a constituent is harmful or potentially harmful such that it should be included on the HPHC list;
* Whether any chemicals or chemical compounds not listed should be added because they are harmful or potentially harmful, including supporting scientific or other information; and/or
* Whether any of the chemicals or chemical compounds listed should be removed because they are not harmful or potentially harmful, including supporting scientific or other information.

Comments are due **October 11, 2011**.

**INTERNATIONAL ISSUES**

**Quebec Promulgates Clean Air Regulation**

Quebec promulgated a final Clean Air Regulation on June 15, 2011. According to the notice, the object of the Regulation is to establish particle and gas emission standards, emission opacity standards, air quality standards, and monitoring measures to prevent, eliminate, or reduce the emission of contaminants into the atmosphere. The Clean Air Regulation, which came into force on June 30, 2011, includes limit values **cadmium** and **cadmium compounds (expressed as Cd)**:

|  |  |  |
| --- | --- | --- |
| **Limit (µg/m3)** | **Initial Concentration (µg/m3)** | **Period** |
| 0.0036 | 0.003 | 1 year |

The June 15, 2011, notice is available at <http://www.mddep.gouv.qc.ca/publications/reglement/reg-assainissement-atmosphere-en.pdf>.

**ChemSec Promotes SIN List In China**

ChemSec announced in a September 20, 2011, press release that it “is taking the SIN List to China.” ChemSec representatives are meeting with Chinese authorities, public interest organizations, domestic corporations, and multinational companies to discuss the SIN List and chemicals management in general, and endocrine disrupting chemicals in particular. ChemSec states: “Public awareness about hazardous chemicals is growing and many Chinese companies are increasingly seeing the benefits of having forward-thinking strategies with regards to the chemicals used in the products they market. The Chinese government is in the process of upgrading its chemicals management regulations, especially in the area of existing chemicals.” ChemSec organized the meetings in collaboration with organizations such as Greenpeace China and Global Village Beijing, as well as Business for Social Responsibility. ChemSec’s press release is available at <http://www.chemsec.org/news/news-2011/810-chemsec-takes-the-sin-list-to-china>.

**Japan Adopts Recommendations To Lower Cadmium Tolerance Level In Water Bodies**

As reported in our July 29, 2011, e-mail, a spokesperson for the Water Environment Division of the Ministry of the Environment stated that the Ministry adopted the recommendations made by its policy commission on water quality to revise the **cadmium** tolerance level in rivers, lakes, ponds, seas, and other bodies of water to an annual average of 0.003 mg/L, down from 0.01 mg/L. The Ministry is drafting details for enforcing the new standard, and according to the spokesperson, the process is expected to take up to a year before formal proclamation. The standard will include more stringent regulations for water discharge, storage, and ore processing at copper, zinc, and other metal refining operations. According to the spokesperson, the tolerance is being lowered because the Food Safety Commission recommended in July 2008 that **cadmium** tolerance levels in food, notably rice, be reduced. In response, in 2010 the Ministry of Health, Labor, and Welfare tightened its regulations on **cadmium** levels in food and tap water. The Ministry of the Environment released a report on July 26, 2011, that reports that **cadmium** levels in water from all the rivers examined registered higher than 0.003 mg/L.

**Philippine Congress Considers Resolutions Concerning The Use Of Toxic Chemicals In Children’s Products**

Three resolutions have been introduced to reduce the use of toxic chemicals in children’s products. According to EcoWaste, its joint report with IPEN on toxic metals in children’s products prompted the resolutions. EcoWaste states that “124 products, or 29 percent of the 435 samples tested, were found to contain at least one toxic metal above levels of concern such as antimony, arsenic, **cadmium**, chromium, lead and mercury.” The resolutions introduced are:

* H.R. 1669, which was introduced in September 2011 by Representative Anthony Del Rosario, calls for a Congressional inquiry into the number of toys and school supplies containing dangerous chemicals following a recent investigation by the EcoWaste Coalition;
* S.R. 556, which was introduced in August 2011, requests an investigation to strengthen current regulations that would eliminate the use of toxic chemicals in children’s products. The draft resolution outlined four requirements for a strong safety policy for children’s products: (1) to ban or restrict the use of toxic chemicals in children’s products; (2) to ensure consumers’ right to know, including labeling to promote consumer choice; (3) to require manufacturers and importers to disclose chemicals in children’s products; and (4) to promote the design and development of safer children’s products using green design, safe natural materials, and green chemistry; and
* S.R. 560, which was introduced in August 2011, requests the Committees on Trade and Commerce, and Health and Demography to conduct an inquiry on the increasing number of toys with toxic and hazardous substances in the Philippine market with the goal of formulating stricter measures to protect children.

EcoWaste and IPEN’s joint report is available at <http://ipen.org/toxicproducts/>.

**Vietnam Limits Toxic Substances In Electrical Products**

In August 2011, Vietnam’s Ministry of Industry and Trade issued a circular placing limits on the concentrations of hazardous substances, including lead, **cadmium**, mercury, chromium, PBB, and PBDEs in electrical products. Concentrations of lead, mercury, chromium, PBB, and PBDEs must not exceed 0.1 percent by weight, while the concentration of **cadmium** must not exceed 0.01 percent. The limits apply to nine categories: audio visual equipment; automatic dispensers; tools; information and communication technology equipment; large household appliances; lighting/luminaires; small household appliances; sports equipment; and toys. The limits took effect on September 23, 2011. More information is available in Vietnamese at <http://www.moit.gov.vn/web/guest/tintuc?p_p_id=cmsviewportlet_WAR_vsi_portlets_INSTANCE_XbBg&p_p_action=1&p_p_state=normal&p_p_mode=view&p_p_col_id=column-2&p_p_col_pos=0&p_p_col_count=1&_cmsviewportlet_WAR_vsi_portlets_INSTANCE_XbBg_struts_action=%2Fcmsviewportlet%2Fview&_cmsviewportlet_WAR_vsi_portlets_INSTANCE_XbBg_arcId=7029>.

\* \* \* \* \*

Unless otherwise noted, if you have questions about any item summarized above, please call or e-mail Lynn L. Bergeson at (202) 557-3801 or lbergeson@lawbc.com, or Carla N. Hutton at (202) 557-3809 or chutton@lawbc.com.

## ACRONYMS

**µg/m3** -- Microgram Per Cubic Meter

**AFB** -- Air Force Base

**CAA** -- Clean Air Act

**CBI** -- Confidential Business Information

**CDR** -- Chemical Data Reporting

**CEH** -- Center for Environmental Health

**ChemSec** -- International Chemical Secretariat

**CISWI** -- Commercial and Industrial Solid Waste Incinerators

**CPSC** -- United States Consumer Product Safety Commission

**CPSA** -- Consumer Product Safety Act

**CPSIA** -- Consumer Product Safety Improvement Act of 2008

**EPA** -- United States Environmental Protection Agency

**FDA** -- Food and Drug Administration

**HAP** -- Hazardous Air Pollutant

**HPHC** -- Harmful and Potentially Harmful Constituent

**ICdA** -- International Cadmium Association

**IPEN** -- International POPs Elimination Network

**IRIS** -- Integrated Risk Information System

**ITC** -- Interagency Testing Committee

**IUR** -- Inventory Update Reporting

**MACT** -- Maximum Achievable Control Technology

**mg/L** -- Milligram Per Liter

**NESHAP** -- National Emission Standards for Hazardous Air Pollutants

**NGO** -- Non-Governmental Organization

**PBB** -- Polybrominated Biphenyl

**PBDE** -- Polybrominated Diphenyl Ether

**PBT** -- Persistent, Bioaccumulative, and Toxic

**ppm** -- Part Per Million

**RCRA** -- Resource Conservation and Recovery Act

**REACH** -- Registration, Evaluation, Authorization and Restriction of Chemicals

**SIN** -- Substitute It Now!

**TBD** -- To Be Determined

**TSCA** -- Toxic Substances Control Act

**WDE** -- Washington Department of Ecology

1. This Update addresses significant federal, state, and international environmental and occupational safety and health regulatory issues and ongoing advocacy efforts pertinent to the ICdA member companies. A list of acronyms used in this Update is provided. [↑](#footnote-ref-1)