

Ballot Vote

FR Notice: Notice of Teleconference and
Public Meeting of the CHAP on
Phthalates and Phthalate Substitutes

OS# 3058



U.S. CONSUMER PRODUCT SAFETY COMMISSION

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UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

OS# 3058

This document has been electronically
approved and signed.

BALLOT VOTE SHEET

DATE: January 4, 2012

TO: The Commission
Todd A. Stevenson, Secretary

THROUGH: Cheryl A. Falvey, General Counsel
Kenneth R. Hinson, Executive Director

FROM: Philip L. Chao, Assistant General Counsel
David M. DiMatteo, General Attorney

SUBJECT: Federal Register Notice: Notice of Teleconference and Public Meeting of the
Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes.

Ballot Vote Due: January 10, 2012

Attached for the Commission's consideration is a draft *Federal Register* notice announcing a teleconference and a public meeting of the Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes, to be held on February 1, 2012, and on February 15-17, 2012, respectively.

Please indicate your vote on the following options:

- I. Approve publication of the notice in the *Federal Register*, as drafted.

(Signature)

(Date)

- II. Approve publication of the notice in the *Federal Register*, with changes. (Please

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specify.)

(Signature)

(Date)

III. Do not approve publication of the notice in the *Federal Register*.

(Signature)

(Date)

IV. Take other action. (Please specify.)

(Signature)

(Date)

Attachment: Draft *Federal Register* Notice of Teleconference and Public Meeting of the Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes

Billing Code 6355-01-P

CONSUMER PRODUCT SAFETY COMMISSION

Notice of Teleconference and Public Meeting of the Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of meetings.

SUMMARY: The Consumer Product Safety Commission (“CPSC” or “Commission”) is announcing a teleconference and the seventh meeting of the Chronic Hazard Advisory Panel (CHAP) on phthalates and phthalate substitutes. The Commission appointed this CHAP on April 14, 2010, to study the effects on children’s health of all phthalates and phthalate alternatives, as used in children’s toys and child care articles, pursuant to section 108 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) (Pub. L. 110–314). The CHAP will discuss its progress toward completing its analysis of potential risks from phthalates and phthalate substitutes.

DATES: The teleconference will take place from 11:00 a.m. to 1:00 p.m. EST (15:00 to 17:00 GMT) on Wednesday, February 1, 2012. Interested members of the public may listen to the CHAP’s discussion. Members of the public will not have the opportunity to ask questions, comment, or otherwise participate in the teleconference. Interested parties should contact the CPSC project manager, Michael Babich, by e-mail (mbabich@cpsc.gov) for call-in instructions no later than Monday, January 30, 2012. An additional public meeting will be held on Wednesday, February 15 through Friday, February 17, 2012. The meeting will begin at approximately 9:00 a.m. each day. It will end at approximately 5:00 p.m. on Wednesday and

Thursday, and at approximately 2:00 p.m. on Friday. There will not be any opportunity for public participation at this meeting.

REGISTRATION AND WEBCAST: No registration is required for the teleconference on February 1, 2012. Please follow the instructions above regarding the call-in instructions for the teleconference. Members of the public who wish to attend the February 15–17 public meeting in person may register on the day of the meeting. This meeting will also be available live via webcast at: <http://www.cpsc.gov/Webcast>. Registration is not necessary to view the webcast.

ADDRESSES: The meeting will be held in the fourth floor hearing room at the Commission’s offices at 4330 East West Highway, Bethesda, MD.

FOR FURTHER INFORMATION CONTACT: Michael Babich, Directorate for Health Sciences, Consumer Product Safety Commission, Bethesda, MD 20814; telephone (301) 504–7253; e-mail mbabich@cpsc.gov.

SUPPLEMENTARY INFORMATION: Section 108 of the CPSIA permanently prohibits the sale of any “children’s toy or child care article” containing more than 0.1 percent of each of three specified phthalates: Di- (2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), and benzyl butyl phthalate (BBP). Section 108 of the CPSIA also prohibits, on an interim basis, the sale of any “children’s toy that can be placed in a child’s mouth” or “child care article” containing more than 0.1 percent of each of three additional phthalates: diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), and di-*n*-octyl phthalate (DnOP).

Moreover, section 108 of the CPSIA requires the Commission to convene a CHAP “to study the effects on children’s health of all phthalates and phthalate alternatives as used in children’s toys and child care articles.” The CPSIA requires the CHAP to complete an examination of the full range of phthalates that are used in products for children and:

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- Examine all of the potential health effects (including endocrine-disrupting effects) of the full range of phthalates;
- Consider the potential health effects of each of these phthalates, both in isolation, and in combination with other phthalates;
- Examine the likely levels of children's, pregnant women's, and others' exposure to phthalates, based upon a reasonable estimation of normal and foreseeable use and abuse of such products;
- Consider the cumulative effect of total exposure to phthalates, both from children's products and from other sources, such as personal care products;
- Review all relevant data, including the most recent, best-available, peer-reviewed, scientific studies of these phthalates and phthalate alternatives that employ objective data-collection practices or employ other objective methods;
- Consider the health effects of phthalates not only from ingestion, but also as a result of dermal, hand-to-mouth, or other exposure;
- Consider the level at which there is a reasonable certainty of no harm to children, pregnant women, or other susceptible individuals and their offspring, considering the best available science, and using sufficient safety factors to account for uncertainties regarding exposure and susceptibility of children, pregnant women, and other potentially susceptible individuals; and
- Consider possible similar health effects of phthalate alternatives used in children's toys and child care articles.

The CPSIA contemplates completion of the CHAP's examination within 18 months of the panel's appointment on April 14, 2010. The CHAP has an additional 6 months to complete

its final report to the Commission. The CHAP must review prior work on phthalates by the Commission, but it is not to be considered determinative because the CHAP's examination must be conducted de novo.

The CHAP must make recommendations to the Commission regarding any phthalates (or combinations of phthalates), in addition to those identified in section 108 of the CPSIA, or phthalate alternatives that the panel determines should be prohibited from use in children's toys or child care articles, or otherwise restricted. The CHAP members were selected by the Commission from scientists nominated by the National Academy of Sciences.

See 15 U.S.C. 2077, 2030(b).

The CHAP met previously in April, July, and December 2010, and in March, July, and November 2011, at the CPSC's offices in Bethesda, MD, and by teleconference in November 2010, September 2011, and December 2011. The CHAP heard testimony from interested parties at the July 2010, and November 2011 meetings. The February 2012 teleconference and public meeting will include discussion of the CHAP's progress in preparing a final report. There will not be any opportunity for public comment during the February 2012 teleconference or the public meeting.

Dated: January _____, 2012.

Todd A. Stevenson

Secretary

Consumer Product Safety Commission