



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

This document has been electronically  
approved and signed.

**BALLOT VOTE SHEET**

March 2, 2011

**TO:** The Commission  
Todd A. Stevenson, Secretary

**THROUGH:** Kenneth R. Hinson, Executive Director  
Cheryl A. Falvey, General Counsel  
Philip L. Chao, Assistant General Counsel

**FROM:** David M. DiMatteo, Attorney, GCRA

**SUBJECT:** Federal Register Notice: Notice of Meeting of Chronic Hazard Advisory Panel on  
Phthalates and Phthalate Substitutes

**Ballot Vote Due:** March 8, 2011

Attached for the Commission's consideration is a draft *Federal Register* notice announcing the fourth meeting of the Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes, to be held on March 30 and 31, 2011.

Please indicate your vote on the attached draft notice.

I. Approve publication of the draft notice in the *Federal Register* without change.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

II. Approve publication of the draft notice in the *Federal Register* with changes.

(Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

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

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

IV. Other.

(Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

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

**Billing Code 6355-01-P**

**CONSUMER PRODUCT SAFETY COMMISSION**

**Notice of Meeting of Chronic Hazard Advisory Panel on Phthalates and Phthalate**

**Substitutes**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The U.S. Consumer Product Safety Commission (“CPSC” or “Commission”) announces the fourth meeting of the Chronic Hazard Advisory Panel (CHAP) on phthalates and phthalate substitutes. The Commission appointed this 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, pursuant to section 108 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) (Public Law 110-314).

**DATES:** The meeting will be held on Wednesday, March 30, 2011, and Thursday, March 31, 2011. The meeting will begin at approximately 8:00 a.m. on both days. It will end at approximately 5:00 p.m. on Wednesday and at approximately 3:00 p.m. on Thursday.

**ADDRESSES:** The meeting will be held in Room 410 at the Commission’s offices at 4330 East West Highway, Bethesda, MD 20814.

**REGISTRATION AND WEBCAST:** Members of the public who wish to attend the meeting may register on the day of the meeting. There will not be any opportunity for public participation at this meeting. A live webcast will not be available. However, the meeting will be recorded and posted on the CPSC’s website.

**FOR FURTHER INFORMATION CONTACT:** Michael Babich, Directorate for Health Sciences, U.S. Consumer Product Safety Commission, Bethesda, MD 20814; telephone (301) 504-7253; email [mbabich@cpsc.gov](mailto: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:

- 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, 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, reviewing 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. The CHAP must review prior work on phthalates by the Commission, but the prior work is not to be considered determinative, as the CHAP's examination must be conducted *de novo*.

The CHAP must make recommendations to the Commission which 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. The CHAP heard testimony from interested parties at the July meeting. The March 2011 meeting will include discussion of the CHAP's progress toward its analysis of potential risks from phthalates and phthalate substitutes. There will not be any opportunity for public comment at the March 30–31 meeting.

**Dated:** March \_\_\_\_\_, 2011.

Todd A. Stevenson,

*Secretary*

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