



November 2, 2016

Chairman Elliot F. Kaye  
U.S. Consumer Product Safety Commission  
4330 East-West Highway  
Bethesda, MD 20814

Dear Chairman Kaye,

We are writing to ask the Consumer Product Safety Commission to finalize its long-pending proposed rule to prohibit certain phthalates in children's toys and child care articles.

Phthalates are chemicals used to soften plastics. Phthalates are known to interfere with hormone production and have been associated with serious reproductive harm and other health effects. Human exposure to phthalates during sensitive periods of development may cause permanent injury.

The Consumer Product Safety Improvement Act banned children's toys and child care articles that contain more than 0.1 percent of any of three different phthalates. The Act also directed the CPSC to convene a Chronic Hazard Advisory Panel (or CHAP) to study the effects of all phthalates and phthalate alternatives in children's toys and child care articles, and to advise the Commission about what further steps are necessary to protect public health. In its final report in July 2014, the CHAP recommended that the Commission ban five additional phthalates in children's products, to ensure a reasonable certainty of no harm to susceptible individuals.

Under the law, the Commission must complete a rulemaking in response to the CHAP's recommendations and decide whether to ban additional phthalates or phthalate alternatives in children's products. The CPSC was required to publish a final rule within 180 days of the CHAP's report, or no later than January 14, 2015.

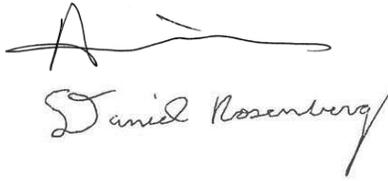
That final rule is now almost two years overdue. The Commission published a proposed rule in late 2014, proposing to follow the CHAP's advice and ban the five specified phthalates in children's products. 79 Fed. Reg. 78324 (Dec. 30, 2014). But the Commission still has not finalized that rule. The Commission's delay is causing ongoing harm, as children continue to be exposed to phthalates that the Commission has now proposed to ban because of the health risks.

We ask you to commit to publishing a final rule within the next 60 days, or by the end of this calendar year. Please respond to this letter no later than November 14, 2016, to let us know the status of the rulemaking. Thank you for your prompt attention.

**NATURAL RESOURCES DEFENSE COUNCIL**

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Sincerely,

A handwritten signature in cursive script, appearing to read "Daniel Rosenberg". The signature is written in black ink on a white background.

Avinash Kar, Senior Attorney  
Daniel Rosenberg, Senior Attorney

Cc: Scott Wolfson, CPSC

