

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062-2000  
202/463-5310

May 8, 2008

The Honorable Daniel K. Inouye  
Chairman  
Committee on Commerce  
Science and Transportation  
United States Senate  
Washington, DC 20510

The Honorable Ted Stevens  
Ranking Member  
Committee on Commerce  
Science and Transportation  
United States Senate  
Washington, DC 20510

The Honorable John D. Dingell  
Chairman  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

The Honorable Joe Barton  
Ranking Member  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Inouye, Ranking Member Stevens, Chairman Dingell, and Ranking Member Barton:

The U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, strongly urges all conferees on H.R. 4040, the "Consumer Product Safety Modernization Act," to oppose the inclusion of any provision which would establish a federal ban on children's products that contain certain chemicals known as phthalates. A federal ban on phthalates was recently adopted as an amendment to S. 2663, the "CPSC Reform Act," as passed by the Senate. The amendment would extend to any toy or product that is intended for the use of children, as that term is defined in the bill, and contains one of six types of phthalates, including the most commonly used phthalate, Diisononyl phthalate (DINP). Such a provision is scientifically unsound and would force manufacturers to use more expensive, less tested alternatives.

Those who support a ban on the use of DINP in any children's product would place DINP within the same category as children's products that contain lead. Although numerous peer-reviewed and widely accepted scientific studies support the conclusion that certain products containing lead pose significant health risks for children, this is not the case for the children's products that contain phthalates.

Numerous scientific studies, including those from the Consumer Product Safety Commission (CPSC) and Centers for Disease Control (CDC), have concluded that the current use of DINP in children's toys is safe. Thus, a federal ban on the use of DINP and other phthalates in children's products would not only be an acceptance of unsound science, but would

also unnecessarily burden manufacturers and consumers. Manufacturers would be forced to use more expensive alternatives that may unfairly subject them to additional safety and legal liability concerns and consumers would be exposed to products containing alternatives that have not been approved for use in children's products by any federal agency.

For all the above reasons, the Chamber urges conferees to oppose the inclusion of a federal phthalate ban in the conference report to H.R. 4040.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being the most prominent parts.

R. Bruce Josten

Cc: The House and Senate Conferees to H.R. 4040