

REGULATIONS TEXT**DIVISION 4.5, TITLE 22, CALIFORNIA CODE OF REGULATIONS
CHAPTER 55. SAFER CONSUMER PRODUCTS
ARTICLE 11. PRIORITY PRODUCTS LIST****Article 11. Priority Products List****§ 69511. General.**

- (a) This article specifies product-chemical combinations listed as Priority Products pursuant to section 69503.5.
- (b) The following product-chemical combinations are listed as Priority Products:
- (1) Children's foam-padded sleeping products containing tris(1,3-dichloro-2-propyl) phosphate (TDCPP) or tris(2-chloroethyl) phosphate (TCEP).

NOTE: Authority cited: Sections 25252, 25253, and 58012, Health and Safety Code.

Reference: Sections 25252 and 25253, Health and Safety Code.

§ 69511.1. Children's Foam-Padded Sleeping Products Containing Tris(1,3-dichloro-2-propyl) Phosphate (TDCPP) or Tris(2-chloroethyl) Phosphate (TCEP).

- (a)(1) Except as otherwise provided in subsection(a)(2) of this section, "children's foam-padded sleeping products containing TDCPP or TCEP" means assembled products designed or intended primarily for children 12 years of age or younger to nap or sleep on. The sub-products include polyurethane foam mats, pads, or pillows containing TDCPP or TCEP which may be covered or upholstered, including:
- (A) Nap mats. Nap mats are portable foam mats.
- (B) Soft-sided portable cribs. Soft-sided portable cribs are framed enclosures with mesh or fabric side panels, floor, and foam pad.
- (C) Play pens. Play pens are framed enclosures with hard or soft sides, floor, and foam pad.
- (D) Play yards or playards. Play yards or playards are portable framed enclosures with a foam pad bottom that may also have an attached bassinets.
- (E) Infant travel beds. Infant travel beds are lightweight portable sleeping accommodations with a foam pad.
- (F) Portable infant sleepers. Portable infant sleepers are portable accommodations with a foam pad that may be easily assembled and disassembled by folding or collapsing the structure.
- (G) Bassinets. Bassinets are small beds or baskets with a foam pad and raised edges designed primarily for infants.
- (H) Nap cots. Nap cots are narrow, elevated bed stands with a foam pad on top of the cot.

- (I) Infant sleep positioners. Infant sleep positioners are mats with side bolsters or wedges used to elevate an infant's head or keep an infant in a desired position while sleeping. The mats, side bolsters, or wedges may contain foam pads.
- (J) Bedside sleepers. Bedside sleepers are framed enclosures with a foam pad that can attach to an adult-sized bed and are designed primarily for babies.
- (K) Co-Sleepers. Co-sleepers are small foam structures placed in an adult-sized bed, designed to keep a baby from shifting in the bed and to allow a baby and adults to nap or sleep together in the same bed; and
- (L) Baby or toddler foam pillows. Baby or toddler foam pillows are foam pillows designed primarily for babies or toddlers.
- (a)(2) Notwithstanding subsection (a)(1), "children's foam-padded sleeping products containing TDCPP or TCEP" does not include:
- (A) Mattresses, mattress pads, or mattress sets as defined by the Consumer Product Safety Commission regulations (title 16 Code of Federal Regulations parts 1632 and 1633).
- (B) Upholstered furniture covered by the requirements of California Technical Bulletin 117-2013; and
- (C) Add-on child restraint systems for use in motor vehicles and aircraft that are required to meet federal flammability standards in title 49 Code of Federal Regulations part 571.302 - Standard No. 302; Flammability of interior materials.
- (b) Candidate Chemicals. For purposes of this chapter, the following Candidate Chemicals are identified as the basis for the product defined in subsection (a)(1) being listed as a Priority Product:
- (1) Tris(1,3-dichloro-2-propyl) phosphate (TDCPP), CAS RN: 13674-87-8; and
- (2) Tri(2-chloroethyl) phosphate (TCEP), CAS RN: 115-96-8.
- (c) Hazard traits associated with TDCPP include:
- (1) Carcinogenicity;
- (2) Genotoxicity;
- (3) Developmental toxicity;
- (4) Reproductive toxicity;
- (5) Endocrine disruption;
- (6) Neurotoxicity;
- (7) Hepatotoxicity;
- (8) Nephrotoxicity;
- (9) Hematotoxicity;
- (10) Ocular toxicity;
- (11) Dermatotoxicity; and
- (12) Acute toxicity.
- (d) Toxicological endpoints associated with exposure to TDCPP include:
- (1) Liver, kidney, and testicular tumors;
- (2) Mutations, chromosomal aberrations, and cell transformation; and
- (3) Thyroid abnormalities.

(e) Hazard traits associated with TCEP include:

- (1) Carcinogenicity
- (2) Genotoxicity
- (3) Reproductive toxicity;
- (4) Neurotoxicity;
- (5) Hepatotoxicity; and
- (6) Nephrotoxicity.

(f) Toxicological endpoints associated with exposure to TCEP include:

- (1) Kidney and thyroid tumors; and
- (2) Mutations, chromosomal aberrations, and cell transformation.

(g) For purposes of this chapter, the Candidate Chemicals identified in subsection (b) are designated as Chemicals of Concern for the product defined in subsection (a)(1).

(h) The Preliminary Alternatives Analysis Report for this Priority Product shall be submitted within 180 days after the effective date of this regulation.

NOTE: Authority cited: Sections 25252, 25253, and 58012, Health and Safety Code.

Reference: Sections 25252 and 25253, Health and Safety Code.