



## **DEPARTMENT OF HEALTH**

### **EXEMPTIONS**

Vermont state law exempts manufacturers from reporting to the Department of Health pursuant to the Chemicals of High Concern in Children's Products Rule under certain circumstances, described below.

#### **Chemical Control Program**

Pursuant to 18 V.S.A. §1775(e), manufacturers are exempt from reporting to the Department of Health chemicals that are present as contaminants if the manufacturer implements a manufacturing control program and exercises due diligence to minimize the presence of the contaminant.

A chemical control program is a program that includes industry best practices for the minimization of a chemical in a children's product. These practices may include, but are not limited to: methods and procedures for meeting relevant federal regulations; International Standards Organization (ISO) requirements; American Society for Testing and Materials (ASTM) International standards; and other widely established certification or standards programs.

Actions demonstrating due diligence in ensuring the effectiveness of a manufacturing control program may include the following: the use and enforcement of contract specifications, procedures to ensure the quality/purity of feedstock (whether raw or recycled), the use and enforcement of contract specifications for manufacturing process parameters (e.g., drying and curing times when relevant to the presence of high priority chemicals in the finished children's product components), periodic testing for the presence and amount of CHCCs, auditing of contractor or supplier manufacturing processes, and other practices reasonably designed to ensure the manufacturer's knowledge of the presence, use, and amount of CHCCs in its children's product components.

#### **Certificate of Compliance**

Pursuant to 18 V.S.A. §1775 (g), a manufacturer may rely on a certificate of compliance from a supplier to qualify for an exemption from the reporting requirements. A certificate of compliance is a document certified by a competent authority stating that the supplied good or service it covers meets the agreed-upon or required specifications. The certificate of compliance would be expected to state that the product or component does or does not contain a chemical of high concern to children.



**DEPARTMENT OF HEALTH**

**CERTIFICATION OF EXEMPTION**

MANUFACTURER OR TRADE ASSOCIATION:

\_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**STATEMENT OF REQUESTOR**

I \_\_\_\_\_ (NAME OF CERTIFYING OFFICIAL) certify that I am the owner/operator, or a senior management official employed by the \_\_\_\_\_ (NAME OF ENTITY) with management responsibility for certifying similar reports under other environmental regulatory requirements.

On behalf of the above referenced entity, I am requesting an exemption from the reporting requirements in the Chemicals of High Concern in Children's Products Rule. I certify that the above referenced entity meets the qualification requirements for the following exemption (check box that applies):

**Chemical Control Program**

**Certificate of Compliance**

**Not subject to reporting requirements**

I do not offer applicable children's products for sale in Vermont.

Supplier(s) already reported on behalf of entity

Supplier(s) are the responsible party and may be subject to reporting ([see Guidance #3](#))

I understand that if my status changes and I no longer meet the requirements for the exemption, I must notify the Department of Health and come into compliance with reporting requirements. I further understand that if the exemption is not applicable and I do not report as required, my case will be referred to the Attorney General's office.



I certify that the information stated by me on this form is true and accurate to the best of my knowledge and that I understand providing false information or omitting information is unlawful and may subject me to civil penalties or other enforcement actions pursuant to 9 V.S.A. Chapter 63.

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_