

3rd Annual Town Hall Meeting
Translating Breast Cancer and Environmental Research into Action

AB 1108
Protecting Children from Toxic Toys
Local and State Victories Lead to a National Campaign

California Assemblywoman Fiona Ma, CPA
Assembly District 12
Majority Whip

Assemblywoman Fiona Ma chronicled the work that led to the passage of AB 1108, which she authored. The landmark legislation was signed into law by Governor Schwarzenegger on October 14, 2007 and made California the first state in the country to ban the use of certain phthalates in children's toys and child care products intended for use by children under the age of three.

Prior to her election to the State Assembly, Ma was a member of the San Francisco Board of Supervisors, which worked under a precautionary principle that says if something is thought to cause harm then consumers and manufacturers should err on the side of caution. Because of that, she was able to write an ordinance banning phthalates that was unanimously passed.

After that, she began to receive calls and letters from the Chamber of Congress, California retailers, toy manufacturers and others who said they would oppose the ordinance and would oppose her election to the State Assembly. Nevertheless, she won her seat and committed to continue her work on some of the issues she had begun to pursue while on the Board of Supervisors, especially that of phthalates.

Her sponsors for AB 1108 were Environment California and Breast Cancer Fund, who recognized that there would be a great deal of opposition to the bill, but who were committed to helping her get it passed. The opponents of the bill hired seven lobbyists from different industries to work against it, which was eye-opening for Ma. The opposition drew upon vast resources to deter its passage.

At the time, the bill included a ban on two chemicals, phthalates and bisphenol A. The first makes plastics softer; the second makes them harder. There was a great deal of scientific evidence concerning the dangers of phthalates, but far less about bisphenol A. Some of Ma's colleagues informed her they wouldn't support the bill if it included bisphenol A. She believes they had been convinced by the lobbyists to take that stand, so she amended the bill to focus exclusively on phthalates.

As the bill was going through the legislative process, it was almost defeated multiple times. Lobbyists worked hard to discredit the research she

presented. They used research that had been sponsored by the industries that opposed the bill. Ma credited passage of the bill to the assistance of Fabio Nuñez in the Assembly and Don Perata in the Senate, Environment California, Breast Cancer Fund, and the pioneering work of her mentor Assemblywoman Wilma Chan. Ma affirmed that without all the advocates and experts who came to Sacramento to testify and without public pressure from around California and from parents in particular, the bill never would have been passed.

Since the passage of AB 1108, 12 other states are looking at passing similar bans and Senator Dianne Feinstein is considering a proposal for a national ban. Assemblywoman Ma is currently sponsoring a bill to ban lead in baby products. She reminded the audience that legislators depend on advocates like the people in the Town Hall Meeting to help pass important laws to ensure public health and safety.