

Clarification on New Verification Process for Chemicals of High Concern to Children (CHCC) Reporting in Maine, Oregon, Vermont, and Washington

PUBLICATION DATE: October 5, 2017

PURPOSE:

To provide clarification on the new verification process for CHCC reporting in Maine, Oregon, Vermont, and Washington, as first announced in an earlier Compliance Notice on September 14, 2017.

GENERAL REQUIREMENTS:

Walmart Product Safety and Compliance has created a new verification process to ensure suppliers are aware of reporting requirements in Maine, Oregon, Vermont, and Washington and have reported if required. The verification process will be administered by third party test labs as part of the pre-production/production/annual testing process, beginning October 1, 2017.

Oregon-Specific Clarifications

Oregon does not require suppliers to report until January 1, 2018. For suppliers going through the verification process before January 1, 2018, please leave the “I confirm I have reported in Oregon” box unchecked.

Maine-Specific Clarifications

Maine only requires reporting of priority chemicals, not CHCC. The link provided in the previous notice misdirected suppliers to Maine’s CHCC list. Please refer to the updated link below for Maine’s priority chemicals list.

General Clarifications

Scope of Products

The verification process applies to all children’s products—both new and current products.

Please note that each state has its specific list of exempted products. Please refer to each state’s program, through the links provided below.

Exempted Products

For products under exemption, please leave unchecked the specific state for which it is exempted. Some products may be exempt in one state and require reporting in another.

Updated Certification Form

In order to provide clarity, the Certification Form has undergone some language changes. Please refer to the sample Form attached below.

Labs Provide Certification Form

Suppliers do not need to download the Certification Form. Labs will provide suppliers with a copy of the Form to be filled out when a product is submitted for pre-production, production, or annual testing.

Program Start Date

All products that go through pre-production/production/annual testing through our third party labs on or after October 1, 2017, will have to undergo the verification process. Suppliers do not need to undergo the verification process until the next time their product requires testing (either pre-production/production testing for a new product, or an annual retesting for current products).

Regardless of when suppliers undergo the verification process, it is Walmart's policy that suppliers comply with state reporting requirements in between each verification.

No Testing Requirements

Walmart does not require suppliers to do any additional testing. The new verification process merely serves as a process through which Walmart confirms/verifies that our suppliers are complying with existing state law and reporting as required.

Certification Form (Product-Specific Information) vs Proof of Reporting (Blanket Confirmation)

Suppliers will complete the Certification Form based on product-specific information on each children's product as it undergoes testing. Where the product is reportable under state law, suppliers will then submit a proof of reporting—usually an email/screenshot confirmation from the states. The same email/screenshot confirmation may be used for multiple products if the supplier has included more than one reportable product in the state report.

Proof of Reporting

Walmart does not require our suppliers to provide actual reporting document/information submitted to the states. For proof of reporting, we only require suppliers to provide an email/screenshot confirmation from the states indicating that reporting has been submitted.

Maine adopts an e-mailing system where suppliers submit reports through e-mail attachments. For proof of reporting in Maine, suppliers may either (i) provide our third party labs with a printout of the email sent to Maine (without the attachments); or (ii) forward to our third party labs the email sent to Maine (without the attachments).

Note that each state uses different terms to describe the reportable chemicals. Walmart uses "reportable chemicals" or "CHCC" as a collective term to refer to these chemicals regardless of state terminology.

Updated Link

The state links have been updated. Please see below:

- For more information on Maine's program, please click on the following links: [Reportable chemical list](#) and [Reporting information](#).
- For more information on Oregon's program, please click on the following links: [Reportable chemical list](#) and [Reporting information](#).
- For more information on Vermont's program, please click on the following links: [Reportable chemical list](#) and [Reporting information](#).
- For more information on Washington's program, please click on the following links: [Reportable chemical list](#) and [Reporting information](#).

DISCLAIMER:

Walmart does not provide legal advice to suppliers, so suppliers should seek their own legal counsel on how to comply with all laws and regulations applicable to their product.

QUESTIONS OR COMMENTS:

For questions about compliance with the verification process, e-mail PSCreport@walmart.com.



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Compliance Certification Form for CHCC Reporting (Interactive Form)

Background information:

The state laws of Maine, Oregon, Vermont, and Washington require suppliers of children's products to report if their products contain certain chemicals of concern beyond a specified limit.

Please note that the states adopt different terminology in describing the reportable chemicals. Walmart uses the term "CHCC" or "reportable chemicals" as a generic term to describe all such chemicals regardless of state terminology.

Does your product contain a reportable chemical for Oregon, Vermont and Washington?

- For Oregon's reportable chemical list, please visit [link](#).
- For Vermont's reportable chemical list, please visit [link](#).
- For Washington's reportable chemical list, please visit [link](#).

- No
- Yes

Does the product contain a reportable chemical at a concentration level of 100 parts per million or greater?

AND/ OR

Does the product contain intentionally added reportable chemical at a level above the Practical Quantification Limit (PQL)?

- No
- Yes

For reporting in Oregon, please visit [link](#).
For reporting in Vermont, please visit [link](#).
For reporting in Washington, please visit [link](#).

- I confirm I have reported in Oregon
- I confirm I have reported in Vermont
- I confirm I have reported in Washington

If verification is done prior to Jan 1, 2018, please leave Oregon unchecked.

If product is exempted from reporting in a state, please leave that particular state unchecked.

Does your product contain a reportable chemical for Maine?

- For Maine's reportable chemical list, please visit [link](#).

- No
- Yes

Does the product contain a reportable chemical at a concentration level of 100 parts per million or greater?

AND/ OR

Does the product contain intentionally added reportable chemical at a level above the Practical Quantification Limit (PQL)?

- No
- Yes

For reporting in Maine, please visit [link](#).

I confirm I have reported in Maine.

If product is exempted from reporting in Maine, please leave box unchecked.

On behalf of the named Company below, the undersigned hereby certifies compliance with all applicable laws and regulations governing the Chemicals of High Concern for Children for the states of Maine, Oregon, Vermont, and Washington. The Company agrees to promptly provide substantiating evidence for all such claims to Walmart upon request.

Officer's Printed Name [Must be an officer of the company]

Officer's Signature

Officer's Title

Date

Company