



american cleaning institute®  
for better living

March 11, 2013

Ms. Carol Kraege  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600  
(Via e-mail: [carol.kraege@ecy.wa.gov](mailto:carol.kraege@ecy.wa.gov))

**Re: ACI comments on white paper on *Toxics Policy Reform for Washington State***

Dear Ms. Kraege:

The American Cleaning Institute (ACI)<sup>1</sup> appreciates this opportunity to provide comments on the white paper from the Washington Department of Ecology (DOE) Toxics Reduction Strategy Workgroup entitled *Toxics Policy Reform for Washington State*.

While a strategy to address toxics policy is a good idea, the resultant white paper is a real missed opportunity for the state. The Strategy includes a number of ideas that seem hard to criticize however it suffers from vagaries and lack of focus on measureable public health outcomes. For example, the Strategy puts an emphasis on “safer” chemicals however there are no safe/unsafe chemicals but safe/unsafe chemical uses. The Strategy leaves the impression that the market place is rife with toxic hazards that are decimating our population. While it would be disingenuous to imply that there are no risks from chemicals in products, the fact remains that chemical uses are largely safe and part of the reason is that manufacturers have significant incentives to market safe products by virtue of liberal liability laws in the US. Once any product on the market is perceived as unsafe, challenges to those products from personal injury lawyers, whether warranted or not, are quite common and the best defense for manufacturers is to avoid those liabilities before law suits are filed.

The vagaries surrounding the use of the term “toxic” in the Strategy is a major flaw as well. In the absence of a definition, the term will mean different things to different people. How does DOE define “toxic” for the purposes of the Strategy? This is important because every chemical has some toxicity, and one could find themselves in an infinite loop of searching for “safer” chemistries with little or no benefit to consumers or manufacturers. While continuous

---

<sup>1</sup> ACI is the trade association representing the \$30 billion U.S. cleaning products market, with about \$3 billion associated with business in the State of California. ACI members include the formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and oleochemical producers. ACI and its members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. ACI’s mission is to support the sustainability of the cleaning product and oleochemical industries through research, education, outreach and science-based advocacy.

Ms. Kraege, Washington DOE  
March 11, 2013  
Page 2 of 2

improvement is a hallmark of forward-thinking organizations, excessive analysis can be paralyzing and counter-productive.

The Strategy also includes several misconceptions and ill-conceived recommendations that reflect the haste and lack of stakeholder involvement associated in its development. For example, the report cites research from the BlueGreen Institute which claims there could be significant benefits by shifting plastics production from petrochemical-based feedstocks to bio-based feedstocks (p. 13). However, the reality today is that those producers of bio-based materials are competing for foods as a feedstock and driving up the costs of food to the point that those with low incomes, especially in developing countries are suffering.<sup>2</sup> Likewise, the Strategy proposes a label based on safer ingredients (p. 17). Currently, there are more than 80 product Ecolabels used in the US and more than 500 used throughout Asia, Europe and North America. So, the potential impact of such an initiative is quite small.

The Strategy seems more focused on justifying particular initiatives rather than assuming a truly strategic approach. We noticed a similar pattern this fall when we commented on the *Roadmap for Advancing Green Chemistry in Washington State* from the Department of Ecology and Department of Commerce (enclosed).

The Strategy should identify particular human health and environmental outcomes that are important to the state; it should establish the metrics by which those outcomes would be evaluated; it should establish the baseline for those metrics; then it should work toward improving the measures of those metrics and demonstrating that the desired outcomes are being achieved, and those outcomes should be integrated with all public health priorities within the state. That would be a true strategy that the citizens of Washington State and numerous external stakeholders could support.

If you have any question regarding our submission, please feel free to contact me by phone at 202-662-2516 or by e-mail at [pdeleo@cleaninginstitute.org](mailto:pdeleo@cleaninginstitute.org).

Sincerely,



Paul C. DeLeo, Ph.D.  
Senior Director, Environmental Safety

Enclosure

---

<sup>2</sup> Elisabeth Rosenthal. As Biofuel Demand Grows, So Do Guatemala's Hunger Pangs. The New York Times. 2013 January 5.



american cleaning institute®  
for better living

September 30, 2012

Mr. Ken Zarker, Manager  
Pollution Prevention and Regulatory Assistance  
Washington State Department of Ecology  
Olympia, WA  
(via e-mail: [ken.zarker@ecy.wa.gov](mailto:ken.zarker@ecy.wa.gov))

**Re: ACI comments to *A Roadmap for Advancing Green Chemistry in Washington State***

The American Cleaning Institute (ACI) appreciates this opportunity to provide comments on *A Roadmap for Advancing Green Chemistry in Washington State* from the Washington State Department of Ecology (DOE) and Department of Commerce.

ACI is the trade association representing the \$30 billion U.S. cleaning products market. ACI members include the formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and oleochemical producers. ACI and its members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. ACI's mission is to support the sustainability of the cleaning product and oleochemical industries through research, education, outreach and science-based advocacy. As such, we provide the following comments on the Roadmap.

The Roadmap for Advancing Green Chemistry in Washington State describes a series of recommendations to be implemented over three biennia covering 2012-2017. While each recommendation may prove to be successful, the document as a whole lacks an over-arching vision, goals and strategy that would make the document a coherent plan to implement. The Roadmap notes that the state is focused on creating awareness and building capacity for green chemistry however it does not indicate *to what end?*

ACI recommends that the state clearly articulate its vision, strategy and goals for the Roadmap. Each recommendation should have clear metrics associated with it so that one may determine whether success has been achieved in its implementation and in advancing the stated goals. For example, Recommendation 1 would fund and establish a Green Chemistry Center in Washington State. Citizens have the right to expect that there will be a return on this investment both in increased economic output and reduced environmental impacts which are a direct result of the work of this center. Success of this center should be measured based on this return on investment and actionable research results leading to product innovations that improve human and environmental health.

ACI recommends that objective measures be identified for each recommendation so that it is clear when implementation has been successful.

ACI recommends that each recommendation have an established timetable for achieving success. The recommendations should be discrete in their scope and achievable within a reasonable time. As written, many of the recommendations are open-ended and amorphous in scope.

Finally, ACI recommends that the state more clearly consider the financial scope of the various recommendations, where other reliable funding sources may be and to what extent those sources might contribute. There are several recommendations to pursue government funding however those sources might not be reliable. In April of this year, the US Environmental Protection Agency cancelled \$20 million in Green Chemistry Research Funding. The scope of the programs among all of the recommendations should be well within the available reliable funding sources.

It appears that the state's goals are to improve environmental quality by reducing the footprint of residents' consumption while maintaining quality of life, and to improve economic growth and sustainability in the state. It is through the lens of the goals that one may evaluate whether the recommendations are appropriate.

It appears that most of the recommendations are focused on improving the sustainability of the economy in Washington State with a likely secondary benefit of improving environmental quality (Recommendations 1, 2, 4, 5, 6 and 7). The state should evaluate economic sectors that are likely beneficiaries of such endeavors to better understand where opportunities may lie. The state may well be interested in establishing a leadership position in emerging technological areas however this seems highly speculative and not likely to bear fruit within the six-year timeframe of the document.

Recommendation 3 appears to be primarily focused on an improved consumer footprint through the promotion of safer chemicals and product innovation. While seeming like a good idea, the recommendation lacks sufficient detail to measure whether implementation of the proposed actions would result in success. First, there is a focus on alternatives assessment and replacement of chemicals of concern in products. The Department of Ecology has already identified more than 60 chemicals of high concern (CHCs) under the Children's Safe Products Act. There is a belief by DOE that removal of these CHCs from children's products will lead to improved health outcomes among children and presumably lower environmental impacts. The state selected the CHCs in a manner that did not demonstrate that these chemicals were the source of human disease or environmental stress in the first place. Consequently, the state does not have the means to evaluate whether the effort expended under the Roadmap would improve human or environmental health.

Recommendation 3.3 would have DOE assist businesses in evaluating their products. DOE has no experience with product manufacturing and is not likely to be a suitable resource for manufacturers in the state.

Recommendation 3.4 would have DOE and the Department of Enterprise Services (DES) lead state procurement of safer products. Unfortunately, most products with a “green” certification cannot be shown to be safer or more environmentally friendly. As such, it is not clear that such certified products are a good value for the state. While there has been some degree of growth in “green” products recently, there is a large degree of skepticism among consumers regarding the veracity of claims and the overall benefit to the environment. The state should focus on obtaining the best value for the citizens of the state and select products which are appropriate for the task at hand based on clear performance attributes.

ACI would like to express, once again, its appreciation in being able to comment on the Roadmap for Advancing Green Chemistry in Washington State. If you have any question regarding our submission, please feel free to contact me by phone at 202-662-2516 or by e-mail at [pdeleo@cleaninginstitute.org](mailto:pdeleo@cleaninginstitute.org).

Sincerely,

A handwritten signature in black ink that reads "Paul C. DeLeo". The signature is written in a cursive, flowing style.

Paul C. DeLeo, Ph.D.  
Senior Director, Environmental Safety