



Representing Household & Institutional Products

Aerosol - Air Care - Cleaners - Polishes
Automotive Care - Antimicrobial - Pest Management

March 11, 2013

Via E-Mail: carol.kraege@ecy.wa.gov

Carol Kraege
Department of Ecology
P.O. Box 47600, Olympia
WA 98504-7600

Re: Washington Toxics Reduction Strategies Workgroup White Paper – “Toxic Policy Reform for Washington State”

Dear Ms. Kraege:

The Consumer Specialty Products Association (CSPA) appreciates the opportunity to review and provide comments on the white paper “Toxic Policy Reform for Washington State.”

CSPA is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$80 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. CSPA member companies employ hundreds of thousands of people globally. Products CSPA represents include disinfectants that kill germs in homes, hospitals and restaurants; candles, and fragrances and air fresheners that eliminate odors; pest management products for home, garden and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

CSPA members are committed to manufacturing and marketing safe products that are protective of human health and the environment while providing essential benefits to consumers. CSPA and our members support the broad goals of green chemistry and will continue to work with the Department of Ecology and other stakeholders in the state to help spur green chemical innovation and ensure that products are safe. The consumer products industry is an active partner with state regulators and the public in implementing both statutory and voluntary programs to protect and improve public health and the environment.

The Toxic Substances Control Act (TSCA) should be updated to recognize changes in science and technology and help improve public confidence and trust in the safety of chemicals used in everyday products. Ensuring the safety of products - while maintaining the confidence of consumers - is the single most important goal of the household and institutional products industry. Product safety is

the foundation of consumer trust, and our industry devotes enormous resources to ensure both the safety and safe use of our products.

We offer the following specific review of the white paper recommendations and urge task force members and the Department of Ecology to embrace the baseline consideration for approaching these policy issues: Protection of the public should be based upon risk, the presence of actual hazard, and concerns for routes of significant exposure for the hazard.

Recommendation 1

Defining "environmentally preferable" products and procurement are complex issues that should be based on thorough review of existing science, and should take into account both the benefits and environmental impact of consumer and commercial products. Factors such as product safety, efficacy, availability and cost must be given appropriate weight when examining the environmental characteristics of any particular product.

Recommendations 2 & 3

CSPA urges Washington State policymakers to insist chemicals under consideration for regulation should be identified using risk-based scientific foundations with prioritization based upon exposure and hazard while supporting the engagement of stakeholders throughout process.

Recommendation 4

We agree Washington State can be a leader in promoting and encouraging "green chemistry" through positive incentives. Green chemistry programs should provide motivation such as recognition and grants to encourage competition and innovation. Incentives should be accessible to all companies that produce products within a specific market. Green chemistry policies should reduce barriers to commercial application of green chemistry research and development efforts, recognize significant advancements in sustainability, and identify potential opportunities to further the application of green chemistry in particular products or processes.

Recommendation 5

Consumers recognize that the products made by our members provide numerous benefits, and there is a desire to have more information available to assist consumers with their purchasing decisions. Information is available and easily accessible on many corporate websites for consumers interested in learning more about product ingredients, product safety programs and environmental stewardship commitments. CSPA members are committed to ensuring the health and safety of consumers and take this core responsibility very seriously when determining which information is most helpful to make available on product labels and websites.

CSPA member companies, working with other industry trade organizations, developed a voluntary consumer product ingredient communications initiative for four consumer product categories—air care products, automotive care products, cleaning products, and polish and floor maintenance products. Participating companies list product ingredients on the product label; on the

manufacturers', distributors', or importers' website; via a toll-free telephone number; or through some other non-electronic means.

These products sold in the U.S. are regulated under the current system of risk evaluation and risk-based labeling through the Federal Hazardous Substances Act (FHSA) and administered by the U.S. Consumer Product Safety Commission. Through the FHSA regulations, the point of purchase label informs consumers about the potential hazards, product ingredients contributing to those hazards, appropriate handling and storage, applicable first aid information, and how to minimize risks to children. CSPA encourages Washington State policymakers to recognize and support such industry-led communication programs which provide critical information to consumers.

Recommendation 11

Biomonitoring can be a powerful policy tool when analyzed correctly. However, there are limitations on what biomonitoring data can confirm. Exposure to a chemical does not inherently cause an impact upon human health but rather is dependent upon the amount and duration of exposure as well as the intrinsic hazard of the chemical. Data gathered from biomonitoring cannot confirm the source of an exposure nor how long the substance has been present in a body. CSPA supports the appropriate use of biomonitoring to understand the extent to which people have been exposed to particular substances and to provide guidance for additional research into the relationship between environmental substances and the human body.

CSPA also supports the Centers for Disease Control and Prevention (CDC) biomonitoring efforts. CSPA opposes the use of biomonitoring data to justify restrictions on chemicals or products when such restrictions are not based on a proper risk assessment. CSPA also has concerns that state biomonitoring programs would unnecessarily duplicate ongoing federal programs. Therefore, CSPA urges Washington State to ensure they do not duplicate current efforts by the CDC or the federal government in any consideration of a biomonitoring program.

Summary and Conclusions

CSPA welcomes the opportunity to comment on the white paper. Moving the principles of green chemistry forward will require the best efforts of all stakeholders - including legislative and regulatory, academia, industry and the public – to spur innovations. Green chemistry programs must ensure that products remain technologically and commercially feasible to produce. Programs must ensure that product efficacy is not undermined by subsequent regulation. CSPA supports programs that encourage resource pooling and build on existing statutory and regulatory structures, voluntary initiatives, and data development efforts.

We agree with the conclusion stated in the white paper cover letter – “It is clear there is not a one-size fits-all solution.” CSPA thinks a patchwork of state programs places a heavy burden on manufacturers without a guarantee of meaningful improvement in public health. For these reasons, CSPA encourages Washington State to urge the adoption of TSCA reform at the federal level. CSPA and our member companies will continue to promote risk based programs based on sound science to protect public health and the environment.

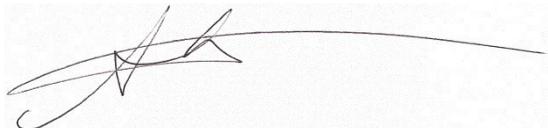
Ms. Carol Kraege

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Please contact Steve Bennett at (202) 833-7330 or sbennett@cspa.org or Kristin Power at (916) 838-3587 or kpower@cspa.org if you have questions regarding our comments.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Bennett", with a long horizontal flourish extending to the right.

Steven Bennett, Ph.D.
Director, Scientific Affairs

A handwritten signature in black ink, appearing to be "Kristin Power", written in a cursive style.

Kristin Power
Director, State Affairs – West Region