

Washington Toxics Reduction Strategy Group – Mtg #3

Draft Ideas about Labeling and Information for Consumers –11/15/2012

This document contains a working draft of ideas the TRS group has raised about labeling and information sharing opportunities and approaches to reduce exposures to toxics and related discussion questions.

Overarching Observations

- Effective labeling and information sharing can encourage consumers to protect themselves from potentially harmful toxic chemicals and, through their actions, to influence producers' and manufacturers' behaviors.
- It is difficult to craft effective labeling and information programs: ones that do not require consumers to become chemists to understand the labeling information and that provide specific, relevant, actionable information that consumers will pay attention and respond to.
- There are currently a variety of green labels, and there is confusion about what labels mean and how to rely on them. In addition, many of these labels do not address chemical ingredients or toxicity.
- Labels represent product claims and, as such, are governed by the Federal Trade Commission (FTC). The FTC has just published new Green Guides for environmental claims. To offer or use a label, there has to be substantiation that the label is backed up by facts and data, not just opinion.

Ideas for Discussion

A. A Positive Label – NW Safe

- A voluntary labeling program designed to give participating products market advantage.
- A four-part label that would address:
 - Toxicity. Certification could be of lower toxicity than comparable products. Defining "safe" is a quagmire, but it is relatively easy to demonstrate that a product has lower toxicity or that is using a safer alternative;
 - Impact on marine ecosystems. This would address impacts during production and use, such as paper bags over plastic bags (use), or a facility that emits lower pollutants than its permit, or the industry standard (production);
 - Impacts at end of life. Certification could be of less waste at end of life than comparable products and address recyclability and reuse potential and situations where the producer takes back the product;
 - Energy. Certification would be for products that use renewable or recycled materials as a feedstock to produce, or that can demonstrate that they are more energy efficient than comparable products.
- Manufacturers / producers / retailers seeking the label would submit information to some entity or organization to demonstrate their label claims.
- The person or organization seeking the label would provide some funding to cover costs of review and verification of the information.

- The program would be supported by a research / evidence-based assessment of what type and form of label and label features work best for consumers
- The launch of a robust marketing, public education, and outreach effort would accompany the program. Funding is an obstacle for this, but it is necessary.
- Could be at the state or at the regional (NW?) level.
- Could build on an existing labeling program.
 - Could a large producer or retailer, such as Wal-Mart, be convinced to incorporate consideration of toxics into their sustainability programs?
 - Other?
- Could start with and/or provide start-up funding for evaluation of key or high-priority products.

Discussion questions:

1. What factors might a positive “NW safe” label consider? (Four potential factors are described above.)
2. What would it take to make a label truly influential on consumer behavior (e.g., not require advanced chemical knowledge to understand the label; like EnergyStar).
3. What would incentivize other states to participate in a labeling effort to make the label truly regional?
4. Who should be the verification organization/actor? Or should it be a partnership?
5. Are there existing state/regional labeling programs that could provide a firm foundation for such a label? For example:
 - a. Salmon-Safe certification for vineyards & farms, <http://www.salmonsafe.org/> (non-profit model)
 - b. EnviroStars (<http://envirostars.org/>) for services/businesses (government model).
6. Are there particular industries and/or products for which this type of labeling approach would work best?
7. Is it better to establish a new label altogether, or approach Fortune 100 companies to incorporate toxics into their sustainability programs, or approach established labeling programs to incorporate toxics into their certification?
8. Can the state marshal sustained interest and investment in a labeling program?
9. What would be the first step in implementing such an approach?

B. A Targeted Education Program Starting with PBTs

- As directed by the PBT regulation (WAC 173-333), Ecology has selected the “worst of the worst” persistent, bioaccumulative and toxic chemicals, used a structured process to understand sources and release mechanisms into the environment, and developed chemical action plans that detail the opportunities to control or reduce releases.
- Plans have been completed for mercury, PAHs, PBDEs, lead, and PCBs are next up.
- The analyses show there are significant contributions from consumer products, individual behaviors and general societal action/behaviors. These source contributions generally are not subject to regulatory oversight or control, and have not received a lot of concerted public notice or attention.
- A targeted education campaign could:
 - Explains that PBTs are especially bad
 - Describe how they are released to the environment and routes of exposure
 - List specific individual actions that can be implemented to reduce releases / exposures.

- Encourage individual actions such as people not doing something they used to do, change purchasing decisions, or other activities.
- Ecology or other government agencies should look for partners to tell the story in the education campaign.
- As a complement to education efforts around existing chemical action plans, we could accelerate additional PBT Chemical Action Plan activity. This would involve working through the next round of priority chemicals, involving stakeholders, developing the plans, and then communicating to the public.

Discussion questions:

1. Are the actions that consumers would need to take to reduce releases / exposures clear and supported in the chemical action plans or is more work needed to solidify them?
2. What would it take to develop an education plan that would truly influence behavior and result in reduced exposures?
3. Who should be the education actor? Ecology? A partnership with schools, health care, other? An outside institution or NGO?
4. Can the state marshal sustained interest and investment in education around PBT chemical action plans and accelerating chemical action plan activities?
5. What would be the first step in implementation of such an approach?