IC2 Disclosure & Safer Chemicals Initiatives

May 2018
Outline

- Chemical Use Disclosure – Children’s Products & Cleaning Products
- Emerging Contaminants
- Alternatives Assessment (AA) Coordination
Why Use Disclosure?

- Implement state reporting requirements
- Identify the universe that may have to comply with other requirements – i.e., labeling, phase-outs
- Help to address consumers’ demand for “greener” products
- Promote transparency & right-to-know
- Level playing field for making informed purchasing decisions – consumers & government
- Help inform policy makers
More on Why?

- Promote sustainability efforts across supply chains
  - Understand universe of products & functions of chemicals & help with assessing alternatives
  - Identify AA & green chemistry R & D opportunities
  - Improve end-of-life management

- “Focus attention on those chemicals where the greatest opportunities for improvement exist” – WA Ecology
California – Safer Consumer Products (2013); disclosure of chemical use in cleaning products (2017)

Maine – Chemicals in Children’s Products (2008)

New York – Chemical use in cleaning products (1970s)

Oregon – Toxic Disclosure for Healthy Kids Act (SB 478) (Oregon Laws 2015, chapter 786)

Vermont – Act Relating to the Regulation of Toxic Substances (Act 188) (2014)


OR, WA, VT: ~66 CHCC
Multiple State Models for Disclosure

- Single priority chemical; universe of products using that chemical; company disclosure to multiple states (IMERC)

- Multiple priority chemicals; subset of products using those chemicals; company disclosure to single state (WA Ecology)

- Group of products; all chemical ingredients; company disclosure via website (NYS DEC)
Children’s Product Ingredient Disclosure

Washington’s Reporting System
https://ecology.wa.gov/Regulations-Permits/Reporting-requirements/Reporting-for-Childrens-Safe-Products-Act

~700 companies are registered to use the CSPA Reporting Application, with ~300 companies submitting reports. Database contains ~9,300 reports comprising ~55,000 records of Chemicals of High Concern to Child (CHCC) in children’s products.

Vermont’s Reporting System
http://www.healthvermont.gov/environment/children/chemical-disclosure-program-childrens-products-manufacturers

~100 manufacturers have submitted >700 reports of CHCCs in children’s products.
### Search data on children's products:

The Children's Safe Product Act requires manufacturers to provide notice to the agency if their product contains certain chemicals. [Learn more >](#)

<table>
<thead>
<tr>
<th>Chemical Search</th>
<th>Company Search</th>
<th>Product Search</th>
<th>Predefined Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Search by chemical CAS Number</strong></td>
<td><strong>Search by company</strong></td>
<td><strong>Search by product brick code</strong></td>
<td><strong>Report of All Data</strong></td>
</tr>
<tr>
<td>Chemical Abstracts Service (CAS) Number. <a href="#">more &gt;</a></td>
<td>Search by company name.</td>
<td>A brick code is an international product classification. <a href="#">more &gt;</a></td>
<td></td>
</tr>
<tr>
<td><strong>Search by chemical name</strong></td>
<td></td>
<td><strong>Search by product brick description</strong></td>
<td></td>
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<tr>
<td>Examples: cadmium, mercury, toluene, etc.</td>
<td></td>
<td>Examples: car seat, doll, hair care, etc.</td>
<td></td>
</tr>
<tr>
<td><strong>Search by chemical function name</strong></td>
<td></td>
<td><strong>Search by product component name</strong></td>
<td></td>
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<tr>
<td>Examples: plasticizer, softener, coating, etc.</td>
<td></td>
<td>Examples: metals, textiles, etc.</td>
<td></td>
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</tbody>
</table>
What is Disclosed?

- The name of the chemical & its CAS registry number
- The Global Product Classification (GPC) product brick description
- The product component containing the chemical
- The amount of the chemical contained in each unit of the product or product component, reported by weight; concentration in ppm should be in the product component, not in the final children’s product
- The name & address of the manufacturer of the children’s product & the name, address, & telephone number of a contact person
- The function of the chemical in the product
- Brand name & product model (Vermont)
Brand name is typically the name affixed to the product.

Product model may be the description associated with the UPC number, the actual UPC number, or both the number & the description together.

Both the brand name & product model must be descriptive enough so that the product can be easily located, online or in a store.

Brand name & product model are determined by the manufacturer or responsible party, such as the supplier or retailer, prior to placing the item into the stream of commerce.

If a product is solid without a brand name &/or product model, reporter must provide a description of the product model beyond the brick level; a brick description has insufficient information for consumers to make retail choices.

If a product is offered for sale in different sizes or variations, the individual variations may need to be reported separately if the concentration of the chemical within the component is significantly different.
Multi-State Approach

- Significant scale of collecting information on chemicals in a wide array of products from 100s of multi-national manufacturers makes implementation of these state-based reporting programs challenging for the states & the regulated community.

- Advantages of a central system:
  - Greater efficiency & cost effectiveness for state agencies
  - Decreased reporting burden & better services for the regulated universe
  - Increased opportunities for interstate involvement in data analysis & presentation
  - Improved access for federal, state, & non-governmental stakeholders to robust data
  - Coordinated sharing of information with the public
An association of 13 state & local government agencies that promotes a clean environment, healthy communities, & vital economy through the development & use of safer chemicals & products

13 Supporting Members – NGOs, companies, researchers, & others

Goals:

Avoid duplication & enhance efficiency & effectiveness of agency initiatives on chemicals through collaboration & coordination

Build governmental capacity to identify & promote safer chemicals & products

Ensure that agencies, businesses, & the public have ready access to high-quality & authoritative chemicals data, information, & assessment methods.

Program of the Northeast Waste Management Officials’ Assoc. (NEWMOA)
Implemented an interim spreadsheet-based reporting solution – starting in January 2018

Long term: Oregon Health Authority (OHA) decided to support a multi-state approach to development of an online data system

Partnered with IC2 & WA Department of Ecology on a funding application to EPA in 2016

Finalized contract with IC2 in 2018

Data system development actively underway

Issued RFP for IT support & reviewing proposals
NYS Program

- NY Ingredient disclosure law & regs enacted in 1970s
- NYS Green Cleaning Law enacted 2005; effective 2006
- EO 4, Green Procurement & Agency Sustainability, signed 2008, continued 2011
- Multi-year effort to develop final rules/guidelines – not yet finished
Goals

☀ Provide useful information to New Yorkers

☀ Avoid compromising confidential business information

☀ Allow for easy access, synthesis, & analysis

☀ Minimize burden on manufacturers
Disclosure

- Household & institutional/commercial cleaners
- CAS #, name (where not CBI)
- Content by weight (in ranges)
- Presence on lists of chemicals of concern
- Whether an ingredient is nanoscale
- Role (i.e., function in the product)
- Information regarding effects on human health & the environment
Issues

- Uniform categories of products
- Trace ingredients
- Fragrances
- Lists of chemicals of concern
- Company websites vs. centralized database
- Format for reporting
IC2 Role

- Support NYS DEC efforts to implement requirements
- Develop an online portal for compliance certification by manufacturers
- Manage information on website URLs for accessing manufacturers’ information
- Support data analysis & presentation
- Support State compliance efforts
CA Cleaning Products Law

- Modeled on New York State’s draft regulations
- Requires manufacturers to disclose on product labels & websites
- Label must indicate presence of allergens in product
- Intentionally-added ingredients & fragrances above 100 ppm disclosed online
- 34 of worst hazardous contaminants must be disclosed online down to certain limits
- 5-year grace period, then disclose all CA Prop 65 chemicals
- Disclosure of ingredients in disinfectants
- Limited CBI
Emerging Contaminant

- PFAS
- Many communities with drinking water contamination
- Extremely persistent
- Numerous uses – consumer products, industrial applications, & firefighting foams
- Scientific uncertainties & debate about safe level/environmental standards
- Lacking standardized/approved laboratory tests, except for drinking water
- Growing body of evidence on health impacts
IC2’s AA Coordination

- Long-standing AA Workgroup
- Developed AA Guide
- IC2 / P2I collaborating on pre-AA scoping of alternatives to AFFF as first step in AA
- Supporting development of an U.S. AA community of practice & experts network
- Interest in safer alternatives to use of PFAS chemicals in compostable food-ware
IC2’s Other Projects

- States’ Chemicals of Concern Database
- Chemical Hazard Assessment Database
- State Chemicals Policy Database
- Alternatives Assessment Library
- Webinars

www.theic2.org
Welcome to the Interstate Chemicals Clearinghouse (IC2)

The Interstate Chemicals Clearinghouse (IC2) is an association of state, local, and tribal governments that promotes a clean environment, healthy communities, and a vital economy through the development and use of safer chemicals and products.
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