



**WRITTEN TESTIMONY
ON BEHALF OF THE
CONSUMER SPECIALTY PRODUCTS ASSOCIATION,
GROCERY MANUFACTURERS ASSOCIATION,
AND THE SOAP AND DETERGENT ASSOCIATION
BEFORE THE SENATE SUBCOMMITTEE ON SUPERFUND, TOXICS AND
ENVIRONMENTAL HEALTH**

The Consumer Specialty Products Association (CSPA), the Grocery Manufacturers Association (GMA), and the Soap and Detergent Association (SDA), appreciate the opportunity to submit written comments to the Senate Subcommittee on Superfund, Toxics and Environmental Health in connection with its March 9, 2010 hearing entitled *Business Perspectives on Reforming U.S. Chemical Safety Laws*. These three organizations primarily represent the processors and users of chemical substances, which they formulate into a broad array of consumer products.

Modernization of the Toxic Substances Control Act is a Widely Supported Public Policy Goal

CSPA, GMA and SDA, as well as their members companies, such as Honeywell International Inc., McLaughlin Gormley King Company, Reckitt Benckiser, S.C. Johnson & Son, Inc., and The Procter & Gamble Company support the development and implementation of a “gold standard” in the United States for chemical management policy and look forward to working on this very important issue with Senators Lautenberg, Inhofe, Boxer and all the other members of the Subcommittee.

The members of CSPA, GMA and SDA are committed to manufacturing and marketing safe and innovative products that provide essential benefits, including important public health benefits, to consumers while protecting human health and the environment. Product safety is at the very foundation of consumer trust. The consumer products industry devotes significant resources to achieving this goal. To that end, we support modernization of TSCA and continue to urge Congress to establish a stakeholder process to develop the most comprehensive chemicals management policy in the world. All stakeholders - Congress, regulators, downstream users, raw material suppliers, retailers, environmental, consumer, animal welfare, and labor groups - should work together to develop sound public policy on this complex issue. A stakeholder process would help ensure the development of public policy where EPA has the resources and the proper authority to boost public confidence in the federal government’s chemical review and

management regime, and keep the U.S. in an enhanced position to lead the world in innovation.

Modernization Building Blocks Enhance Public Confidence, Innovation and Support Jobs

Among the issues we believe should be addressed by stakeholders in any effort to modernize TSCA include:

- 1) **Promote Innovation** – TSCA reform should boost confidence in government chemical management and promote even greater innovation by chemical manufacturers and users.
- 2) **Review Priority Chemicals** – EPA should establish a system to quickly identify and review “priority” chemicals based upon both hazard characteristics and exposures, including exposures to children.
- 3) **Provide Adequate Use, Exposure and Toxicity Information** – EPA should work with chemical manufacturers and users to ensure that EPA has timely and adequate information of chemical hazards, exposures and uses, including uses in children’s products.
- 4) **Update the Safety Standard** – EPA should establish a risk-based methodology to determine whether a “priority” chemical is reasonably expected to be safe for its intended use. Safety determinations should consider the effects of exposure to children and other sensitive populations.
- 5) **Clarify Risk Management Tools** – EPA should have clearer risk-based authorities to specify risk management measures that will ensure that chemicals of concern are reasonably expected to be safe for their intended uses.
- 6) **Leverage and Integrate Chemical Reviews** – Policymakers should take steps to leverage the chemical management programs undertaken by other nations and to integrate the patchwork quilt of laws governing chemical management.
- 7) **Meet Deadlines** – Policymakers should provide EPA with adequate resources and clear authorities to establish and meet deadlines to carry-out agency work under a revised TSCA program.
- 8) **Use the Best Available Science** – Policymakers should ensure that EPA relies upon the best available science regardless of its source.

The companies represented by CSPA, GMA and SDA devote substantial resources ensuring that the products they produce and market to consumers are safe for their intended uses. Safety is designed into products, beginning at the start of new product development when ingredients are carefully evaluated and selected. The focus on safety continues through evaluation in the labs just before products are marketed. It includes stringent specifications on raw materials and detailed attention to process control in product formulation. It even continues during post-market monitoring. Thus product safety is a key element through the entire product lifecycle. The decision about “safety” is made accounting for human and environmental effects including consideration of susceptible subpopulations. “Safe” means that under the conditions of intended use, the

product will not cause harm to human health or the environment. Consumers expect our products to be safe for their families and for the environment – and meeting that expectation is as important to us as the product’s performance and cost.

Once a company assures the safety of a product internally, it must then ensure that those products meet the expectations for safety as defined by the various laws and regulations that govern consumer product safety. TSCA is designed to regulate chemicals in commerce, some of which become the ingredients that are formulated into the products that our companies manufacture and market. The underlying goal of TSCA is to evaluate the health and safety of these chemicals. The consumer products industry is extensively regulated by several statutes falling under the scope of various agencies including the Consumer Product Safety Commission, Department of Transportation, Environmental Protection Agency, Food & Drug Administration, Federal Trade Commission, and Occupational Safety & Health Administration. Together, these authorities regulate the product throughout its entire life cycle, including the manufacturing, transporting, labeling, packaging, advertising and disposal. While EPA has resources and authorities that cover much of the chemical supply chain, other agencies have significant expertise in the regulation of chemically formulated products developed for consumer use. This extensive infrastructure and network of agency and statutory authority in the U.S. system underscores this comprehensive approach to consumer product safety.

Our industry is also regulated by many individual state regulations; however, a uniform federal approach for chemical management is strongly preferred over what is currently a patchwork quilt of state laws and policies. A robust federal chemicals management law will provide state policymakers and consumers with a strengthened confidence in chemicals management. Provisions that directly regulate substances used in products wherever they are marketed must allow industry to operate efficiently and enable innovation. The burdens are real and substantial especially as companies are increasingly being required to meet differing, even sometimes conflicting, state law provisions. Policymakers should take steps to leverage information from the chemical management programs undertaken by other nations and to integrate the patchwork quilt of laws governing chemical management. If the pattern of individual state actions continues, in the future it may actually become easier to move products among the countries of Europe than among the U.S. states.

As Congress develops specific TSCA reforms, policymakers should take care to promote – and not stifle – innovation and new product development. A company’s ability to innovate is essential in bringing continuous improvements to products in the marketplace and delivering benefits to the consumers. Innovation allows manufacturers to develop more sustainable and better performing products, to conserve resources and provide consumers with lower cost products that provide more benefits.

Modernization of the Toxic Substances Control Act Must Achieve Important Public and Global Leadership Goals

We have a unique opportunity to modernize chemical regulation the right way—protecting the public and the environment while retaining U.S. leadership in innovation. We look forward to working with Congress, the Administration and other stakeholders to reform TSCA: to identify “priority” chemicals which should be subject to greater review; to ensure that EPA has adequate information about chemical hazards and uses, as well as the resources to meet deadlines for priority chemical review; to leverage the chemical management programs undertaken by other nations; to integrate the patchwork quilt of laws governing product safety; to bring clarity to EPA’s risk management tools; and to support more rapid innovation of safe and sustainable products. These improvements will work together to boost consumer confidence and strengthen America’s competitiveness in the global economy.

CSPA, GMA and SDA and their member companies are committed to working with key stakeholders to develop the appropriate updates to TSCA that will restore consumer confidence and trust in the chemical industry. We appreciate this opportunity to submit written comments and look forward to working with you on this very important issue.

About CSPA

The Consumer Specialty Products Association (CSPA) is the premier trade association representing the interests of approximately 240 companies engaged in the manufacture, formulation, distribution and sale of approximately \$80 billion annually in the U.S. of hundreds of familiar consumer products that help household, institutional and industrial customers create cleaner and healthier environments. Our products include disinfectants that kill germs in homes, hospitals and restaurants; candles, 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 everyday. Through its product stewardship program Product Care[®], scientific and business-to-business endeavors, CSPA provides its members a platform to effectively address issues regarding the health, safety, sustainability and environmental impacts of their products. For more information, please visit www.cspa.org.

About GMA

The Grocery Manufacturers Association (GMA) represents the world's leading food, beverage and consumer products companies. The Association promotes sound public policy, champions initiatives that increase productivity and growth and helps ensure the safety and security of consumer packaged goods through scientific excellence. The GMA board of directors is comprised of chief executive officers from the Association's member companies. The \$2.1 trillion food, beverage and consumer packaged goods industry employs 14 million workers, and contributes over \$1 trillion in added value to the nation's economy. For more information, visit the GMA Web site at www.gmaonline.org.

About SDA

The Soap and Detergent Association, the Home of the U.S. Cleaning Products Industry[®], represents the \$30 billion U.S. cleaning products market. SDA 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. SDA and its members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. SDA's mission is to support the sustainability of the cleaning products industry through research, education, outreach and science-based advocacy. For more information visit www.cleaning101.com.