



California's Safer Consumer Products Program: A Path to Reducing Toxic Chemicals in Products

A Report on the SCP Program to the DTSC Independent Review Panel

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CEH & CHANGE Coalition

Who We ARE

CHANGE

Californians for a Healthy & Green Economy

- ▶ Asian and Pacific Islander Obesity Prevention Alliance
- ▶ Bay Area Healthy 880 Communities
- ▶ Bayview Hunters Point Community Advocates
- ▶ **Black Women for Wellness**
- ▶ Breast Cancer Action
- ▶ Breast Cancer Fund
- ▶ California Latinas for Reproductive Justice
- ▶ California Healthy Nail Salon Collaborative
- ▶ California Pan-Ethnic Health Network
- ▶ Californians Against Waste
- ▶ Californians for Pesticide Reform
- ▶ **Center for Environmental Health**
- ▶ Center on Race, Poverty and the Environment
- ▶ Clean Water Action
- ▶ Coalition for Clean Air
- ▶ Commonweal
- ▶ Communities for a Better Environment
- ▶ East Yard Communities for Environmental Justice
- ▶ Environment California
- ▶ Environmental Working Group
- ▶ Forward Together
- ▶ The Green Schools Initiative
- ▶ Green Science Policy Institute
- ▶ Health Care Without Harm
- ▶ Healthy Child Healthy World
- ▶ Healthy Children Organizing Project, Consumer Action
- ▶ **Instituto de Educacion Popular del Sur de California**
- ▶ Just Transition Alliance
- ▶ Making Our Milk Safe
- ▶ Movement Strategy Center
- ▶ Pesticide Action Network, North America
- ▶ **Physicians for Social Responsibility – Los Angeles**
- ▶ Science and Environmental Health Network
- ▶ Silicon Valley Toxics Coalition
- ▶ So CA COSH
- ▶ United Steelworkers Local 675
- ▶ Worksafe
- ▶ Women's Voices for the Earth

Our Involvement in SCP Program

- ▶ Development of Regulations
- ▶ Engagement at GRSP meetings
- ▶ Joint comments on
 - ▶ Proposed Priority Products
 - ▶ Workplan
 - ▶ Alternatives Assessment Guidance
- ▶ Members attending/providing comments at public workshops

Summary of Benefits and Challenges

- ▶ References broad spectrum of authoritative lists
- ▶ Potential to stop chemical whack-a-mole game
- ▶ Sends signals to industry about changes needed- initiates research
- ▶ Authority to call-in data
- ▶ Authority to address chemical classes, not just individual chemicals
- ▶ Responsive to needs of vulnerable communities and environmental endpoints
- ▶ Progress on Alternatives Assessment Guidance
- ▶ DTSC staff available and responsive
- ▶ Underutilized authority for data call-in
- ▶ Lack of fee authority results in lack of resources
- ▶ Selecting too narrow chemicals in narrow categories (e.g. FRs) may feed into toxic substitutions
- ▶ Delays undermine the intent of the program
- ▶ Collectively SCP has capacity, not currently being used, to have a much greater impact on public health

Synopsis of Comments on Priority Product: Children's Foam Sleeping Products

- ▶ Great responsiveness to current chemical of concern
- ▶ Vulnerable populations: Children
- ▶ Narrow view of Chemicals of Concern
- ▶ Narrow Categories of Products
- ▶ Result in a missed opportunity to protect PH:
 - ▶ CPSC's recent testing found halogenated FRs in 22% of kid's products tested



Synopsis of Comments: MDI containing SPF Systems

- ▶ Important current issue with potential for widespread adverse impacts
 - ▶ SPF systems increasingly being used for energy efficiency
- ▶ Vulnerable Populations:
 - ▶ Workers and Consumers
- ▶ Buildings should be BOTH energy efficient and healthy
- ▶ Great example of stimulating innovation



June 6, 2017

Submitted online via CalSAFER

Comments on the Listing of Spray Polyurethane Foam (SPF) Systems With Unreacted Methylene Diphenyl Diisocyanates (MDI) as a Priority Product

We appreciate this opportunity to submit comments on behalf of the Natural Resources Defense Council (NRDC), Communications Workers of America (CWA), Californians for a Healthy And Green Economy (CHANGE), Center for Environmental Health (CEH), Environmental Working Group (EWG) and Worksafe. We have no financial interest in any of the chemicals or products that may be affected by the subject matter of these comments.

Example of Petition: BPA in Canned Food/Beverages



September 26, 2016

Office of Environmental Health Hazard Assessment
Sacramento Office
1001 I Street,
Sacramento, CA 95814
(916) 324-7572

Re: Proposed regulation regarding BPA in canned food and beverages

Dear Acting Director Lauren Zeise:

As undersigned organizations who are deeply concerned about environmental justice and reproductive health issues, we are writing to urge OEHHA not to adopt the proposed regulation concerning Bisphenol-A (BPA) warning requirements. We ask, as a matter of public health and safety, that any regulation require product-specific BPA warnings that are consistent with California law.

Since its approval by California voters in 1986, the Safe Drinking Water and Toxic Enforcement Act (Proposition 65) has effectively removed toxic chemicals from thousands of consumer products such as toys, candy, wooden play structures and shampoos. In the first decade after the law was passed, data collected through the federal Toxic Release Inventory also showed that emissions of chemicals on the Proposition 65 list decreased twice as fast in California than elsewhere in the country. Proposition 65 is one of the nation's oldest successful Right to Know laws. We are deeply concerned that if adopted, the agency's proposed regulation for BPA under Prop 65 could undermine the law when new chemicals are listed going forward.



Some of the BPA-tainted cans from national retailers



Summary

- ▶ Program has great potential to protect public health across a wide variety of chemicals in products
 - ▶ Identification of PPs can really spur innovation
 - ▶ Agency isn't utilizing its full authority
 - ▶ Program must speed up to actually drive innovation
 - ▶ State needs to ensure full funding and address regulatory barriers
 - ▶ Lack of action is driving legislative mandates and priorities
- ▶ “the program needs to focus on PPs with a significant public health impact, and that communities care about, and do so in a timely manner”
 - ▶ “the SCPs were very useful in our efforts to engage with AT&T to begin a joint union-company ‘Green Team’ committee ...to look at the materials catalogue the company had our people using and find more benign alternatives where possible”
 - ▶ “unions and other groups of workers and workers advocates can be greatly empowered by the existence of the SCPs in general and especially if the product/chemical is one that they are using. Workers need the SCP program to continue and to expand [worker protections]”
 - ▶ Given the extent of the problems with chemicals in consumer products, SCP has a duty to take on its full capacity to achieve the public health