

Agenda Item IV: Chemicals of Concern/Setting Chemical Priorities

**(Identification & Prioritization of Chemicals and Chemical
Ingredients of Concern in Consumer Products)**

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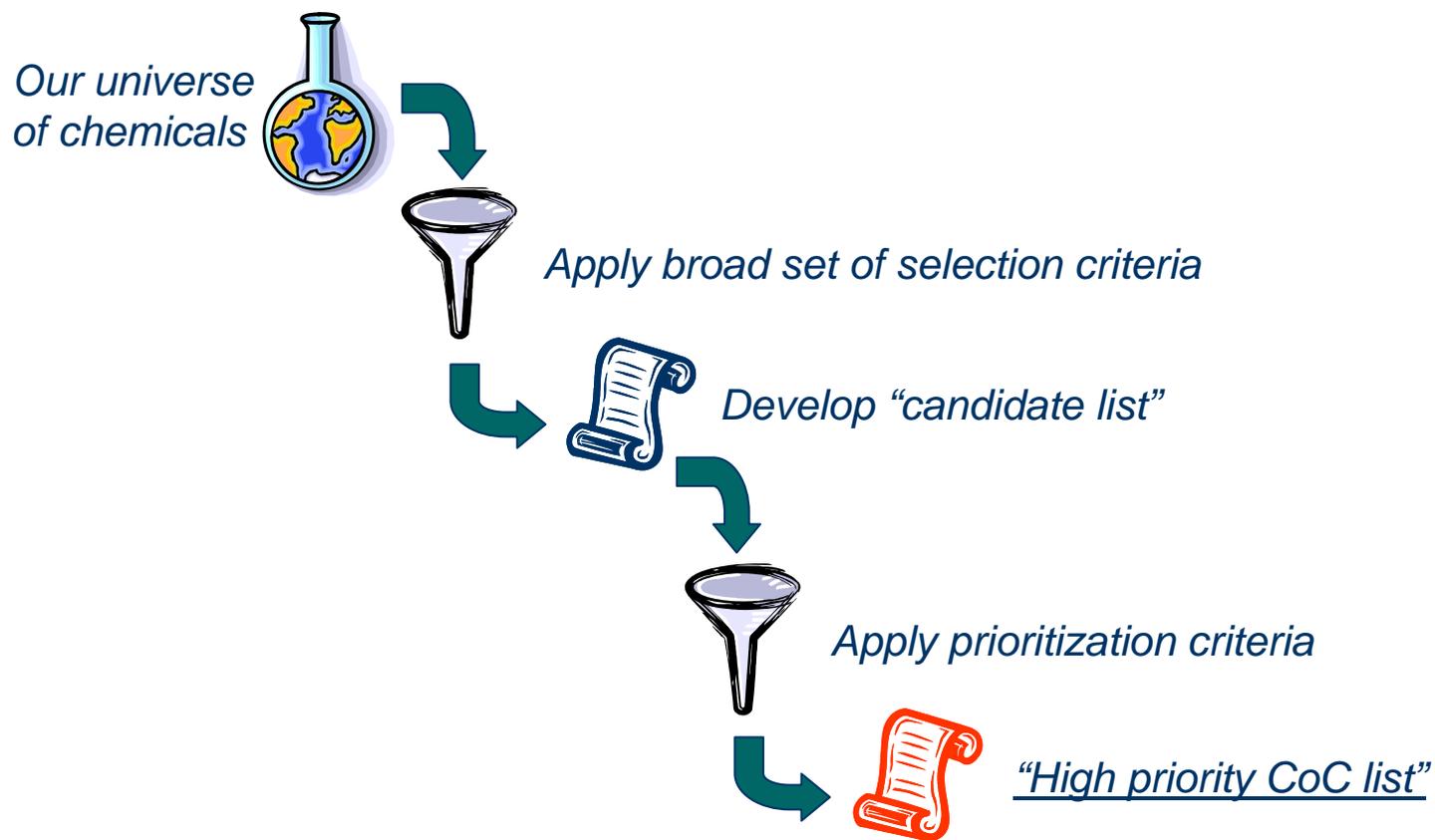
What does the statute say?

- The department shall adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern...
 - The regulations shall establish an identification and prioritization process that includes, but is not limited to, all of the following considerations:
 - (1) The **volume** of the chemical in commerce in this state.
 - (2) The **potential for exposure** to the chemical in a consumer product.
 - (3) **Potential effects on sensitive subpopulations**, including infants and children.
- In adopting regulations pursuant to this section, the department shall develop criteria by which chemicals and their alternatives may be evaluated.
- In adopting regulations pursuant to this section, the department shall reference and use, to the maximum extent feasible, available information from other nations, governments, and authoritative bodies that have undertaken similar chemical prioritization processes...

Definitions

- The law does not define “chemicals” or “chemical ingredients” in consumer products. Possible definitions:
 - Chemical in a consumer product: is any chemical or substance that is not added intentionally, but ends up in a consumer product incidentally, including naturally occurring chemicals present in raw materials.
 - Chemical ingredient in a consumer product is any chemical or substance that is intentionally added to the consumer product or any part of the consumer product during any stage of the manufacturing process, and that remains in the consumer product that is offered for sale.

Identification and prioritization of chemicals of concern (CoCs), overview



Identification of CoC's

- DTSC has considered various options with respect to criteria for the candidate list, including:
 - Adopt a large set of criteria to capture a large universe of chemicals.
 - Adopt a vary narrow set of criteria (e.g., only chemicals found in cord blood) to capture a very small universe of chemicals.

Identification of CoC's

- DTSC has opted to use a large set of criteria and capture a large universe of “candidate” chemicals.
 - Any chemicals that fit one or more criteria would be placed on the “candidate list”.

Criteria for inclusion on candidate list

- Possible criteria include:
 - Chemicals for which a minimum data set (e.g., SIDS data) is not available.
 - Criteria established by other California regulatory programs (e.g., proposition 65) and other authoritative bodies (e.g., EU, Canada);
 - Chemicals on lists established by other authoritative bodies);
 - Carcinogens;
 - Endocrine disruptors;
 - vPvB substances;
 - PBTs;
 - Mutagens, or reproductive mutagens or toxins;
 - And others.

Questions regarding our criteria for the “candidate list”

- Is our proposed list of criteria for inclusion on the candidate list appropriate?
 - Are there additional criteria we should consider?

Prioritization

- Once we have a candidate list, we will apply a set of “prioritization” criteria to identify and prioritize chemicals of concern.
 - We will develop a list of “high priority chemicals of concern” based on the prioritization process.

Prioritization

- Possible prioritization criteria:
 - Volume contained in consumer products; (what threshold for “high” priority?)
 - Potential for exposure; (e.g., is there expected, known, or anticipated release during use or at end of life?)
 - Exposure based on biomonitoring data;
 - Potential effects on sensitive subpopulations, including infants and children;
 - Lack of minimum data sets (e.g., the six hazard endpoints, acute toxicity, chronic toxicity, teratogenicity or developmental and reproductive toxicity, mutagenicity, ecotoxicity, and environmental fate, comprising the "Screening Information Data Set" (SIDS) test battery established by the OECD, 1998);
 - Any evidence suggesting that there are “reasonable grounds for concern” regarding the potential adverse impacts of the chemical;
 - And others.

Prioritization

- Any chemical falling into any one of our prioritization categories (or exceeding a specified volume of use or concentration threshold) would be designated a “high priority” chemical of concern.

Questions regarding prioritization

- Are our prioritization criteria appropriate?
 - Did we miss any?
- With respect to “volume”, what is the appropriate threshold to classify something as “high priority”?
 - Should concentration in a consumer product also be a consideration for prioritization?
- Should we identify chemicals as “high” or “low” priority only; or, should we establish priority “tiers”, and criteria for each tier?
 - How many tiers would be appropriate?
 - What criteria should be used for each tier?

The End

- Thank you