

Peer Review of Revised Safer Consumer Products Regulations

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Topic 1: Listing of Initial Candidate Chemicals

The revised regulation broadens the lists used to compile the initial candidate chemical list by adding respiratory sensitizers defined by the European Union and a more complete listing of chemicals considered under the federal Clean Water Act. I think that is very appropriate to broaden the list in this way as it will provide for a more complete listing of chemicals that cause potential harm.

Topic 2: Criteria for prioritizing product-chemical combinations

I am somewhat concerned with the language in 69503.2,a,2, specifically “potential for one or more exposures can contribute to or cause **significant or widespread** adverse impacts.” There appears to be no definition for significant or widespread and I feel this criteria can be interpreted in a variable manner by the regulating body and the regulated entity.

I was very pleased with the additions of evaluating chemicals with structurally or mechanistically similar chemicals which there is a known toxicity profile, the addition of workplace presence of the chemical, and the inclusion of releases of the product in schools.

In section 69503.3,b,4, there is a list of factors to be considered. The items under A and D-H all appear to be factors related to quantifying the likely exposure to the public. In the prior version, items B and C, both related to chemicals that are basically never released in California, were an exemption. By placing them in this current list, it seems like one would be expected to evaluate exposures related to these compounds even though there is little chance for exposure. If the desire is do not have these as exemptions, but in some way have some sort of minimal evaluation, this intent should be made more clearly. Perhaps they could be listed together in their own subsection and it could be clearly stated that there is likely to be minimal exposure due to these scenarios.

In section 69503.4, the focus is on the process for identifying Priority Products. It is not clear from the regulation how broadly the product categories are defined. If a chemical is used in two very different product categories, which are not both being considered in the development of the priority product work plan, it is not inherently clear from the regulation that aggregate exposures from both product categories will be considered. There is some mention of aggregate exposures in the document, and the department may be planning on including aggregate exposures from multiple product categories, but it is not clearly stated. Aggregate exposure for

multiple use categories of products containing the same chemical of concern should be considered.

Topic 3: Alternative analysis threshold

I thought that the changes to the alternative analysis threshold were very clear and appropriate.

Topic 4: Use of the word “adverse”

With the exception of the statement “cause significant or widespread adverse impacts” in which significant and widespread were not defined, I thought that the uses of adverse in the document were clear and appropriate.