**Safer Consumer Products Program**

**Workload Analysis for FY 2018-19**

Key Findings

**Background**

The California Legislature passed innovative “Green Chemistry” laws[[1]](#footnote-2) requiring DTSC to adopt regulations creating a program to identify chemicals of concern in products, evaluate their potential alternatives, and limit human and environmental exposures to those chemicals. The universe of consumer products DTSC was directed to regulate is immense; the Green Chemistry laws cover virtually all consumer products sold in California (the only exceptions are pesticides, food, prescription medicines, medical devices, and dental materials). There are over 80,000 chemicals used in commerce, of which the Safer Consumer Products Program (SCP) framework regulations includes 3,174 as “candidate chemicals” of concern. Exposures to these chemicals are known to harm people or the environment by causing a wide variety of adverse impacts. In humans, these include cancer, asthma, developmental harm, neurological disease and even death; in the environment, these chemicals can cause impairment of water bodies and contamination of drinking water, among other impacts.

In October 2013, after five years of extensive stakeholder engagement, DTSC adopted the Safer Consumer Products regulations, which created a four-step regulatory framework for implementing the statutory mandates.

**Analysis**

SCP’s current resources have supported building a new, innovative program with a science-based approach while leveraging multimillion-dollar markets and manufacturers’ interests. Along with multiple new products in the queue, SCP successfully regulated the first three Priority Products and is putting them through the Alternatives Analysis process. SCP consistently provides transparency and accountability through its management system, biennial Green Ribbon Science Panel, and the online resource and submission portal CalSAFER.

In FY 2018-19, SCP operated with a budget of approximately $10 million and 44[[2]](#footnote-3) positions to fulfill its mandates. Seventy-five percent of SCP’s resources were allocated to perform Chemical and Product Evaluation, Alternatives Analysis, Rulemaking and Operations. The remaining time was used for supervision, external technical support, and support for the statutorily mandated brake pads program.

SCP’s current funding provides resources for identifying chemicals of concern and selecting Priority Products (Steps 1 and 2). Alternatives Analysis (Step 3) is partially funded, and Regulatory Response work (Step 4) is entirely unfunded.

**Conclusions**

Despite success in implementing the SCP regulations so far, SCP is still only in the Alternatives Analysis phase of the regulations; SCP will reach the Regulatory Response phase in early 2021 and has yet to undertake comprehensive compliance and enforcement efforts. Under its current resource allocations, SCP will need to shift most of its resources into Alternatives Analysis work (Step 3) and Regulatory Response work (Step 4) by FY 2021-22, reducing SCP’s ability to research and add new products to its portfolio. In FY 2022-23, the number of new products undergoing Rulemaking and Chemical and Product Evaluation will need to be reduced by roughly 80 percent. Strategically, current SCP staffing constraints limit the program’s ability to process more impactful and complex consumer products.

SCP’s analysis estimates that 39 additional staff will produce a consistent and normalized distribution of products through SCP’s product life cycle. These resources are necessary to meet statutory mandates and to fully implement a program with baseline capability to make a meaningful impact on the large universe of consumer products within the SCP’s authority and mission.

1. Health and Safety Code, Div. 20, Ch. 6.5, Article 14 §§ 25251-25257.2 [↑](#footnote-ref-2)
2. Of the 44 authorized positions, the Workload Analysis includes 41 positions. Unfunded positions were not included in the analysis. The operating budget includes facility and indirect costs. [↑](#footnote-ref-3)