



SCP | COMPLYING WITH  
TRAINING | PRIORITY PRODUCT  
SERIES | REGULATIONS

# Alternatives Analysis Threshold (AAT) for Priority Products



Department of Toxic Substances Control



CalEPA

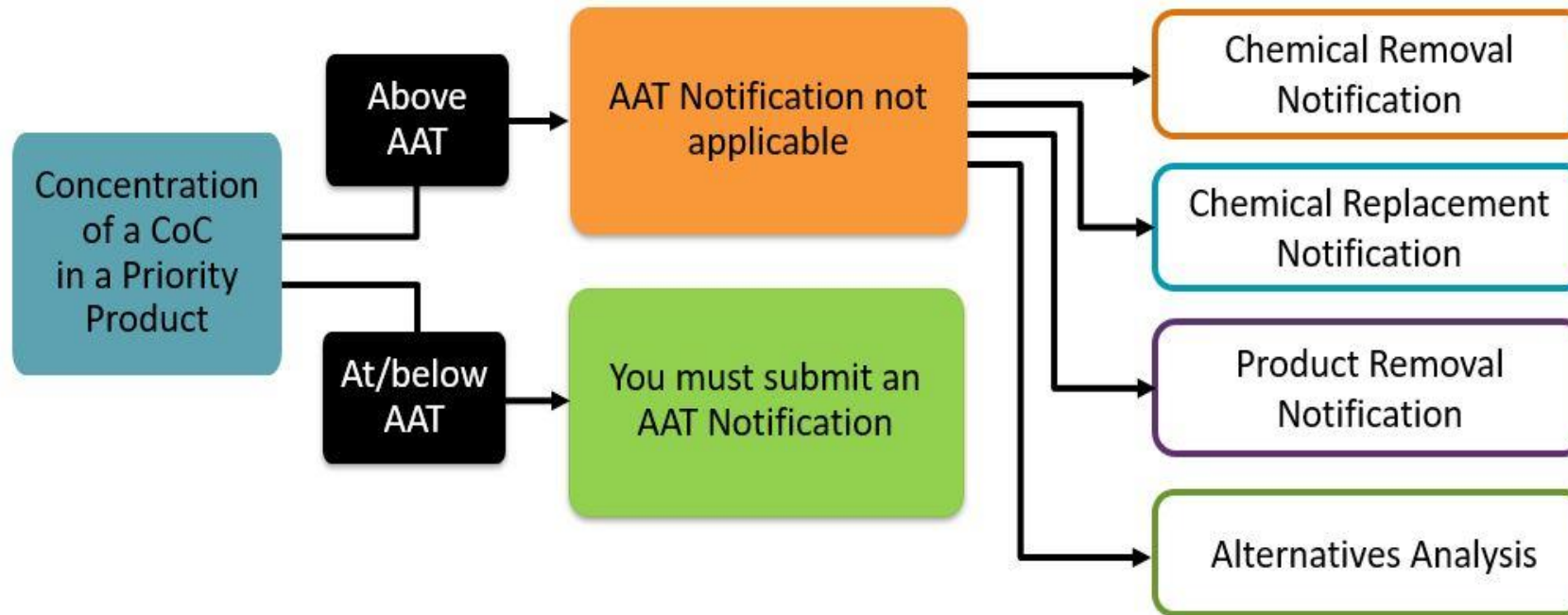
# Objectives

- What is an Alternatives Analysis Threshold (AAT) and when DTSC might set one
- What are the requirements for an AAT Notification
- When to submit an AAT Notification and keeping it up to date



# AAT: An Option for Compliance

**Alternatives Analysis Threshold:** a concentration, level, or the amount of a Chemical of Concern in a Priority Product specified by DTSC



## Under what circumstances is an AAT set?

CoC is a contaminant



DTSC *must* set an AAT

CoC is an intentionally added ingredient



DTSC has *option* to set an AAT

Rationale for these decisions can be found in the [rulemaking document for that Priority Product](#)



# AAT Notification (AATN)

- AAT Notification:
  - Provides evidence that the Chemical of Concern in your product is at or below the AAT
  - Is a request for an exemption from conducting an Alternatives Analysis and from complying with further regulatory requirements

**Note: Manufacturer bears the burden of proof to demonstrate that the concentration of the Chemical of Concern in its Priority Product does not exceed the AA Threshold**



# Who is considered a manufacturer?

- “Manufacturer” = any person who:
  - manufactures a Priority Product available for purchase in California (including online)...
  - controls the Priority Product’s manufacturing process...
  - specifies the chemicals to be included in the item that makes it a Priority Product
- **Regardless of where manufacturers are located** (inside or outside U.S.), they must comply if their products are for sale in California.



# Who Should Submit an AAT Notification?

- To be considered a manufacturer for the purpose of the AAT Notification, you must have the ability to specify what chemicals are (or are not) included in the product
- If your company buys pre-formulated product and makes only non-material alterations, you would be considered an assembler
- Manufacturers who suspect the Chemical of Concern is present in their products at a concentration less than or equal to the AAT should submit an AAT Notification



# AAT Notification Requirements

Name and Contact Information

Statement that the chemical meets AAT\*

Source of chemical in product

Information about Priority Product

Laboratory information (Verification of CoC below the AAT)

**Conduct lab testing of the product**

Demonstration and certification that the manufacturer meets and will continue to meet the criteria and conditions that are the basis for the exemption in Section 69505.3

\* See § 69505.3(c)





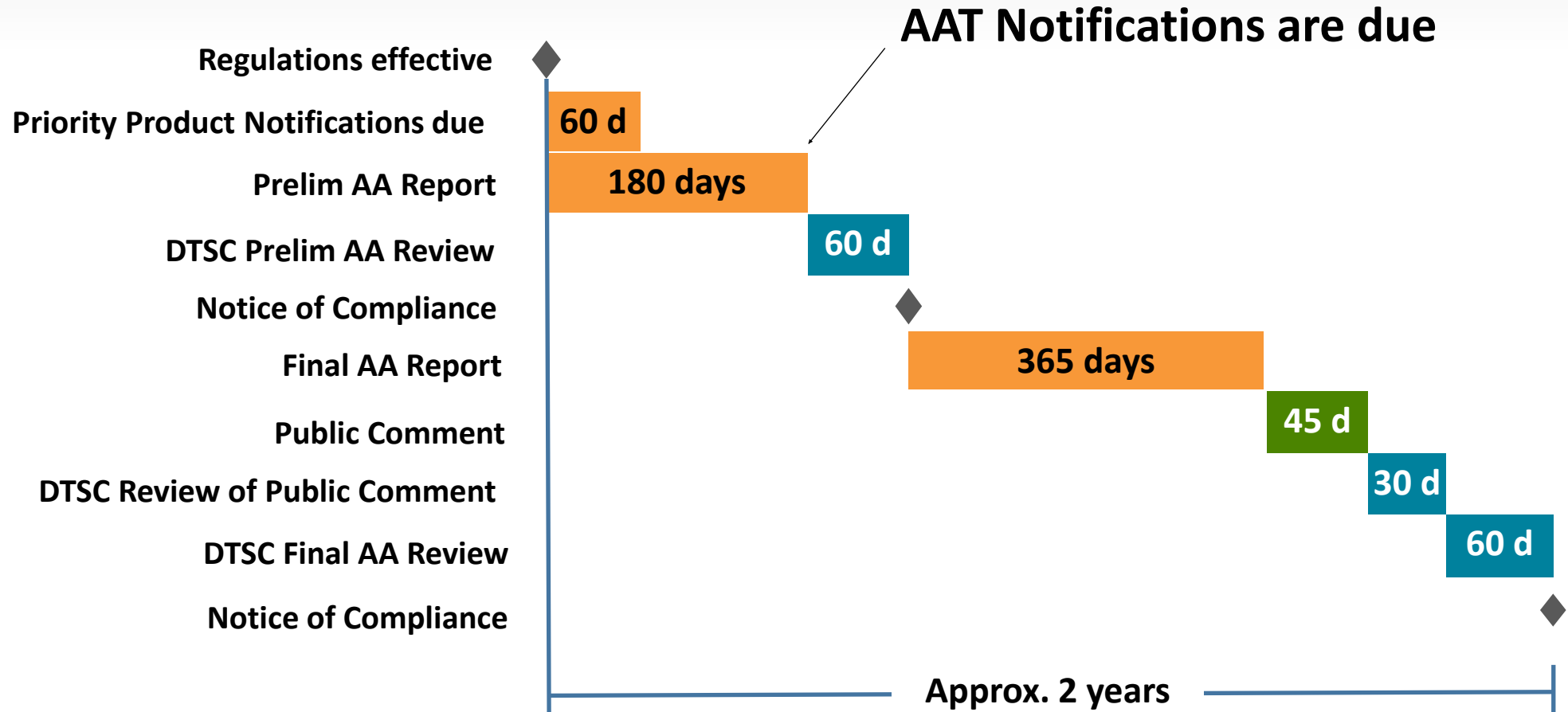
# Conduct lab testing of the product

- If the manufacturer has lab testing done as part of their AAT Notification submittal, they must submit:
  - Laboratory analytical testing methodology
  - Quality control and assurance protocols
  - Identification of the testing laboratory
  - Analytical data

**Note: DTSC will issue a 15-day notice to adopt requirements outlining the method performance criteria for analytical lab testing that must be met for manufacturers to demonstrate compliance with the AAT Notification requirements.**



# Timeline for submittal



# Keeping your AAT Notification up to date

- If your AAT Notification information changes, a revised AAT Notification must be submitted within 30 days of that change
  - Examples: submitter's contact information, RE's contact information, manufacturers' or importers' information
- If the Priority Product no longer meets the AAT criteria, a manufacturer must notify DTSC of this change within 30 days AND
  - Submit a Preliminary AA or notification\* (e.g., Chemical Removal, Chemical Replacement, Product Removal) within 180 days of the change

\* See § 69505.2



# Submittal of AAT Notification

- [CalSAFER website](#)
  - Submit Notifications and Reports
    - *Priority Product Notification*
    - ***Alternatives Analysis Threshold Notification***
    - *Intent and/or Confirmation Notification*
    - *Any Alternatives Analysis Reports*



# Further Information

- Safer Consumer Products [Regulations](#)
- SCP E-mail List ([e-List](#))
  - Upcoming regulations, events, workshops
- Further questions? Contact us at [SaferConsumerProducts@dtsc.ca.gov](mailto:SaferConsumerProducts@dtsc.ca.gov)

**Thank you!**

