

California's Green Chemistry Initiative at Age 10:

AN EVALUATION OF ITS PROGRESS AND PROMISE

In 2008, the California legislature enacted two groundbreaking laws designed to protect Californians from toxic chemicals in products, and to provide the public with more information about chemical hazards:

Assembly Bill 1879 (Feuer) created the Safer Consumer Products Program, requiring the Department of Toxic Substances Control (DTSC) to evaluate chemicals of concern in consumer products and their potential alternatives, and to reduce the hazards of chemicals in products.

Senate Bill 509 (Simitian) established a Toxics Information Clearinghouse for data on chemical Hazard Traits, as defined by the California Office of Environmental Health Hazard Assessment (OEHHA).

A decade later, this project evaluated the progress made under these two laws, which collectively enacted the California Green Chemistry Initiative (GCI). Among other research, we interviewed dozens of experts from business, non-profit, academic, and government to get their views on the strengths and challenges of the current laws and program.

Here's what we found:

THE SAFER CONSUMER PRODUCTS PROGRAM AND HAZARD TRAITS HAVE GREAT PROMISE AND NUMEROUS STRENGTHS.

The California Safer Consumer Products Program (SCP) won high marks for being innovative, having

"You start getting change after the first [regulatory] signals—that's when the innovation starts to happen."

[BUSINESS]

the potential to drive the market for safer chemicals and products, improving transparency about toxic chemicals in products, and having authority to take health protective action. Experts also praised the definition and identification of chemical Hazard Traits, and suggested using them to predict the toxicity of poorly-tested chemicals.

CALIFORNIA'S GREEN CHEMISTRY INITIATIVE HAS FAILED TO REACH ITS FULL POTENTIAL IN SEVERAL WAYS.

- The pace of implementation of the SCP has been slow and DTSC has unclear authority to collect necessary information on chemicals in products.
- California's overall efforts and investment have not been sufficient to foster robust research and development of safer product chemistry.
- The SCP's Candidate Chemical List needs to be updated over time to capture chemicals with Hazard Traits consistent with breast cancer-causing chemicals and other potential health threats.
- The Toxics Information Clearinghouse currently provides no useful information but could be re-purposed for more effective use.

Our research shows that California's Green Chemistry Initiative can be greatly improved to ensure consumer products are safer. Here's how.

Recommendations to Fulfill the Promise of California's Green Chemistry Initiative

SAFER CONSUMER PRODUCTS PROGRAM POLICY ENHANCEMENTS

- 1 The legislature should authorize DTSC to take expedited action when safer alternatives are already available.
- 2 The legislature should give DTSC clear authority to require manufacturers to disclose the function and use of chemicals in products, maintaining appropriate protections for confidential business information (CBI).

- 3 DTSC, in consultation with the Green Ribbon Science Panel, should evaluate the scientific and procedural foundation of its prioritization process to ensure it is as efficient as possible.
- 4 The legislature should provide some flexibility in the AB 1879 Alternatives Analysis criteria to allow DTSC to utilize existing high-quality Alternatives Analyses. DTSC also needs authority to recoup costs from manufacturers to review analyses or to conduct independent analyses if necessary.

SCIENTIFIC ENHANCEMENTS

- 1 The California Environmental Protection Agency (CalEPA) should integrate environmental monitoring data across programs and environmental media, and seek increased support for new monitoring methods and broader biomonitoring of chemicals in people.
- 2 The legislature should authorize OEHHA to maintain a watch list of emerging chemicals with hazard traits.
- 3 DTSC should develop a legislative proposal to re-structure or re-purpose the Toxics Information Clearinghouse.

“Cultivating a green chemistry industry within the state... could make the process of safe substitution less painful.”

[NGO]

GREEN CHEMISTRY AND SAFER PRODUCT ADVANCEMENTS

- 1 DTSC should support academic centers for green chemistry. California’s universities and colleges must train the next generation of chemists in multidisciplinary approaches that include health and environmental responsibility.
- 2 DTSC should partner with leading businesses to advance safer chemistry by funding challenge grants, awards, or other strategies to spark innovation.

FULLY SUPPORT CALIFORNIA’S COMMITMENT TO A SAFE FUTURE

CalEPA should develop a comprehensive proposal for sustainable and substantially increased funding for all aspects of California’s Green Chemistry Initiative. The legislature should act to ensure the future of safer products and chemicals in California.

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To read the full report, go to <http://www.phi.org/resources/?resource=california-green-chemistry-report>

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