

## **CALIFORNIA'S GREEN CHEMISTRY PROGRAM: ARE WE PROTECTING PEOPLE FROM TOXIC CHEMICALS IN PRODUCTS?**

**Tuesday, February 12, 2019, 1:30 PM**

**California State Capitol, Room 437**

### **Testimony of Nancy Buermeyer, Breast Cancer Prevention Partners**

Good afternoon. My name is Nancy Buermeyer and I am the Senior Policy Strategist at Breast Cancer Prevention Partners. Thank you to Chairman Quirk, Chairman Allen and members of the committees for the opportunity to testify on the Department of Toxic Substances Control's (DTSC) Safer Consumer Products Program.

Breast Cancer Prevention Partners, formerly known as the Breast Cancer Fund, is the only national organization solely focused on preventing breast cancer by reducing exposures to toxic chemicals and radiation linked to the disease. We translate the substantial and growing body of scientific evidence linking breast cancer and chemical exposures into public education, market campaigns, and public policy advocacy to protect our health and reduce breast cancer risk.

One in eight women in the U.S. will be diagnosed with breast cancer. That means approximately 250,000 new cases, and 40,000 deaths, each year. Breast cancer is a public health crisis. Most women diagnosed with breast cancer do not have a family history or genetic pre-disposition for the disease. In fact, only a mere 10% of diagnoses can be attributed to genetics.

The science shows us that the chemicals in the air we breathe, the water we drink, the food we eat...and the consumer products in our homes, schools and businesses...can increase our risk for breast cancer.

And these chemicals are not just linked to breast cancer. The DTSC's list of chemicals of concern are linked to numerous health issues, including other cancers, infertility, birth defects, learning disabilities, and obesity.

Over the years, BCPP has focused on reducing chemical exposures, specifically from consumer products including cosmetics, personal care products, food packaging, and cleaning products. As a result, we have been involved in all aspects of creating and implementing the California Safer Consumer Products Program. We supported the enabling legislation, engaged extensively on development of the program regulations, and have continued to provide public comment throughout the implementation process. We strongly support the Program; however, it has yet to reach its full potential.

The Safer Consumer Products Program is unique and groundbreaking. Far too often, unsafe chemicals identified and removed from products are replaced with chemicals that prove to be equally or more toxic once the science catches up. An example of this “toxic treadmill” is bisphenol A or BPA, an estrogenic compound linked to breast cancer and numerous other health impacts. Often, BPA has been replaced with compounds such as BPS or BPF, which science now shows to have equally problematic properties. Similar situations exist with the chemical families of perfluorinated compounds, phthalates, and flame retardants. This Program not only focuses on which chemicals to remove, but also requires industry to conduct an alternatives assessment to ensure that the replacement is truly safer, helping us to step off the toxic replacement treadmill. The Program drives innovation in green chemistry that results in safer products not just for Californians, but for the entire country.

And the Program is needed now more than ever. While there was great hope that recent updates to the federal Toxic Substances Control Act would result in better chemical regulation, under the Trump Administration, implementation has capitulated to the chemical industry at every turn. We must again depend on the states to protect public health.

After 10 years of implementation, it is now clear that the Safer Consumer Products Program needs some adjustments to fully realize its potential, as is often the case with innovative and unique programs. First, and to quote Dr. Williams – “information is the coin of the realm.” To be effective, the Program needs the authority to *require* manufacturers to tell them what chemicals are in the products they are selling in California. This information can be held as confidential, providing the necessary data to the Safer Consumer Products Program without jeopardizing trade secrets. Second, more focused and specific workplans and clear deadlines for action would help the Program become more efficient and productive. And of course, the Program needs sufficient resources to accomplish these goals.

Finally, while we strongly support the Safer Consumer Products Program, no matter how efficient the Program becomes, it will never address the vast array of products containing chemicals of concern. This legislature must also play a critical role in protecting Californians by restricting, and even banning, unsafe chemical exposures, particularly in cases of chemicals causing great harm and for which safer alternatives are clearly available.

Thank you again for this opportunity to testify. BCPP looks forward to working with our colleagues and the legislature to provide the necessary authority and resources to fully realize the enormous potential of the California Safer Consumer Products Program.