

## The Safe Chemicals Act of 2011 – S. 847



**O**ur current system for assessing chemical safety is badly broken. The Toxic Substances Control Act (TSCA), the nation's primary chemical safety law, has failed to protect public health, the environment and our communities. While the rates of diseases like asthma, diabetes, childhood cancers, infertility, and learning and behavioral disorders keep going up, the federal system that should protect us from health-harming chemicals hasn't changed in 35 years.

The good news is that on April 14, 2011, Sen. Frank Lautenberg (D-NJ) introduced the Safe Chemicals Act (S. 847), which would take meaningful steps to protect American families from harmful chemicals.

TSCA set up a system that quickly proved inadequate for ensuring chemicals are safe. It grandfathered the 62,000 chemicals that were on the market at the time and has never required the Environmental Protection Agency (EPA) to review their safety. The law creates such large burdens that EPA has only been able to require about 200 of those chemicals to be tested, and has partially restricted only five. TSCA does not require chemical companies to prove that the chemicals they make are safe before they end up in products. In fact, manufacturers routinely keep basic safety information secret—making it hard for the average consumer to make informed choices while shopping.

The Safe Chemicals Act would go a long way to protect our families from toxic chemicals. It would improve the safety of chemicals used in consumer products, increase public

information on chemical safety, protect our most vulnerable populations and disproportionately affected “hot spot” communities, reform EPA's science practices to ensure the best available science is being used to determine chemical safety, and support innovation in the marketplace and provide incentives for the development of safer chemical alternatives.

**The Safe Chemicals Act improves chemical safety. For the first time, the chemical industry must develop and provide information on the health and environmental safety of their chemicals, in order to enter or remain on the market.**

If no information is provided, the chemical would be prohibited from use in products and workplaces. Where there is data that shows potential concern, chemicals must be proven safe before entering commerce, just as is already required of pharmaceuticals and pesticides under other laws.

**Immediate action on the worst chemicals.** EPA must immediately reduce exposure to the “worst of the worst” chemicals, specifically PBTs (chemicals that are persistent, bioaccumulative and toxic). Common PBTs include lead, mercury, flame retardants, and other toxic compounds that build up and persist in our bodies, breast milk and the environment.

**The Safe Chemicals Act protects our health using the best science**

Many toxic chemicals especially threaten the health of pregnant women, developing fetuses, babies, young children and teens. Other uniquely vulnerable groups include the elderly, people with preexisting medical conditions, workers, and low-income

communities—predominantly people of color—located near chemical hot spots.

In 2008, our nation’s highest scientific body, the National Academy of Sciences, made detailed recommendations for reform for how EPA could improve the way it assesses the risks of chemicals. The Safe Chemicals Act would require EPA to use these recommendations as it implements the new program. When determining a chemical’s safety, EPA would be required to ensure protection of vulnerable sub-populations, such as children, pregnant women and hot-spot communities, from *all* sources of exposure to that chemical.

**The Safe Chemicals Act informs the market, consumers and the public**

As a consumer you have the right to know the safety of chemicals you encounter everyday. The Safe Chemicals Act requires that basic health and safety information on chemicals be made public.

This requirement ensures that the public and marketplace will have sufficient information about all chemicals, lifting the veil of chemical secrecy from American consumers and businesses.

**The Safe Chemicals Act protects communities disproportionately affected by chemicals**

**EPA must identify toxic “hot spots” and take prompt action to reduce chemical exposures in those communities.**

Many local geographic areas, often home to people of color and low-income residents, face much greater exposure to toxic chemicals than the national average. Under the Safe Chemicals Act, EPA must name at least 20 “hot spots”, develop and carry

out action plans to significantly reduce chemical exposures in these locales.

The disproportionate exposure of many communities throughout the country has been well-established for years, and such a program is necessary to ensure these communities share in the benefits of the health protections being applied to the rest of the country. The ability to integrate programs to address multiple sources of chemical pollution—including those from industrial facilities, waste sites and products—was an original promise of TSCA that has never been fulfilled.

**The Safe Chemicals Act will help American manufacturers and workers compete**

**The bill rewards innovation that leads to new, safer chemicals.**

The American chemical industry claims its “edge” in the world marketplace is innovation. The Safe Chemicals Act would reward innovative companies by putting new safer chemicals on a “fast track” to the market.

**The bill helps American manufacturers compete in a world demanding safer chemicals and products.**

Many American companies have been stymied in their efforts to meet the growing demand for safer products and materials because they often lack information on the chemicals in their supply chain. Instead, companies often are forced to choose between a chemical with known hazards and alternative chemicals whose safety is unknown. The Safe Chemicals Act would provide this information to domestic product manufacturers and retailers for the first time. Also, by applying these requirements to chemicals in imported goods as well as those in domestic goods, it creates a level playing field and reduces incentives to ship manufacturing overseas.



The Safer Chemicals, Healthy Families coalition includes nurses, parents, advocates for the learning disabled, scientists, environmental health advocates, and concerned citizens from across the nation. These diverse groups are united by their common concern about toxic chemicals in our homes, places of work, and products we use every day.

[www.SaferChemicals.org](http://www.SaferChemicals.org)