



## What is TSCA

TSCA (toss-ka) stands for the Toxic Substances Control Act. Passed in 1976 under President Gerald Ford, it is our nation's main law aimed at regulating chemicals used in everyday products. The Safer Chemicals, Healthy Families coalition is calling for an overhaul of TSCA based on the law's inability to protect the health of the American public from exposure to harmful chemicals. By updating TSCA, Congress can create the foundation for a sound and comprehensive chemicals policy that protects public health and the environment, while restoring the luster of safety to U.S. goods in the world market.

### Why TSCA is flawed

- Americans assume that chemicals used to make products like toys and food containers sold in the U.S. are regulated and tested for safety – but they are not.
- When passed into law, TSCA approved more than 60,000 chemicals that were in existence prior to 1976; only 200 of the original 60,000 chemicals have been tested for safety; some uses of only 5 of these toxic substances have been restricted.
- Today there are more than 80,000 chemicals on the market, which have never been fully assessed for toxic impacts on human health and the environment.
- TSCA allows chemical manufacturers to keep the ingredients in some chemicals secret – nearly 20 percent of the 80,000 chemicals are secret, according to EPA.
- TSCA makes it difficult for consumers and businesses to find the information they need to identify which chemicals are safe and unsafe.
- The Environmental Protection Agency (EPA) tried to use TSCA to restrict asbestos 20 years ago and failed. It hasn't tried since.
- Instead of requiring chemical manufacturers to demonstrate that their products are safe before they go into use, the law says the government has to prove actual harm in order to control or replace a dangerous chemical.
- TSCA perpetuates the chemical industry's failure to innovate toward safer chemical and product design.



## Congress is working to fix TSCA

The opportunity to fix our broken federal chemical safety system continues to ripen. Virtually all parties now agree that the nation's chemical safety law must be modernized. Several factors are driving Congress to finish its work to overhaul the 35-year old Toxic Substances Control Act.

- EPA administrator Lisa Jackson has stated on several occasions that updating TSCA is a priority for the Obama Administration, and [unveiled new principles](#) for reform that closely mirror the recommendations of the Safer Chemicals, Healthy Families coalition.
- In the previous 111th Congress, workable legislation to revamp TSCA was introduced for the first time in history. Senator Frank Lautenberg (D-NJ) sponsored the [Safe Chemicals Act of 2010](#) and Representatives Bobby Rush (D-IL) and Henry Waxman (D-CA) unveiled the [Toxic Chemicals Safety Act of 2010](#).
- The last Congress held eight public hearings that created unprecedented traction in favor of federal chemical policy reform. The [failure of TSCA](#) (PDF) was fully exposed. Congress examined the need to protect the health of [the most vulnerable](#) (PDF), for expedited action on [the worst chemicals](#) (PDF) and for [information on all chemicals](#) (PDF) in commerce to inform business and safety decisions.
- Growing [market demand](#) for safer chemicals and an increasing number of [state laws to restrict toxic chemicals](#) continue to drive the need for federal TSCA reform.
- The chemical industry now acknowledges the need for federal reform of chemical policy to restore public confidence in the safety of their products and to create a more predictable business environment.

The new 112th Congress has signaled their [early commitment](#) to safer chemical policy reform with introduction of TSCA legislation expected in both the Senate and the House of Representatives. Legislative action in the 112th Congress will shine a light on whether or not the chemical industry is sincerely working to support federal reform.