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ASC Questions Latest CA DTSC Consumer Products Proposal

October 12, 2012 – Bethesda, MD – The Adhesive and Sealant Council (ASC) has raised continued concerns with the California Department of Toxic Substance Control’s (DTSC) “Safer Consumer Products” proposed regulation, warning that it could lead companies to abandon California markets or relocate manufacturing facilities to other states.

The proposed regulatory activity is a result of a 2008 law, the California Green Chemistry Initiative (A.B 1879), which was designed to address the reduction or elimination of adverse public health and environmental impacts from hazardous chemicals utilized in consumer products.

In written comments to the DTSC, the Council questioned some of the detailed trade secret information that the new proposal could demand and charged that the agency seemed to be setting itself up in a role to judge one company’s innovative approach against another’s.

“ Asking a company to estimate the amount of effort and/or money expended in developing a new formula or defending why a chemical is not readily discoverable through reverse engineering would not be easy to calculate,” said Mark Collatz, ASC’s director of government relations. “But more importantly, we don’t believe that is either the purview of any regulatory body or was the intent of the California Assembly when it passed the initial legislation.”

The Council also questioned the establishment of an initial list of 1,200 chemicals that would be characterized as “Chemicals of Concern” in many cases without proven justification. In its comments it noted that because of the expansiveness of the list, many of those listed would not be subject to DTSC review for a number of years. Yet in the interim, a wide range of formulated
products containing these chemicals would be implicated as hazardous simply because of the appearance on this list.

“DTSC should concentrate on developing a manageable process that focuses on chemicals which exhibit the greatest hazards, such as substances known to cause cancer, or developmental or reproductive harm,” said Collatz. “No other state, federal or international jurisdiction apart from California has sought to begin with 1200 or more actionable chemicals.”

For further information regarding this activity, please contact ASC staff members Mark Collatz (301/986-9700 ext. 112).

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The Adhesive and Sealant Council (ASC) is a North American trade association dedicated to representing the adhesive and sealant industry. The Council is comprised of 119 adhesive and sealant manufacturers, raw material and equipment suppliers, distributors and industry consultants, representing more than 75% of the U.S. industry with operations around the world. Offering education, legislative advocacy, professional networking and business growth solutions for its members, the ASC is the center of knowledge and catalyst for industry growth on a global basis for manufacturers, suppliers and end-users. For more information about ASC, visit www.ascouncil.org.

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