# **Greening of Consumer Products**

an Allen Matkins market intelligence publication

### Allen Matkins

attorneys at law

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#### Proposed regulation in California would have impact on Prop 65 chemical listing process

Packaging Law.com - July 1

California's Office of Environmental Health Hazard Assessment (OEHHA) is considering the adoption of a regulation that would automatically add chemical substances to the Proposition 65 list based on their listing in the Labor Code, according to packaging law.com. Proposition 65 identifies four methods for listing chemicals. These are: 1) chemical substances selected by the State's Qualified Experts; 2) chemical substances identified by other federal or state authoritative bodies; 3) chemical substances formally required to be listed, and 4) chemical substances identified by the Labor Code mechanism. Under OEHHA's proposal, chemicals on these lists would automatically be added to the Prop. 65 list without any further scientific consideration.

#### **EPA cautions against electronics recycling**

USA Today - July 6

"E-waste," or electronics trash, is piling up faster than ever, according to the USA Today, which cites the Environmental Protection Agency. Americans discarded 47 million computers in 2005, up from 20 million in 1998. Less than 20% of all electronic waste is recycled, according to the EPA, while the rest ends up in landfills. Consumers saddled with old cellphones, TVs and computers have been flocking to electronics recycling events, which have sprung up in more than 1,000 communities over the past four years. The EPA has cautioned against collection of electronic waste, as the majority of it is destined for salvage yards in developing nations, where toxins spill into the water, the air and the lungs of laborers paid a few dollars per day to extract materials.

### "Kid Safe Chemical Act" proposed to protect against hazardous chemicals used in consumer products

American Chronicle - July 5

In a press release from the office of Senator Frank R. Lautenberg, United States senator for New Jersey, Lautenberg introduces the "Kid Safe Chemical Act" to protect Americans from the hazardous chemicals used in consumer products. The legislation, first introduced by Lautenberg in 2005, and now reintroduced along with Congresswoman Hilda L. Solis of the 32nd District of California and Representative Henry Waxman of the 30th District of California, would amend the Toxic Substances Control Act in various ways. Manufacturers of chemical substances "distributed in commerce" would be required to certify within one year that their products will cause "no harm" to unborn children, infants, children, workers. or any other sensitive group.

## Study questions whether sunscreens made with parabens are safe

Boston.com - July 7

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Eileen M. Nottoli Editor

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Allen Matkins Leck Gamble Mallory & Natsis LLP, founded in 1977, is a California law firm with over 230 attorneys practicing out of seven offices in California. The firm's broad based areas of focus include construction, corporate, real estate, project finance, business litigation, taxation, land use, environmental, bankruptcy and creditors' rights, and employment and labor law. More...

The FDA released a statement in 2006 saying that there is "no reason to be concerned about the use of cosmetics containing parabens." Parabens, are "endocrine disrupters," which means if they do reach the inner layers of skin, they could potentially damage the reproductive system, said Jane Houlihan, an environmental engineer and also vice president for research for the Environmental Working Group. Her group has studied ingredients in 1,200 sunscreens and found that 64 percent contain one or more parabens. Chemist Antonia M. Calafat at the Centers for Disease Control and Prevention found that a different ingredient in sunscreen, oxybenzone, does show up in the urine of 97 percent of the 2,517 people she studied.

### <u>Groups tell EPA to stop widespread uses of anti-bacterial</u> chemical, triclosan

Street Insider - July 7

In comments filed with the Environmental Protection Agency (EPA) health and environmental groups said its new risk assessment and evaluation of the widely used anti-bacterial chemical triclosan, found in a wide range of products including soaps, toothpastes and personal care products, point to health effects, environmental contamination and wildlife impacts and calls for consumer uses to be halted. The American Medical Association (AMA) is on record questioning the efficacy of triclosan in consumer products, raising the question of whether the consumer uses are necessary and are doing more harm than good. The coalition of groups commenting criticized EPA for not completing an analysis of the impact of triclosan on endangered species and other deficiencies in its review.

### Health Canada says eight new chemicals will be deemed to be toxic to human health

Health Canada - July 5

Canada announced as part of its Chemicals Management Plan, eight new chemicals will be deemed to be toxic to human health, and one chemical is deemed toxic to the environment under the Canadian Environmental Protection Act. The Chemicals Management Plan was announced in December 2006, which regulates chemicals that are used in thousands of industrial and consumer products. The list of chemicals cited as toxic under the plan are cited <a href="here">here</a>.

## Massachusetts bill would ban the use of bisphenol A in all food and drink packaging

Stoneham Sun - July 7

Stoneham Massachusetts' *Wicked Local* reports U.S. Rep. Edward Markey, who represents the 7th District of Massachusetts, recently filed a bill, HR 6228, which would ban the use of bisphenol A (BPA) in all food and drink packaging. BPA is used in the production of many common household items in the U.S., including plastic baby bottles, and may leach out of the containers into food and drinks. Testing on animals has reportedly shown that even low doses of BPA may be linked to an increase in brain damage, cancer and reproductive problems.

## Retailers share sustainability programs at the Food Marketing Institute's Sustainability Summit

At the Food Marketing Institute's Sustainability Summit, retailers shared their experiences with green programs that work and experiments that could lead to widespread savings. U.K. chain Tesco, which is affiliated with the Fresh & Easy stores in the western U.S., is still testing is carbon labeling program. Tesco also said it has \$200 million set aside for green efforts, and has invested in nightshades for chillers and LED lights, among other technologies, ThePacker.com reported. Wegmans is also making its recyclable plastic packages easier to identify and sort, and works with a composting company to dispose of deli, floral and produce waste instead of sending it to landfills.

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