



June 25, 2010



New "Green Chemistry" Rules Proposed

Authors: [Jon Costantino](#) | [Craig A. Moyer](#)

Earlier this week California's long-anticipated "Green Chemistry" rules were proposed by the Department of Toxic Substances Control (DTSC). These regulations, officially known as the [Draft Regulations for Safer Consumer Product Alternatives](#), will require manufacturers of consumer products to disclose the environmental and public health effects of the production, use, and disposal of their products.

In 2008, Governor Schwarzenegger signed a set of [bills](#) that established the Green Chemistry Initiative; these rules are its centerpiece. The concept behind this initiative is for the state to encourage product developers to utilize environmentally friendly materials from the start (sometimes referred to as "benign by design") and to reduce chemical-by-chemical legislative and regulatory bans.

Beginning in 2011, companies whose products are sold in California will have to outline plans to manage those products from cradle to grave if they contain "chemicals of concern." The scope of these regulations and the additional responsibility placed on manufacturer are very significant. According to Maziar Movassaghi, the acting director of the DTSC, "[t]his draft regulation is the first of its kind in the nation, and it essentially shifts the way government, industry and the public think about the products that end up in our homes."

Initially the chemicals-of-concern list will focus on compounds that cause cancer or genetic changes, damage nervous systems or accumulate in the environment. As the program matures, and the list is updated, it will expand to include chemicals that affect soil, air quality, and endangered species.

The DTSC is hosting two public comment workshops on July 7 and 8, 2010, each beginning at 8:30 in the morning and located in Sacramento. The Department is seeking additional comments and recommendations through July 15, 2010.

If your company manufactures consumer products for consumption in California, we encourage you to take a closer look at the draft regulations and consider participating in the public workshops or

Newsletter Editors

[Craig S. Bloomgarden](#)
Partner
cbloomgarden@manatt.com
310.312.4240

[Ted Wolff](#)
Partner
twolff@manatt.com
212.790.4575

Our Practice

The Energy, Environment & Natural Resources lawyers at Manatt have one of our firm's fastest-growing practices. That growth reflects our depth of experience and skill in dealing with the interaction of increasingly complex environmental and energy regulations that confront every company doing business in the United States. Our attorneys blend a sophisticated legal understanding with a practical business perspective to enhance the competitive flexibility of all our clients
...[more](#)

[Practice Group Overview](#)
[Practice Group Members](#)

Info & Resources

[Subscribe](#)
[Unsubscribe](#)
[Newsletter Disclaimer](#)
[Manatt.com](#)

submitting written comments.

[back to top](#)

For additional information on this issue, contact:



Jon Costantino Jon Costantino manages environmental issues for clients in both political and regulatory environments. He is a seventeen-year legislative and regulatory professional specializing in the areas of climate change and air pollution control. He has developed policy and implemented programs with billion-dollar implications.



Craig A. Moyer Mr. Moyer's practice focuses on clean air, clean water, hazardous waste, CERCLA, oil spills, emergency response, community right-to-know and hazardous materials issues; analysis and review of environmental impact reports, and coastal zone and environmental permitting. He has advised clients in connection with myriad complex regulatory interactions. He has consistently affected rule modifications through litigation and in other ways enabling clients to take advantage of regulatory changes.

ATTORNEY ADVERTISING pursuant to New York DR 2-101(f)

Albany | Los Angeles | New York | Orange County | Palo Alto | Sacramento | San Francisco | Washington, D.C.

© 2010 Manatt, Phelps & Phillips, LLP. All rights reserved.