# Greening of Consumer Products

an Allen Matkins market intelligence publication

July 16, 2008

# <u>Chemical industry allegedly "waging war" on California</u> <u>toxics reform</u>

#### California Progress Report - July 14

The chemical industry in California is allegedly trying to stop the state from banning chemicals found in food packaging and plastic bottles, such as bisphenol A and Teflon, according to the California Progress Report. The American Chemistry Council and DuPont are leading the ranks of lobbying groups and companies who, between them, have hired lobbyists to block the proposed bans. An aide to Sen. Ellen Corbett, author of Senate Bill 1313, which would ban perfluorinated chemicals (PFCs) from food packaging, counted 13 lobbyists who've been hired by companies or groups trying to stop the bill.

# <u>California lawmakers calling for more accountability on</u> <u>regulating chemical plants</u>

#### SF Gate - July 8

Spurred by an investigation of illnesses among the former workers at a San Bernardino County chemical plant, Searles Valley Minerals, California lawmakers are calling for more information, more oversight, and more accountability among the state agencies that have been responsible for regulating the plant. Investigators found high levels of unusual, toxic chemicals found in the bodies of its former workers. Allegations that toxic substances from the plant have been harming workers and the environment have been reported.

### Alternative Chemical Products market expected to reach \$94.8 billion in 2013 due to consumer demand for greener products: report

#### BCC Research - July 7

According to a market research report from <u>BCC Research</u> on Alternative Chemical Products and Processes, the U.S. market for alternative chemical products is expected to be worth \$46.6 billion in 2008. The research indicated that it will increase to \$94.8 billion in 2013. Along with the public's demand for greener products, the research highlights manufacturers' needs for cost-effective processing, cheaper feedstocks, and new product avenues, which have become major market drivers for the commercialization of alternative chemical products.

# FTC to host public workshop to examine products' environmental claims

#### Federal Trade Commission - July 11

As part of its review of its environmental marketing guidelines, also known as the "Green Guides," the Federal Trade Commission will host its third public workshop to examine developments in environmental claims for building products, buildings, and textiles, along with consumer perceptions of those claims, on Tuesday, July 15, 2008, from 9:00 a.m. to 5:00 p.m in Washington, D.C.. The workshop will provide an opportunity for interested

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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... parties to study green textile and building claims.

# <u>USDA working on definition of "natural" personal care</u> products

#### Sacramento Bee - July 7

A California lawsuit highlights the problems consumers have faced in the confusing regulatory terrain of organic and natural personal care products, according to the Sacramento Bee. The U.S. Department of Agriculture is working on a definition of "natural products" to be used in future standards, said USDA National Organic Program spokesman Billy Cox. The department's National Organic Program certifies organically produced cosmetics and body care products but on a voluntary basis. The Food and Drug Administration can take action against cosmetic companies that make false or misleading claims on product labels, but it does not define or regulate "organic" or "natural" cosmetics, nor does it test any cosmetics before they go to market.

## <u>RC2 pays licensor HIT Entertainment \$15 million over</u> <u>Thomas the Tank Engine recall</u>

#### Chicago Tribune - July 7

RC2, the toymaker that was obliged to recall about 1.7 million Thomas & Friends toy trains because lead in the paint was higher than U.S. regulations permit, said that it agreed to pay \$15 million to HIT Entertainment Ltd., the closely held company that owns the rights to the Thomas & Friends brand, according to the Chicago Tribune. Under the agreement, RC2 paid HIT the \$15 million, and HIT released the toymaker from the recall-related indemnification claims.

### <u>Class action lawsuit against luxury goods giant LVMH</u> <u>over lead in lipstick will go ahead</u>

#### Cosmetic News (subscription required) - July 11

A class action lawsuit against luxury-goods giant LVMH concerning the use of lead in a lipstick sold under its Dior Addict brand can go ahead following a ruling by a court in Chicago, US. District Judge Elaine Bucklo declined LVMH's request that the lawsuit be thrown out. The lawsuit was filed in November 2007, after lobby group the Campaign for Safe Cosmetics released a report claiming several well-known brands of lipstick, including Dior, contain lead. The industry has largely dismissed the claims that potentially dangerous levels of lead are found in various major brands' lipsticks.

# Japanese commission to conduct study on safety of bisphenol A

#### Red Orbit - July 8

Japan's Food Safety Commission will examine the safety of bisphenol A, which the nation's National Institute of Health Sciences recently found could disturb nerve systems and behavior in children even amid low levels of exposure. The study, which is expected to take a year, will focus on the impact of the compound on children's health. In Japan, bisphenol A is used in polycarbonate baby bottles and to coat the interior of cans. © 2008 Allen Matkins Leck Gamble Mallory & Natsis LLP. All rights reserved. This email is intended for general information purposes only and should not be construed as legal advice or legal opinions on any specific facts or circumstances. This email was sent by: Allen Matkins Leck Gamble Mallory & Natsis LLP, 515 S. Figueroa Street, 7th Floor, Los Angeles, California 90071. To stop receiving this publication, just reply and enter "unsubscribe" in the subject line.