



# California's Safer Consumer Product Regs:

Identifying safer alternatives, avoiding regrettable  
substitutes



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California  
Environmental  
Protection Agency



**AB 1879 –  
Safer Consumer Product  
Regulations will require  
product manufacturers to ask:**



# Is It Necessary?





# Formaldehyde



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# Brominated Flame Retardants



# Nonylphenol Ethoxylates



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**AB 1879:**  
**Mandates the question, does  
not dictate the answer.**



# **Safer Consumer Products Draft Regulation Dated July 27, 2012**

- **78 page full draft regulation**
- **18-page summary w/ highlights**
- **Summary of changes**
- **Initial Statement of Reasons**



# Overview: The Safer Consumer Products Regulations

All Chemicals  
(100,000+)

Chemicals  
of  
Concern  
(COCs)  
(1200+)

Products  
with  
COCs



Priority Products Requiring:

- Alternatives Analysis
- Regulatory Response(s) for selected Alternative and/or Priority Product



# Chemicals of Concern

## Initial COC List

-About 1,200 chemicals

## Initial Priority Products List

-About 200 chemicals

Petition process to +/-  
chemicals or lists





# Chemicals of Concern

## WHY

- **Consistent with AB 1879 direction**
- **Focuses DTSC resources on product prioritization & AAs**
- **Accelerates Implementation**





# Chemicals of Concern

## WHY

- **Sends immediate signals to the marketplace**
- **Flexible palette for future action**
- **Deters regrettable substitutions**
- **Similar in size to existing industry lists**



# Priority Products Narrative Standard

- **Adverse impacts of COCs in the product**
- **Potential exposures**
- **Market & household presence**
- **Users, uses, and applications  
(e.g, sensitive populations & receptors)**





# Priority Products Narrative Standard

- **End-of-life exposures**
- **Substantiating reliable information & monitoring**
- **Other regulatory programs**
- **Availability of alternatives**





# **Priority Products** **(product-chemical combinations)**

**Public Process for selection**

**First proposed set:**

**6 months from adoption**

**Allows flexibility to address  
future needs**

# How It Works: Safer Consumer Products Regulations

## Chemicals

- OEHHA hazard traits
- Initial list – existing authoritative lists
- Additions to the list –
  - Adverse public health & environmental impacts
  - Sensitive subpopulations & environmental receptors
  - Exposures – biological/environmental monitoring
  - Reliable information

## Chemicals of Concern List

## Products

(Product/COCs Combinations)

- COCs' adverse impacts (see above)
- Potential exposures to COCs in product
- Market and household presence
- Users, uses, and applications of product
- End-of-life management
- Reliable information

## Priority Products List

## Alternatives Analysis

- Technical guidance
- Exemptions
- Alternatives Analysis process & timeframes
- Alternatives Analysis reports

## Alternative Selection


## Regulatory Responses



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# Alternatives Analysis

**Phased – notification, prelim, final**

**Flexibility – format, timing**

**Reg sets the standards,  
Guidance will offer details**





# Alternatives Analysis: Quality Assurance

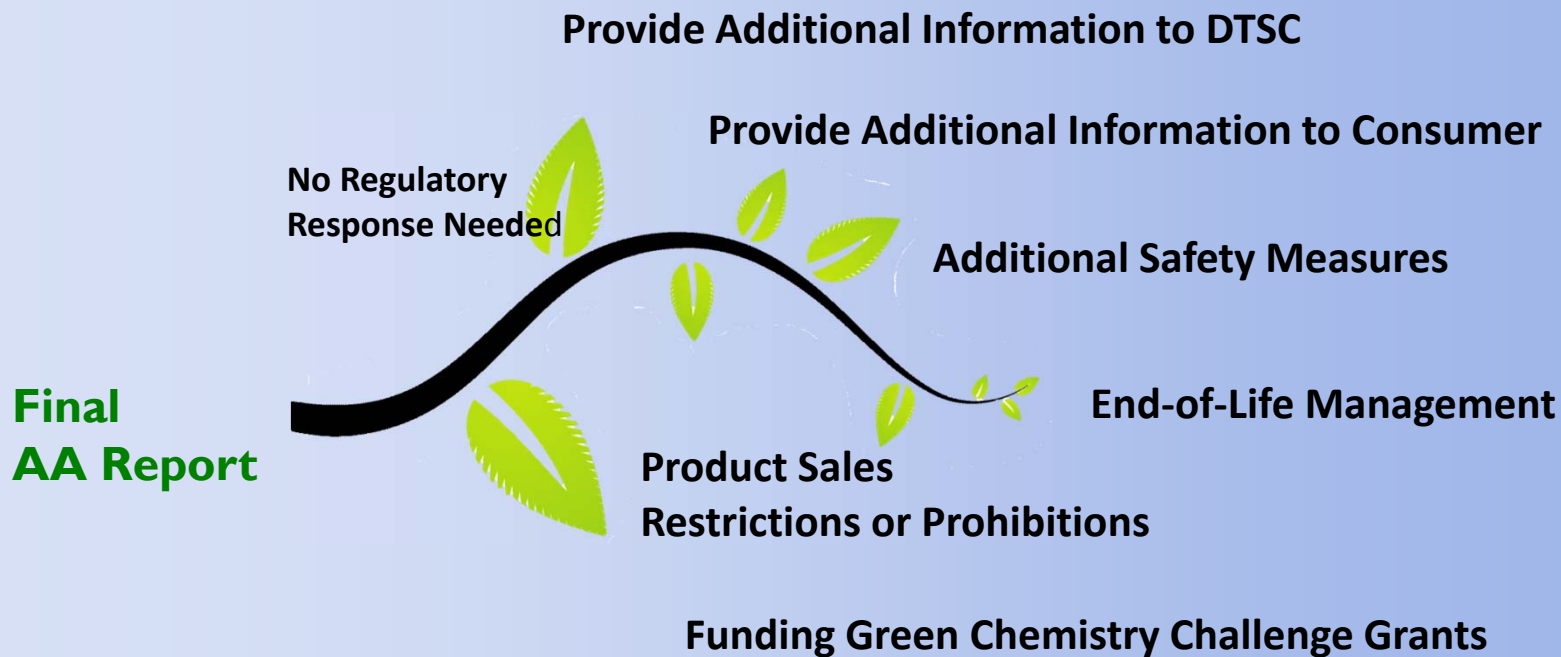
**DTSC Audit**

**Certified Assessors**

**Publicly available redacted AA  
Reports**



# Regulatory Response







# Signal to the Marketplace...



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**Opportunity for innovation...**



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# Next Steps





# Regulations Adoption

## Formal APA Rulemaking Process

Formal Draft

Initial Statement of Reasons

45-day Public Comment Period

Hearing





# Questions or Comments?

[www.dtsc.ca.gov/SCPRegulations.cfm](http://www.dtsc.ca.gov/SCPRegulations.cfm)



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