



February 25, 2009

The Honorable Bobby Rush
Chairman
Subcommittee on Commerce, Trade and Consumer Protection
House Committee on Energy and Commerce
Washington, D.C. 20515

The Honorable George Radanovich
Ranking Member
Subcommittee on Commerce, Trade and Consumer Protection
House Committee on Energy and Commerce
Washington, D.C. 20515

Dear Chairman Rush and Ranking Member Radanovich:

Ensuring the safety of our products – while maintaining the confidence of consumers – is the single most important goal of the consumer products industry. Product safety is the foundation of consumer trust, and our industry devotes enormous resources to ensure the safe use of our products.

Consumer products companies recognize that steps must be taken to improve confidence in the safety of chemicals used to manufacture consumer products and packaging and to promote even greater innovation. To that end, we support legislative enhancements to the Toxic Substances Control Act of 1976 and urge you to create and endorse a stakeholder process that recognizes the critical role played by the consumer products industry.

Improvements to TSCA should recognize changes in science and technology, establish deadlines for review of priority chemicals, ensure that EPA has timely and adequate information on use and exposure, leverage ingredient or chemical management programs undertaken by other nations, promote innovation, and integrate the patchwork quilt of laws governing product safety.

In particular, we look forward to working with you to address the following policy challenges:

- **Setting Priorities.** Congress should consider ways to identify “priority” substances that should be reviewed, including chemicals that may pose health risks to sensitive populations. In particular, Congress should examine how industry studies that meet EPA standards for protocols and procedures should be used to support government efforts.
- **Exposure and Use Information.** Congress should work with the consumer products industry and others to ensure that EPA has adequate and timely information on chemical use and exposure to assess “priority” chemicals and to have sufficient information to establish science-based limits on the use of certain substances, if appropriate.
- **Deadlines.** Congress should consider how to establish clear but achievable deadlines for the review of priority chemicals, and should ensure that EPA has adequate resources to meet these deadlines. Congress also should explore ways to leverage reviews by Canada, the European Union and other nations with modern product safety systems to avoid duplicative and wasteful testing.
- **Risk Management.** Congress should revisit and clarify EPA and other federal agency authority to manage and mitigate the use of chemicals that present risk concerns to public health or the environment, and should ensure that the regulatory system continues to assess the costs and benefits of new restrictions and potential alternatives.
- **Innovation.** Congress should ensure that improvements to TSCA promote – and not stifle -- innovation and new product development. Maintaining the global competitiveness of the producers and users of chemicals is critical to our economy. Protecting confidential business information, clarifying the roles of the states, and promoting a level global playing field will foster greater innovation.

As you consider enhancements to TSCA, our organizations strongly urge you to create a stakeholder process that will reflect the critical role played by the consumer products industry. By setting priorities, ensuring that use and exposure data is provided, providing deadlines and resources, and by clarifying risk management options, Congress can foster innovation and enhance consumer confidence.

Sincerely,

D. Christopher Cathcart
President & CEO
CSPA

Pamela G. Bailey
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