

**Hidden words are more
fun than hidden fees.**

L B A G S F L Y F R E E S D
O W V K L N U G L R Z M I C
W I N T E R N A T I O N A L
F R A S A J A N B U Y V O Z
A W U V K Z X B S U C D G A
R A P I D R E W A R D S K X
E T I O A F F G H S R Y T A
S N O C H A N G E F E E S A

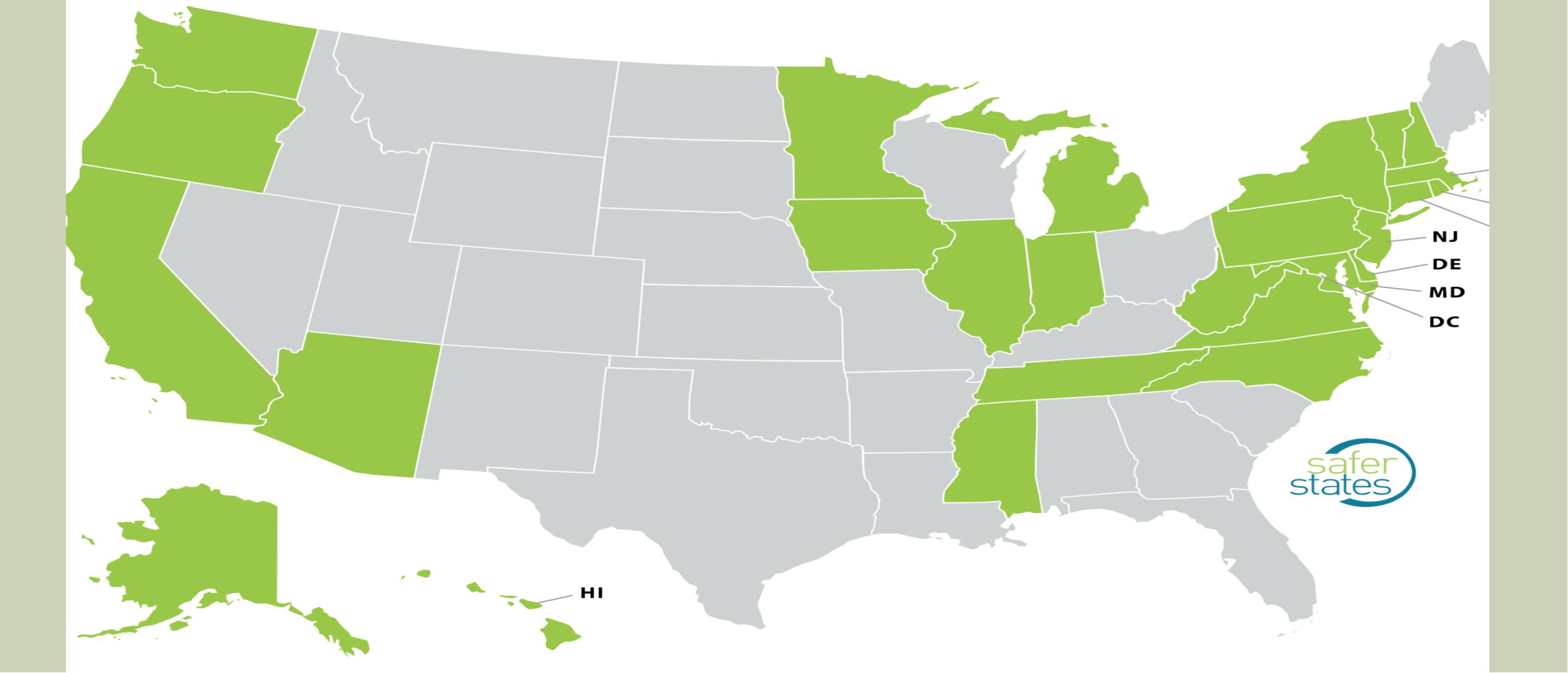
That's Transfarency.®

First and second checked bags. Weight and size limits apply. Fare difference may apply.

DISCLOSURE IN THE STATES

GRETCHEN SALTER
SAFER STATES

SAFER STATES



DISCLOSURE IN THE STATES

■ Disclosure as part of larger policies

- Washington
- Maine
- Vermont
- Oregon
- Massachusetts

■ Disclosure in specific products

- California- cleaning products, cosmetics, flame retardants
- New York- cleaning products

STRONG SUPPORT

- Polls overwhelmingly show support for more transparency
- **86% of Americans are concerned about toxic chemicals'** ability to cause cancer and want more to be done to protect the public from cancer-causing chemicals (Source: Cancer Free Economy Network, 2017)
- **78% of voters** support legislation to label cleaning product chemicals. (Source: BCPP, 2016)
- Support **crosses party lines** with 87% of Democrats, 76% of no-party voters and 67% of Republicans in favor.

CONSUMERS WANT SAFE PRODUCTS



DISCLOSURE LEADS TO SAFER PRODUCTS

Supply chain transparency



Reformulation



Safer Products

OPPOSITION PUSHBACK



The “Cancer Cover-up”

- So-called “Accurate Labels Act”
 - Backed by ACC and GMA
 - Targets state disclosure laws
 - Sets high bar for state exemptions
 - Preemption

FUTURE OF DISCLOSURE

- More
- Hazard-based
- CBI
- Class based approach

DISCLOSURE: DOING SOMETHING RIGHT

- ✓ Consumers
- ✓ Legislators
- ✓ Regulators
- ✓ Supply Chains
- ✓ Responsible and Responsive businesses
- ✗ **Irresponsible Industry**



Transparency: Rising or Declining

BizNGO Annual Meeting

December 4 - 5, 2018



WE'RE A COMPANY
ON A *mission*

to transform the world into
**A HEALTHY, SUSTAINABLE,
& EQUITABLE PLACE**
for the next seven generations



WE DO
BUSINESS
differently



Certified



Corporation



Our Aspirations



Source sustainably
**Decrease our
carbon footprint**
Generate zero waste



**Reduced Exposure to
Toxic Chemicals for All**

Ingredient Transparency



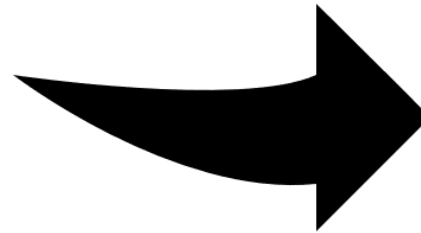
**Our value chain earns a
livable wage**
**An equitable and inclusive
workplace**



**A lack of transparency
results in distrust**

-Dalai Lama

In 2018, trust in US business **declined 20 points and decreased in 10 out of 15 sectors**



**Trust in the
CPG sector**



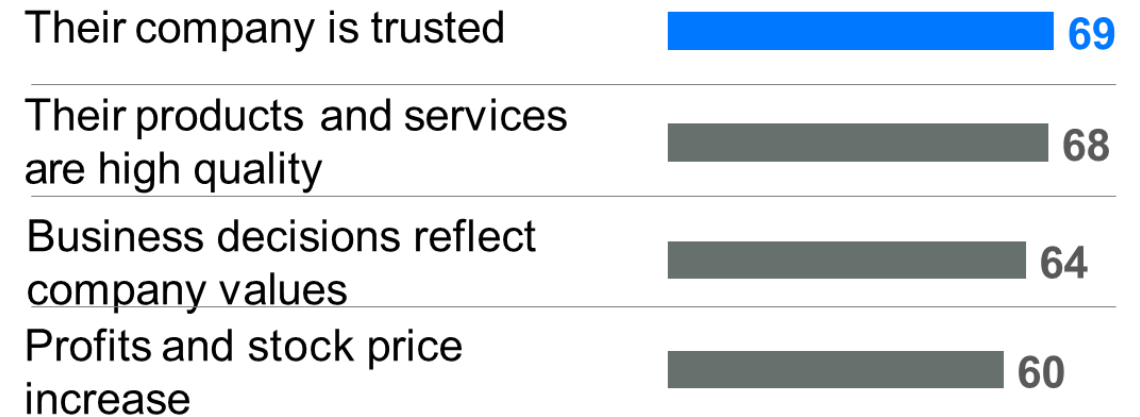
CONFIDENTIAL

Business is expected to lead

Percent who say that CEOs should take the lead on change rather than waiting for government to impose it

64%

For CEOs, building trust is job one



Source: 2018 Edelman Trust Barometer. CEO_AGR. Thinking about CEOs, how strongly do you agree or disagree with the following statements? (Top 4 Box, Agree), question asked of half of the sample. CEO_EXP. Below is a list of potential expectations that you might have for a company CEO. Thinking about CEOs in general, whether they are global CEOs or a CEO who oversees a particular country, how would you characterize each using the following three-point scale? (Most important responsibility, code 3), question asked of half of the sample. General population, 28-market global total.



How has our industry
undermined trust?





Harmful effects are now generally
recognized and accepted

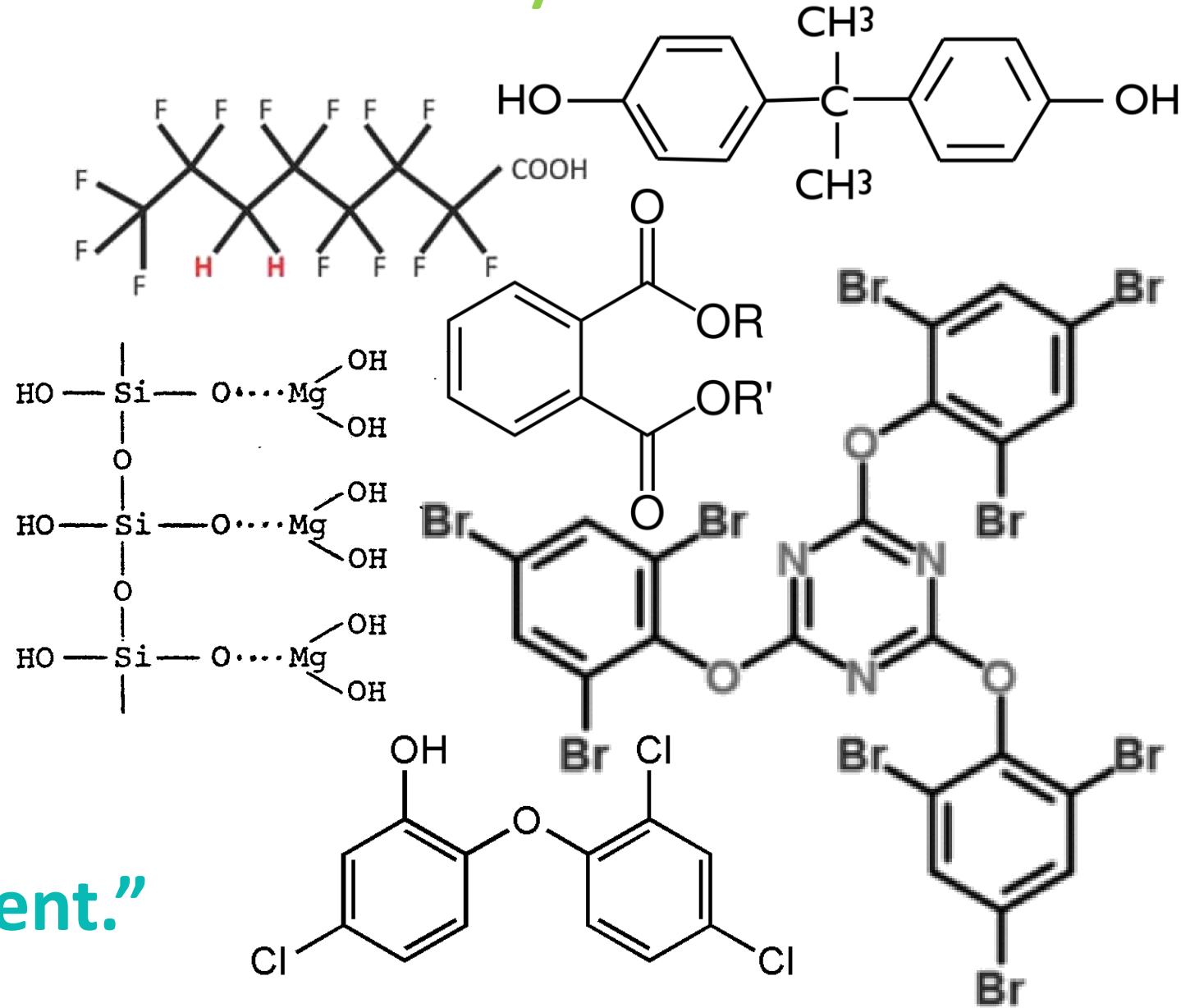
Issue: Chemical Safety

- Lead in gasoline
 - Industry response, “Safe at levels present.”
- Lead in paint
 - Industry response, “Safe at levels present.”
- Lead in children’s jewelry
 - Industry response, “Safe at levels present.”
- Lead in drinking water
 - Industry response, “Safe at levels present.”

Issue: Chemical Safety

• The issue is not limited to lead:

- Asbestos
- Brominated flame retardants
- PFOA, PFOS
- BPA, BPS
- Triclosan
- Phthalates
- Chlorpyrifos
- Fragrance ingredients



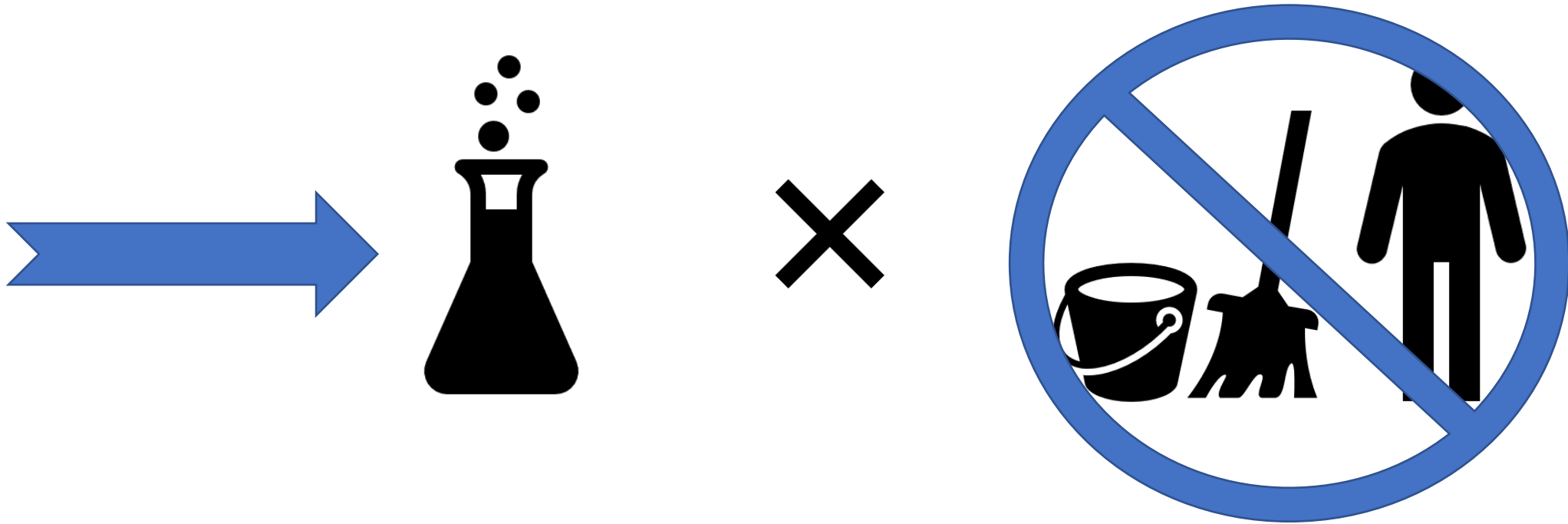
**Industry response,
“Safe at levels present.”**

But What Is Safe?

- Safe = acceptable risk of harm.
- Acceptable to whom?
 - Regulators
 - Industry
 - Our consumers?
- Different individuals have different tolerances for risk.

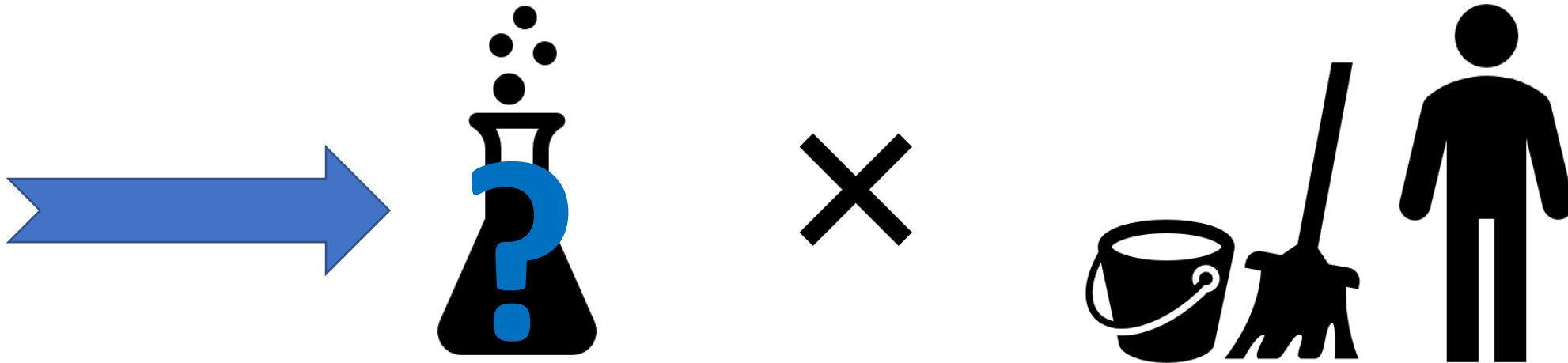


$$\textit{Risk} = \textit{Hazard} \times \textit{Exposure}$$



Companies can control hazard, but not consumer exposure.

$$\textit{Risk} = \textit{Hazard} \times \textit{Exposure}$$



Consumers cannot evaluate risk if they don't know the hazard.

Building Trust Requires Transparency

In the disclosure biz since 2008!

- All ingredients listed on package and online
- All fragrance ingredients and 26 EU fragrance allergens listed on package and online
- Chemical name, source and function listed prominently



Seventh Generation

Join us in nurturing the health of the next seven generations.

0% Dyes, Synthetic Fragrances, and Artificial Brighteners. Scents made from 100% Essential Oils & Botanical Extracts

WHAT'S INSIDE OUR SAFE* & EFFECTIVE FORMULA



Sodium citrate
Sodium carbonate
Laureth-6
Hydrated silica
Cocos nucifera (coconut) oil
Protease
Amylase
Mannanase
Cellulase
3-hexenol
Cedrenol
Citronellol
Citrus aurantium dulcis (orange) peel oil
Citrus nobilis (mandarin orange) peel oil
Fusinus spicatus (sandalwood) oil
Gamma-decalactone
Juniperus mexicana (cedar) oil
Pelargonium graveolens (geranium) flower oil
Pogostemon cablin (patchouli) oil

Film:

Polyvinyl alcohol
Glycerin
d-Limonene is a component of these fragrance ingredients.

Gluten Free. Phosphate Free

Learn more at seventhgeneration.com

It's USDA Certified Biobased Product (94%).

plant-derived water softener
mineral-based cleaning agent
plant-derived cleaning agent
mineral-based flow aid
plant-derived anti-foaming agent
plant-derived enzyme blend soil remover
plant-derived enzyme blend soil remover
plant-derived enzyme blend soil remover
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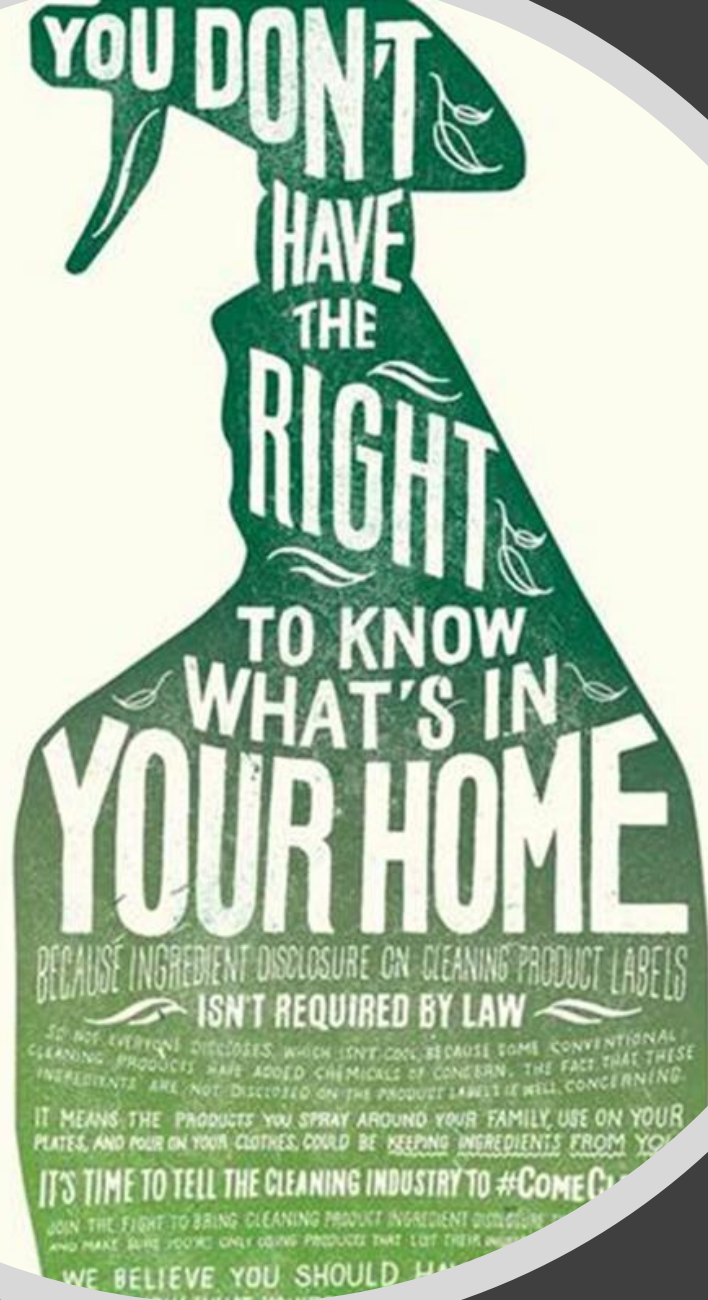
synthetic water-soluble film
plant-derived processing aid



What has it required?

- Taking risks →
 - Our suppliers thought we were crazy. But they're still with us.
- Being humble →
 - We once thought attaching a small booklet of ingredients made sense. It did not.
- Being honest →
 - Ask and be willing to own what you find.
- Finding partners →
 - EPA Safer Choice made us better.
- Getting everyone on board →
 - Everyone? Everyone.





Find some allies

(consumers, NGOs, politicians, like minded businesses, your kids' second grade class...whoever is willing to help)

You have a right to know what's in the products you bring into your home.



Driving Momentum in the #ComeClean
Fight for Ingredient Disclosure



The Legislative Battlegrounds



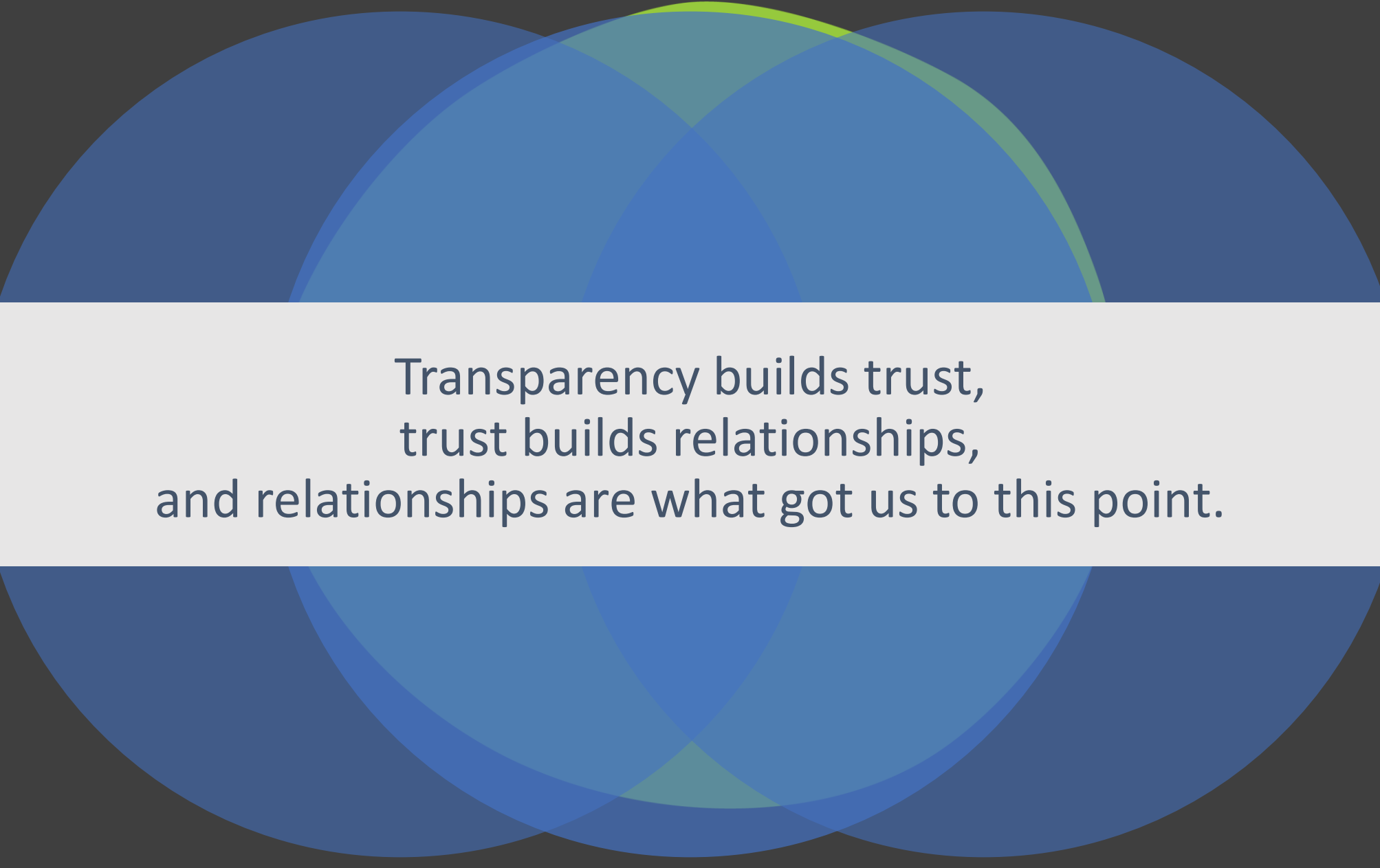
- Thresholds: Low enough to capture chemicals of concern, but not too low to draw incorrect equivalencies and overwhelm consumers



- Execution: On the label of the bottle, but not so small that no one can read it; online but not buried.



- Chemicals: Which ones and why? One list (of lists) to rule them all?

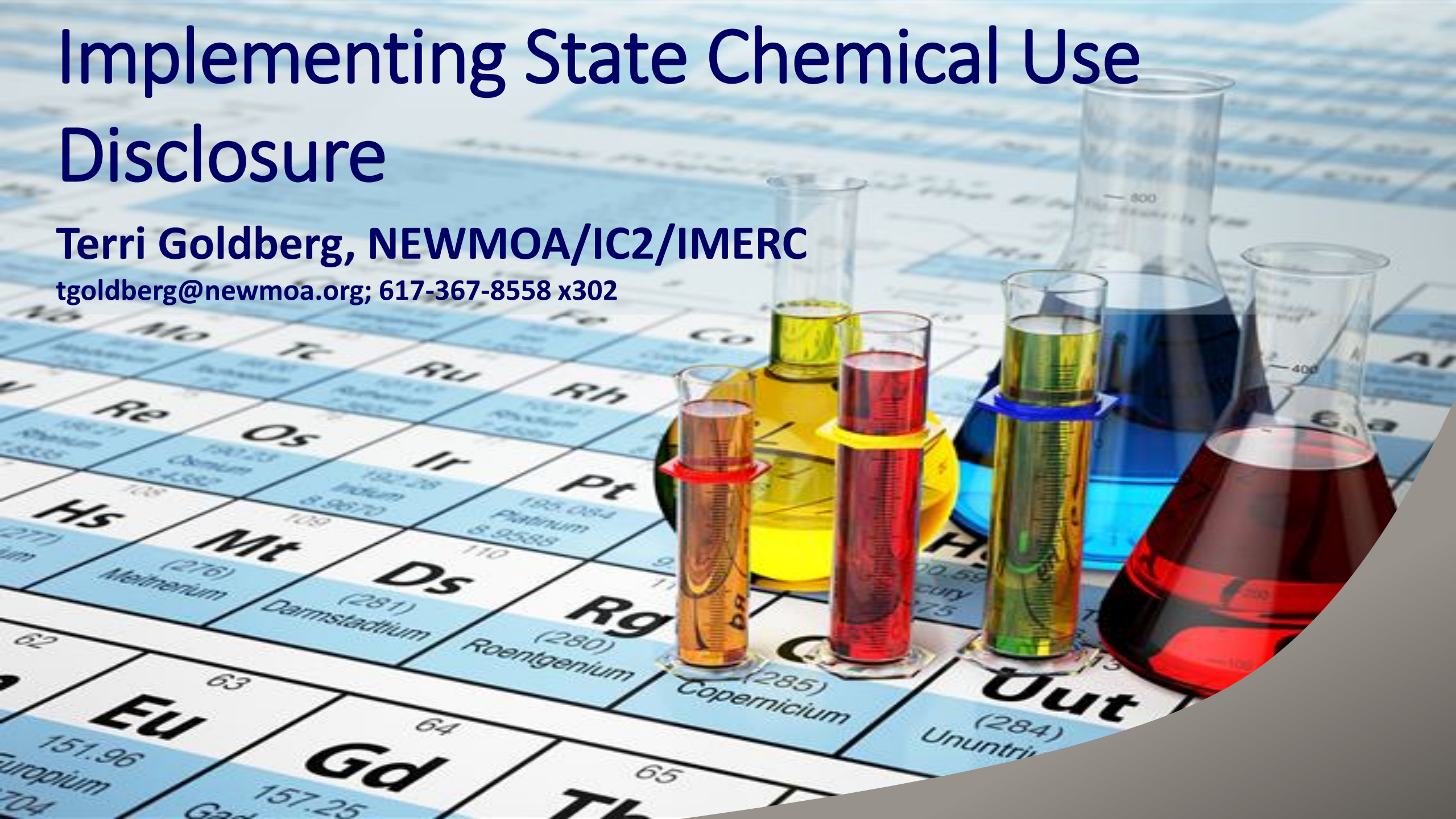


Transparency builds trust,
trust builds relationships,
and relationships are what got us to this point.

Implementing State Chemical Use Disclosure

Terri Goldberg, NEWMOA/IC2/IMERC

tgoldberg@newmoa.org; 617-367-8558 x302



Why do states require product disclosure?

- Inform policy / programs / actions
- Support implementation of laws / track progress
- Identify potential sources of exposure / releases /end-of-life impacts & inform measures to protect environmental & public health
- Inform consumer choices
- Promote supply chain interaction
- Level the playing field



State Disclosure Laws

Hg Reporting

Intentional use of mercury in all products sold

Cleaning Products

Disclosure of ingredients

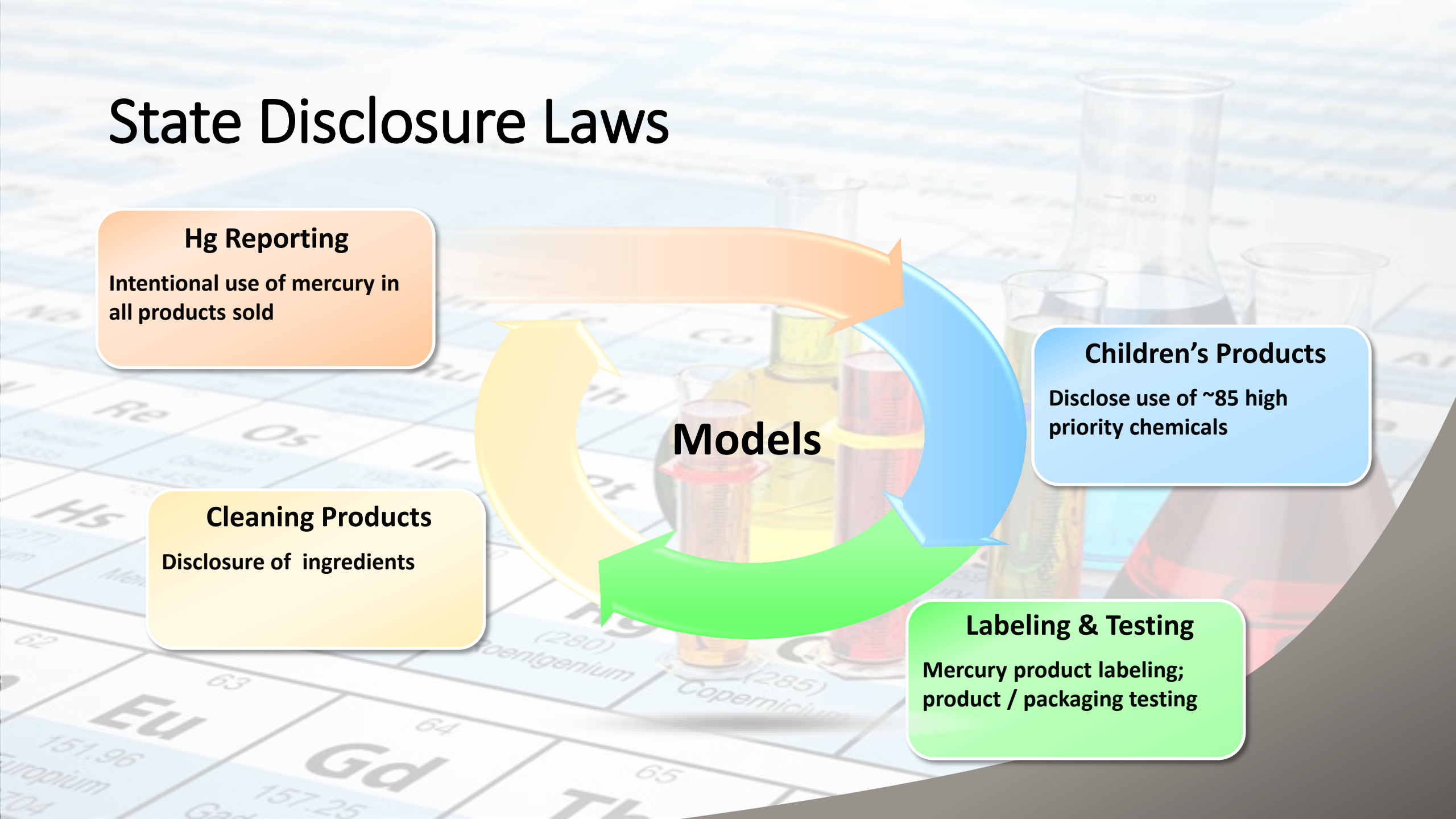
Models

Children's Products

Disclose use of ~85 high priority chemicals

Labeling & Testing

Mercury product labeling;
product / packaging testing





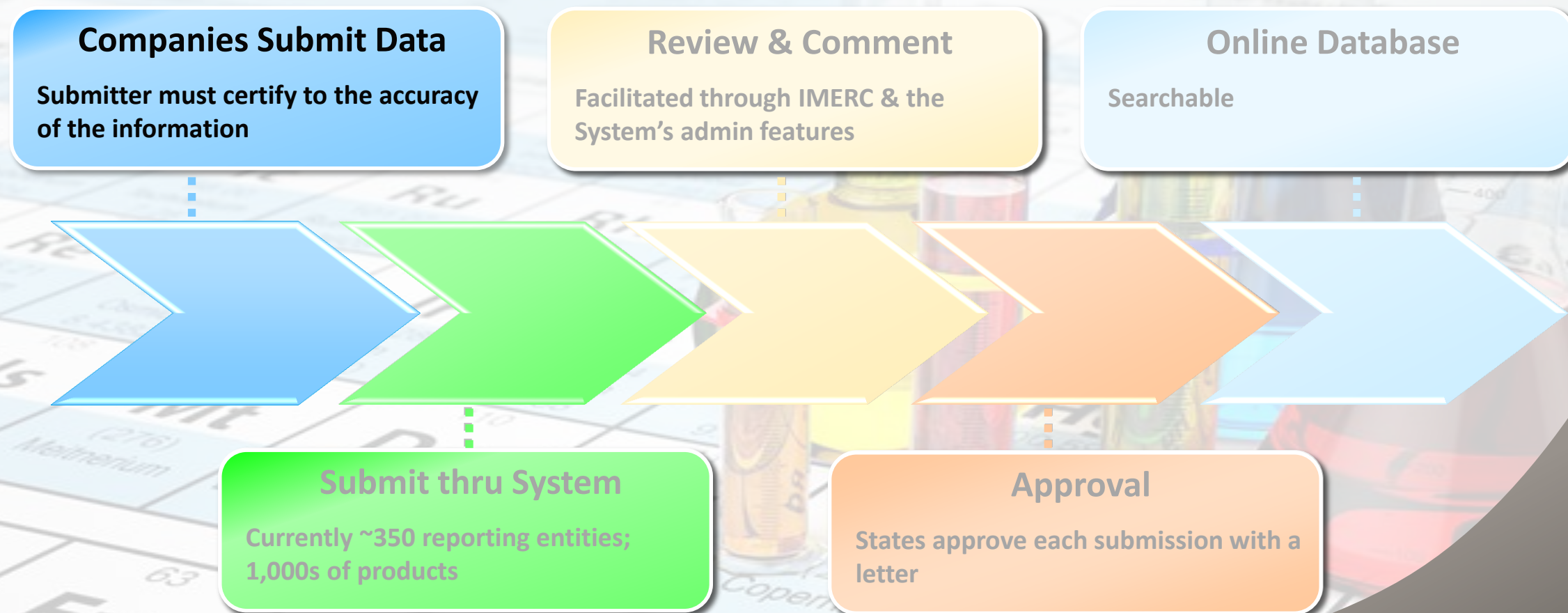
Mercury-added Product Notification

Interstate Mercury Education & Reduction Clearinghouse (IMERC)

Overview

- 8 states require reporting – CT, LA, ME, MA, NH, NY, RI, & VT (NC for cars only)
- Applies to all products with intentionally-added mercury that are sold in the states – entire supply chain, including components & final products that include the components
- Fabricated (by weight) & formulated products (by concentration)
- No reporting threshold
- Mercury use in individual products reported in ranges
- Mercury use in all products sold in the year in the U.S.
- Due every three years
- Single IMERC portal for reporting satisfies all states
- Allowance for CBI – submit to individual states

Notification Process





IMERC Mercury-Added Products Reporting System

Overview

Welcome to the Interstate Mercury Education and Reduction Clearinghouse (IMERC) Mercury-Added Product Reporting System. This e-filing System replaces the paper Mercury-added Product Notification Form submission process and enables companies to comply with the Mercury-added Product Notification requirements of Connecticut, Louisiana, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. The System also helps reporting entities comply with IMERC-member states' [labeling requirements](#) by enabling them to indicate if their mercury-added products are properly labeled in accordance with local, state, or federal regulations.

All aspects of the Notification process, including Form submission, attachment submission, and post submission communications, are handled through the e-filing System. Users can get help through the "Need more help?" link located under the login fields, which provides a PDF document to assist users with navigating the online Notification process. If you need assistance during your submission, please review the help documentation before contacting the IMERC Coordinator.

For more information about IMERC and its activities, visit www.newmoa.org/prevention/mercury/imerc or contact Rachel Smith, IMERC Coordinator, 617-367-8558, or imerc@newmoa.org. IMERC is a program of the Northeast Waste Management Officials' Association (NEWMOA). NEWMOA's staff provides logistical, facilitation, and technical support for the activities of IMERC.

NEWMOA contracted with enfoTech & Consulting, Inc. to develop the IMERC Mercury-Added Product Reporting System using their GovOnline software platform. GovOnline is a web-based "Permits/Licenses" and "Online Services" management system, which allows public users to electronically report and agency officials to review and approve submissions online. More information about enfoTech and GovOnline are available by following the link in the footer below.

[Add Website to Bookmarks](#)

Public Login

User name

Password

Login

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Release Date: April 22, 2013

Version: 1.1013.0422.30594

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GovOnline Website is secured by



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a CyberSource solution

IMERC Fact Sheet

Mercury Use in Dental Amalgam

This Fact Sheet summarizes the use of mercury in dental amalgam, including the total amount of mercury amalgam sold in the U.S. in 2001, 2004, 2007, 2010, and 2013.

The information in the Fact Sheet is based on data submitted to the state members of the [Interstate Mercury Education and Reduction Clearinghouse \(IMERC\)](#) including Connecticut, Louisiana, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. The data is available online through the [IMERC Mercury-Added Products Database](#).

Mercury Use in Dental Amalgam

Dental amalgam, used in restorative work for filling teeth, is an alloy that contains silver, tin, copper, other metallic elements, and mercury, which typically makes up about 50 percent of the amalgam. Historically, dentists mixed amalgam on-site using bulk liquid mercury and metal powders, but today dental amalgam is purchased in pre-dosed amalgam capsules that come in different sizes. The mercury content of each capsule can vary from 100 to 1,000 milligrams of mercury.

Table 1 presents information on the total amount of mercury sold in dental amalgam in 2001, 2004, 2007, 2010, and 2013.¹ Five dental amalgam manufacturers have consistently submitted Mercury-added Product Notification Forms to IMERC-member states. These manufacturers are: Dentsply Caulk; Goldsmith & Revere; Ivoclar Vivadent; Kerr Corp. / Sybron Dental Specialties; and SDI Limited. To date, IMERC has not received notification from other mercury amalgam manufacturers.

Table 1: Total Mercury Sold in Dental Amalgam (pounds)				
2001	2004	2007	2010	2013
61,537 (30.77 tons)	53,213 (26.61 tons)	39,913 (19.96 tons)	34,163 (17.08 tons)	31,940 (15.97 tons)

[Note: 453.6 grams = 1 pound; 2,000 pounds = 1 ton. All numbers are rounded to the nearest whole number.]

Challenges

- Started in 2001 by NH – all paper
- Migrated to e-filing in 2011
- Identifying the regulated universe
- Compliance & enforcement - underreporting
- Maintaining/upgrading data system
- Connecting reporting with product labeling, restrictions, & product testing
- Trade associations reporting on behalf of members
- Transforming raw data into useful / actionable information
- EPA's Mercury Reporting Rule



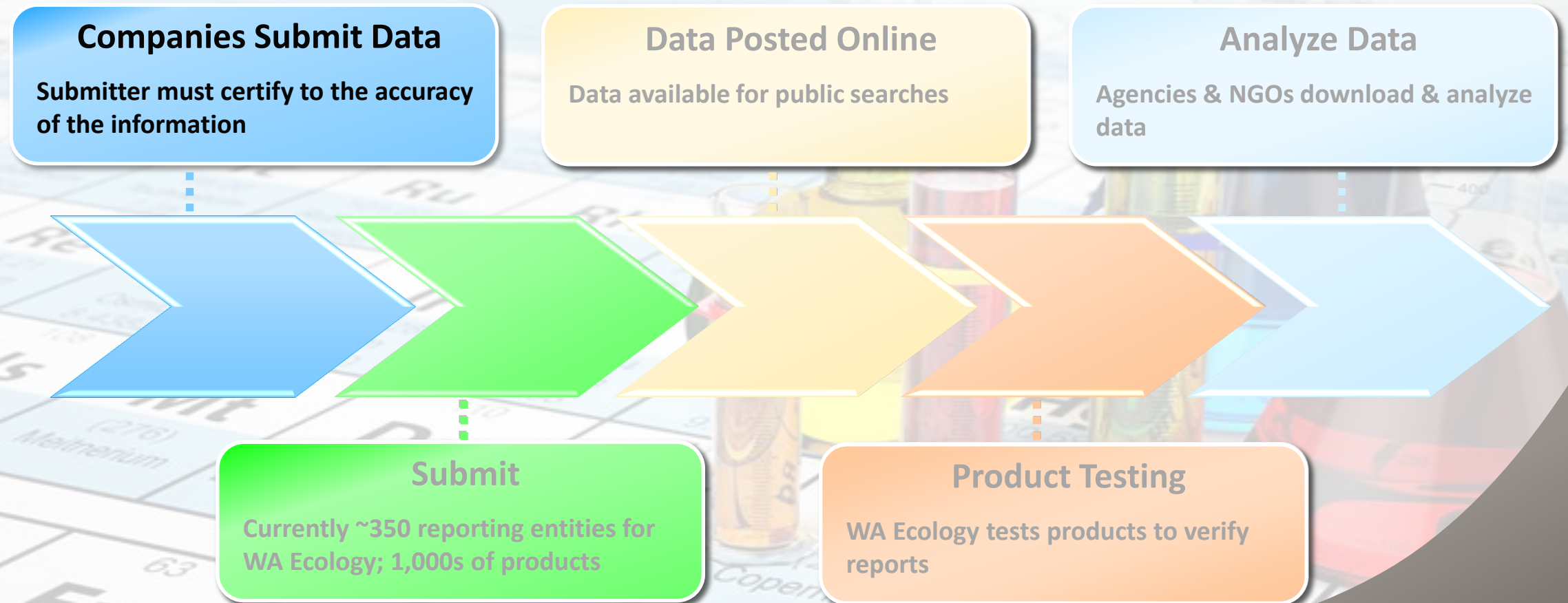
Children's Product Disclosure

Interstate Chemicals Clearinghouse (IC2)

Overview

- 3 IC2 states require reporting – OR, VT, & WA
- Applies to “children's products” that contain ≥ 1 chemical on a list of ~85 chemicals of high concern to children (CHCCs) & sold in the states
- Various thresholds for intentionally-added CHCCs
- Chemical use reported as a concentration in ranges
- Contaminants >100 ppm
- Product category plus brand name & product model (for VT)
- Product component containing the CHCCs
- Function of the CHCCs in the product
- Each state has a system for reporting
- Some allowance for CBI (not in OR)
- Currently, developing a single reporting system for all 3 states administered by the IC2

Reporting Process



Under the [Children's Safe Products Reporting Rule](#), manufacturers must report annually on the presence and use of these chemicals in children's products offered for sale in Washington. Each of these chemicals meets criteria established by the [Children's Safe Products Act](#). Click on the Chemical Abstract Service (CAS) number next to the chemical name to view a summary of toxicity and potential for exposure information for that chemical. *Note:* Find the authoritative version of the reporting list of Chemicals of High Concern to Children (CHCC) in [WAC 173-334-130](#).

CAS	Chemical
50-00-0	Formaldehyde
62-53-3	Aniline
62-75-9	N-Nitrosodimethylamine
71-43-2	Benzene
75-01-4	Vinyl chloride
75-07-0	Acetaldehyde
75-09-2	Methylene chloride
75-15-0	Carbon disulfide
78-93-3	Methyl ethyl ketone
79-34-5	1,1,2,2-Tetrachloroethane
79-94-7	Tetrabromobisphenol A (TBBPA)
80-05-7	Bisphenol A (BPA)
80-09-1	Bisphenol S (BPS)
84-61-7	Dicyclohexyl phthalate (DCHP)
84-66-2	Diethyl phthalate (DEP)
84-69-5	Diisobutyl phthalate (DIBP)
84-74-2	Di-n-butyl phthalate (DBP)
84-75-3	Di-n-hexyl phthalate (DnHP)



HEALTH & THE ENVIRONMENT



ASBESTOS & LEAD IN BUILDINGS



CHILDREN'S ENVIRONMENTAL HEALTH



CLIMATE & HEALTH



DRINKING WATER



ENVIRONMENTAL CHEMICALS & POLLUTANTS



ENVIRONMENTAL PUBLIC HEALTH TRACKING



FOOD & LODGING PROGRAM



HEALTHY HOMES



HEALTHY SCHOOLS



RADIOLOGICAL HEALTH



RECREATIONAL WATER



TOWN HEALTH OFFICERS



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Check on neighbors and see that their vents are clear as well! #WinterReadyVT <https://t.co/frSW1IYiAc>
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CHEMICAL DISCLOSURE PROGRAM FOR CHILDREN'S PRODUCTS (FOR MANUFACTURERS)

There are many chemicals in our environment. Some of them are in products we all use—including children's products. Consumers are encouraged to learn more about the chemicals that are in children's products.

Vermont prioritizes protecting public health and the environment. Beginning January 1, 2017, manufacturers who use chemicals designated by the State of Vermont as Chemicals of High Concern to Children, must report information about these chemicals to the Health Department.

> [Vermont Law and Regulations](#)

[Chemicals of High Concern in Children's Products Workshop Minutes - January 22, 2018](#) >

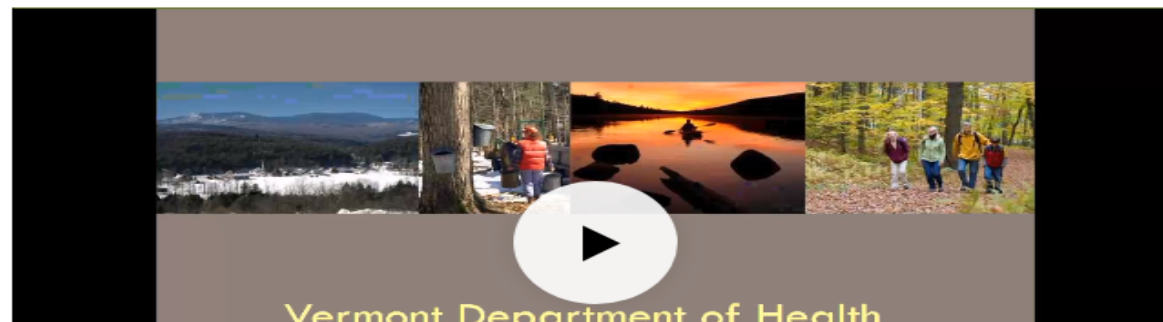
[CLICK HERE TO REPORT](#)

[Sign up to receive email updates](#) >

[View the Guidance for Manufacturers](#) >

[Get the Online Reporting System User Manual](#) >

You can watch this video to learn how to use the Chemical Disclosure Program's online system.



Vermont Department of Health

Challenges

- Satisfying requirements of 3 states (e.g., different state CHCC lists, reporting deadlines, & fees)
- Product category vs product model
- Multi-state system development & migrating existing data
- Accountability & chain of custody of data when companies report on behalf of other companies
- Differences in states' CBI policies
- Compliance & enforcement
- Transforming raw data into useful / actionable information



Cleaning Products Disclosure

Interstate Chemicals Clearinghouse (IC2)

Overview

- 2 states – NY & CA
- NY's guidance final - www.dec.ny.gov/docs/materials_minerals_pdf/cleansingprodfin.pdf; No need for CA to develop guidance
- Applies to cleaning products used by residential & commercial consumers
- Disclosure of chemical ingredients (not just chemicals of high concern)
- If claim CBI for a chemical, must ID whether it is a chemical of high concern
- Chemical concentration reported in ranges
- Disclosure on brand websites
- Developing a compliance certification system thru IC2

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Household Cleansing Product Information Disclosure Program

DEC to work with stakeholders on web disclosure models

As stated in the Program Policy finalized on June 6, 2018, DEC is committed to working with stakeholders "to create models of how the requirements of the program can be met through varying website designs." Any company or other entity interested in working with DEC to create an approach to disclosure that meets program requirements is encouraged to email productdisclosure@dec.ny.gov to set up a consultation. With your consent, successful approaches may be posted on DEC's website for others to follow.

New York State has launched a new initiative to require the public disclosure of chemical ingredients in household cleaning products.

Authority for the New York State Department of Environmental Conservation's Household Cleansing Product Information Disclosure Program derives from Environmental Conservation Law (ECL) Article 35 and New York Code of Rules and Regulations (NYCRR) Part 659. The statute and regulations authorize the Commissioner of the Department of Environmental Conservation to require manufacturers of domestic and commercial cleaning products distributed, sold, or offered for sale in New York State to furnish information regarding such products in a form prescribed by the Commissioner.

DEC's Division of Materials Management Program Policy on Household Cleansing Product Information Disclosure was finalized on June 6, 2018. A [responsiveness summary \(PDF, 517KB\)](#) is available here for download. Under the program, manufacturers of cleaning products sold in the State of New York are required to disclose the ingredients of their products on their websites and identify any ingredients that appear on authoritative lists of chemicals of concern.

[DEC's Division of Materials Management Program Policy on Household Cleansing Product Information Disclosure \(PDF, 562 KB\)](#) is available here for download. An electronic version of these documents can also be requested by an e-mail to productdisclosure@dec.ny.gov.

[Other Guidance and Policy Documents for the Division of Materials Management](#) are also available.

Household Cleansing Product Information Disclosure Program

New York State Department of Environmental Conservation, Division of Materials Management

CERTIFICATION FORM

Authority for the New York State Department of Environmental Conservation's (DEC's) Household Cleansing Product Information Disclosure Program derives from Environmental Conservation Law (ECL) Article 35 and Part 659 of Title 6 of the New York Code of Rules and Regulations (NYCRR), which require that manufacturers of household cleansing products sold in New York State disclose information about their products in a form the Commissioner prescribes.

Detailed guidelines on the categories of information to be disclosed and where and how information should be posted are included in the attached Program Policy (DMM-2). In brief, information to be disclosed should be posted on a manufacturer's website in a manner that is obvious, noticeable and readily accessible, via the internet, to the public. In those cases, where information is withheld from the public as Confidential Business Information, the nature and degree of the information withheld should be disclosed, but such information should not be submitted to the Department or posted on the web.

Manufacturers must submit this Cleansing Product Information Disclosure Certification Form to DEC. The certification must be signed by a senior management official certifying that the disclosed information is true, accurate, and complete to the best of their knowledge. An extra page is attached for any necessary explanation or information regarding the information provided on the certification.

A. Manufacturer Information

Manufacturer Name

Street Address

City

Challenges

- Disclosure thru company websites – new model
- Creating presentations standards so information on websites can be captured
- Addressing CBI
- Fragrances
- Compliance & enforcement
- Development of online compliance certification system - 2019



Issues to Consider

- Who provides disclosure? Supply chain, brand owners, trade associations, importers, &/or retailers? All?
- Chemical thresholds? Reporting in ranges?
- Intentionally-added only / contaminants included?
- Targeted chemicals of concern or all ingredients?
- Product categories or models or both?
- Public access to data? Searchable? Fully downloadable? Format?
- Online system for reporting to states / disclosure through brand owners' websites / other models?
- Cost to companies & states
- How do agencies/public/companies plan to use disclosure information?
- Relationship with product labeling & testing?
- Compliance & enforcement

More information

- IC2 – www.theic2.org
- IMERC - www.newmoa.org/prevention/mercury/imerc.cfm
- NYS - www.dec.ny.gov/chemical/109021.html
- WA - <https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Childrens-Safe-Products-Act>
- OR - www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/HEALTHYNEIGHBORHOODS/TOXICSUBSTANCES/Pages/Toxic-Free-Kids.aspx
- VT - www.healthvermont.gov/environment/children/chemical-disclosure-program-childrens-products-manufacturers

Transparency

Small Group Questions

1. **What is important for you concerning chemical transparency in public policies?**
 - Address specific sectors? Protect CBI? Threshold levels? On package +/or website? Voluntary/regulatory?
2. **What opportunities do you see for alignment across businesses, NGOs, and governments?**
3. **What would you like BizNGO to do concerning chemicals transparency in public policies?**