



March 26, 2011

The Honorable Frank R. Lautenberg
Chair, Subcommittee on Superfund, Toxics and Environmental Health
United States Senate
Washington, DC 20510

Dear Senator Lautenberg,

On behalf of BizNGO, thank you for your leadership in advancing the much needed reform of the Toxic Substances Control Act (TSCA). BizNGO* is a unique collaboration of over 250 participants from businesses, health care organizations, environmental organizations, government agencies and universities who promote the creation, adoption and use of safer chemicals and sustainable materials. BizNGO supports your efforts to make TSCA an effective law for protecting human health and the environment while advancing a healthy economy based on green chemistry.

In the 111th Congress, BizNGO supported TSCA reform efforts that promoted greater transparency of chemical ingredients in products across the business supply chain. To that end, we worked with Representatives Bobby L. Rush and Henry A. Waxman to include language in HR 5820 that would increase chemical ingredient transparency. We suggest that language along the following lines -- that was included in HR 5820 -- should be included in a revised TSCA bill for the 112th Congress:

- Sec.8(f) DISCLOSURES TO COMMERCIAL PURCHASERS.— Effective 1 year after the date of enactment of the Toxic Chemicals Safety Act of 2010, all manufacturers and processors of chemical substances and mixtures subject to this section shall provide, with shipment or promptly thereafter and by request, to all known commercial purchasers of the chemical substances and mixtures they manufacture or process a disclosure, subject to section 14, of—
- (1) the chemical identity of the chemical substance or, for mixtures, the chemical identity of all chemical ingredients;
 - (2) all information regarding toxicological properties of the chemical substance or mixture submitted to the Administrator under subsection (a);
 - (3) the list of health and safety studies submitted to the Administrator under subsection (a), with copies of the individual studies available upon request; and
 - (4) any records of significant adverse reactions submitted to the Administrator under subsection (e).

*BizNGO is the Business-NGO (Non-Governmental Organization) Working Group for Safer Chemicals and Sustainable Materials, a project of Clean Production Action.

In addition, it is critical that information flow from manufacturers of chemical mixtures to the manufacturers of final products, such as automobiles, electronics and building products. Requirements to provide data on chemicals of concern -- such as persistent, bioaccumulative toxics (PBTs) -- to manufacturers of final products is a critical step in this direction. The attachment, "The Need for Chemical Ingredient Disclosure Across the Supply Chain", outlines in further detail the need for chemical ingredient disclosure.

We urge you to address the issue of chemical ingredient information in the Senate TSCA reform bill. Please do not hesitate to contact us with questions or if we can be a resource to you or your staff.

Sincerely,



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Business-NGO Working Group (BizNGO) Note on Government Policy Positions

Participants in BizNGO are all working towards the use of safer chemicals in commerce. Reflecting the diversity of participants in the Working Group, we have a diversity of perspectives on government, NGO and industry initiatives. While BizNGO strives for consensus on all of its policy positions and all participants agree on the government policy issues we address, we may not achieve consensus on the specifics of every BizNGO policy statement.