

# The Guide to Safer Chemicals

## Implementing the BizNGO Principles for Safer Chemicals

### PRINCIPLE # 4

## Support Public Policies and Voluntary Initiatives

Increasingly business leaders are engaging in public and private initiatives that advance the development and use of safer alternatives in products, processes, and feedstocks. They collaborate with universities, NGOs, and other businesses. They develop and support the implementation of foundational actions, such as those specified in *The Guide*, into industry standards, certifications, and ecolabels. And they make their resources publicly available. Principle #4 applies to organization-wide actions.

### Ideal for Supporting Public Policies and Voluntary Initiatives

In the ideal scenario business and health care leaders join with NGO, government, and academic leaders to support the implementation of the BizNGO Principles or their equivalent in public policies and voluntary initiatives such as industry standards. The leadership these organizations demonstrate internally to change their products, processes, and feedstocks, finds its way into external engagement. Efforts are made to transform the civic foundations of the safer chemicals economy including public policies, ecolabels, industry standards and certifications, and voluntary sustainability initiatives. See the box for Principle #4 as stated in the BizNGO Principles for Safer Chemicals.

### Intent for Supporting Public Policies and Voluntary Initiatives

Imagine the impact a loud community of business and health care voices would have if they strongly supported the realization of the BizNGO Principles for Safer Chemicals in public policies and voluntary initiatives. It would be transformative. And it would dramatically change the discourse of all public policies and voluntary initiatives towards safer chemicals.

Publicly stating internal company successes and advocating for exter-

**The active participation of businesses and health care organizations, among others, is necessary for the successful integration of the Principles and *The Guide's* benchmarks into public policies and voluntary initiatives.**

nal policies and initiatives are critical to creating larger, societal action to safer chemicals. Principle #4 strives to achieve the “snowball effect” of rapidly growing the diffusion and adoption of ideas, methods, tools, systems, and innovations for safer alternatives to chemicals of high concern.

In addition, Principle #4 addresses the willingness of organizations to align their internal actions for safer alternatives with external actions and positions. Public policies and industry standards must change in order to gain robust information on the toxicity

### PRINCIPLE # 4: Support Public Policies and Industry Standards

Support public policies and industry standards that: advance the implementation of the above three principles, ensure that comprehensive hazard data are available for chemicals on the market, take action to eliminate or reduce known hazards and promote a greener economy, including support for green chemistry research and education.

of chemicals, their presence in products and supply chains, and the availability of safer alternatives. The active participation of businesses and health care organizations, among others, is necessary for the successful integration of the Principles and *The Guide's* benchmarks into public policies and voluntary initiatives.

### Context for Supporting Public Policies and Voluntary Initiatives

Downstream users typically do not try to integrate the Principles of Know, Disclose, Assess and Avoid Hazards,

and Continuous Improvement into public policies, industry standards, or other voluntary initiatives. Their tendency is to defer to their trade association or chemical manufacturers on chemical-related issues because chemicals are not considered their core function. Often their trade association will align with a chemical manufacturers' trade association. Yet chemical manufacturers do not represent the interests of downstream users who carry the liability—both legal and to brand image—of having chemicals of high concern to human health and environment in their products and supply chains.

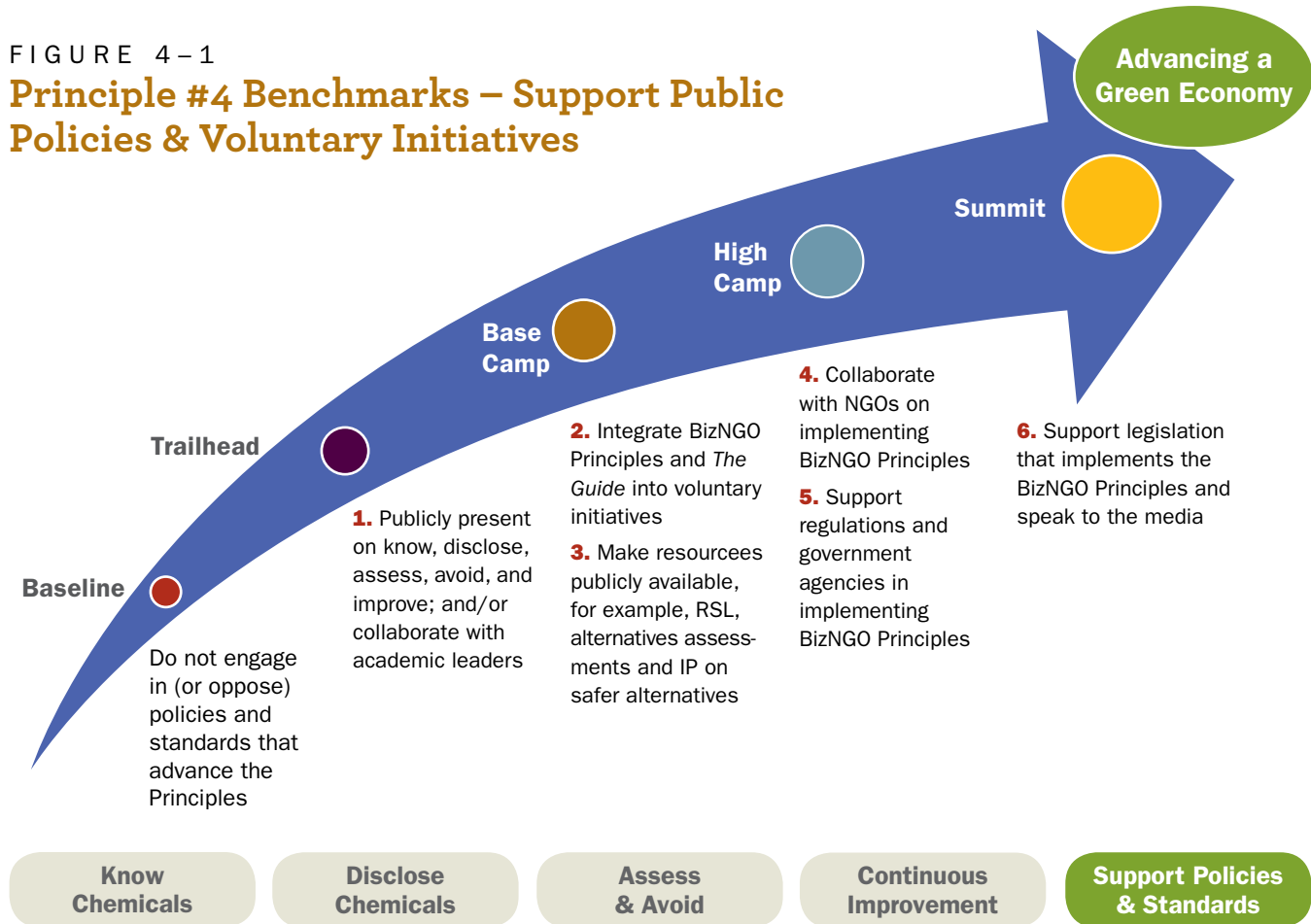
An outcome of the lack of loud voices for safer chemicals in voluntary initiatives is weak or non-existent benchmarks or actions for safer chemicals implementation in voluntary initiatives like The Sustainability Consortium, Global Reporting Initiative, ULE 880—Sustainability for Manufacturing Organizations, and other standards. The recent movement to integrate the GreenScreen and Health Product Declaration form into the U.S. Green Building Council's (USGBC's) LEED v4 and the draft Outdoor Industry Association Chemical Management Framework are bright spots in the bleak landscape of sustainability standards or certifications.

## **Benchmarks to Supporting Public Policies and Voluntary Initiatives**

Figure 4-1 depicts four benchmarks beyond compliance to full engagement in policies and initiatives. The trajectory of the benchmarks progresses from publicly presenting at the usual conferences and meetings at Trailhead; to attempting to integrate elements of the BizNGO Principles into voluntary initiatives such as the Sustainability Consortium at Base Camp; to supporting regulations at High Camp; to supporting legislation at the Summit.

FIGURE 4-1

## Principle #4 Benchmarks – Support Public Policies & Voluntary Initiatives



**Baseline**  
The standard operating procedure for downstream users of chemicals is to oppose, remain neutral, or allow trade associations to define their position on public policies and voluntary initiatives that might advance the implementation of the BizNGO Principles.

Beyond Baseline, all the following actions are in support of public policies, industry standards, and other voluntary initiatives that would advance the BizNGO Principles of knowing, disclosing, assessing and avoiding hazards, and committing to continuous improvement.

**Trailhead**  
**4.1—Action:** Publicly present on know, disclose, assess, avoid, and improve; and/or collaborate with academic leaders.

**NOTE:** It is quite common for businesses and other organizations to present their research work and best practices at industry conferences and trade shows.

Many examples abound of such conferences and will vary in type depending on the sector.

**EXAMPLES**

Two examples of leading U.S. academic centers whose work to advance safer chemicals aligns with the BizNGO Principles are:

- The University of Massachusetts Lowell, which includes the [Lowell Center for Sustainable Production](#), the [Green Chemistry and Commerce Council \(GC3\)](#), and the [Toxics Use Reduction Institute](#), and
- The [University of California Berkeley Center for Green Chemistry](#).

**Base Camp**  
**4.2—Action:** Integrate BizNGO Principles and *The Guide's* benchmarks into voluntary sustainability initiatives or trade association practices.

**NOTE:** Very few voluntary sustainability initiatives include criteria or actions that address the principles of

FIGURE 4-1

## Principle #4 Benchmark: Support Public Policies & Voluntary Initiatives

### Base Camp (CONTINUED)

know, disclose, assess, avoid, or commit to continuous improvement. Yet these initiatives are often the vehicles for scaling sustainability beyond regulatory compliance. For example, voluntary sustainability initiatives that BizNGO participants have engaged in, with wide variations in success, include: [Global Reporting Initiative](#), [ULE 880](#), [USGBC LEED](#), [Outdoor Industry Association](#), [The Sustainability Consortium](#), [TCO](#), [EPEAT](#), and the [Sustainable Apparel Coalition](#).

Engage trade associations. Because the work of trade associations happens behind closed doors, it is usually impossible to independently verify what any organization does within its trade association. That said, companies need to engage their trade associations in supporting public policies and voluntary initiatives that advance the Principles. This engagement is challenging because trade associations tend to represent the lowest common denominator among the organizations and tend to align with chemical trade associations on public policies.

#### EXAMPLES

The proposed [USGBC LEEDv4](#) is an example of where many and diverse voices, including those of businesses and health care organizations, will be needed to keep credits that encourage meeting the goals of BizNGO Principles #1 and #2. LEEDv4 includes a new credit series called “Building product disclosure and optimization” “to encourage the use of products and materials for which life-cycle information is available and that have environmentally, economically, and socially preferable life-cycle impacts.”

In the proposed LEEDv4, “MRC4—Building product disclosure and optimization—material ingredients” includes two options. Option 1—Material Ingredient Reporting can be met through either a: manufacturer inventory, complete Health Product Declaration form, or Cradle to Cradle Certified Silver. Option 2—Material Ingredient Optimization can be met through either: no GreenScreen List Translator Benchmark 1 ingredients, Cradle to Cradle Certified Gold, or no REACH Substances of Very High Concern Authorization or Candidate List

ingredients. Broad-based support for MRC4 is needed for it to withstand attacks by opponents to inherently safer chemicals in building products

**4.3—Action:** Make resources publicly available on safer alternatives including the company’s RSLs, alternatives assessments, or their intellectual property.

**NOTE:** A promising route to the broad dissemination of safer alternatives to chemicals of concern is the sharing of information on chemical hazards and safer alternatives, and intellectual property. Demand for readily available data on chemical hazards and [GreenScreen](#) assessments of companies’ chemicals is growing rapidly.

#### EXAMPLES

On the intellectual property front, the [GreenXchange](#) works to accelerate and scale sustainability and innovation through sharing intellectual property assets. One of the first innovations made available through GreenXchange was the formulation for [Nike’s Environmentally Preferred Rubber](#).

[HP published its case study](#), “Substitution of brominated flame retardants with non-halogenated alternatives using the GreenScreen™ for safer chemicals alternatives assessment tool” on SubsPort.

Many businesses publish their RSL on their website, including [VF Corporation](#) (owner of many brands including Timberland and North Face), [Nike](#), and [Levi Strauss & Co.](#)

### High Camp

**4.4—Action:** Collaborate with NGOs (non-governmental organizations) on implementing the BizNGO Principles for Safer Chemicals or equivalent initiatives.

**NOTE:** Collaborating with advocacy organizations may be a challenging step for many large businesses due to concerns with trust and how the collaboration might come back to haunt the company. Businesses are wary of stepping forward and making public commitments with NGOs because it can make them a target for attacks that they are not doing enough or are not meeting their targets. Yet many large and small businesses are finding common ground with NGOs and successfully overcoming these challenges.

**E X A M P L E S**

Examples of business-advocacy organization collaborations specific to chemicals:

- [BizNGO](#)—including [video on the BizNGO Principles](#)
- [Health Care Without Harm](#)
- [Safer Chemicals Healthy Families Coalition](#)
- [Campaign for Safe Cosmetics Campaign](#)
- [Healthy Building Network—Pharos and Health Product Declaration Form](#)
- [ChemSec—Business Group](#)
- [BlueGreen Alliance](#)

**4.5—Action: Support regulations and government agencies in implementing BizNGO Principles or equivalent initiatives.**

**NOTE:** It is often a challenge for downstream companies to engage in any public policy related to chemicals—be they regulation, legislation, or other initiatives—due to a lack of resources and technical capacity. Looking back to Principle #1b and the “Ripples of Responsibility” developed by Meyer and Kirby (see Figure 1b-1), most downstream users consider policy as a “take interest” issue. However, downstream users should consider “taking action” because they have “problem solving competence” and they alone know how regulations should be implemented to be effective. This makes their voice influential in the policy arena.

We recognize that support for any regulation is never absolute. Regulations, by the very nature of their construction, are imperfect at best. Reflecting the challenge of gaining agreement among diverse stakeholders on imperfect policies, we crafted the “BizNGO Note on Government Policy Positions” (see box) to note that participants may not agree on every comment by BizNGO but do agree to the spirit of those comments. It is interesting to note that within BizNGO differences of opinion are as varied between businesses as between businesses and NGOs.

**E X A M P L E S**

Comments to California Department of Toxic Substances Control (DTSC) proposed Safer Consumer Product Regulations from BizNGO and Hewlett-Packard.<sup>1</sup>

[Howard Williams’ of Construction Specialties video presentation](#) to the “Chemicals in Products” side event to the third session of the International Conference on

Chemicals Management (ICCM3), Nairobi, Kenya, September 15, 2012.

**Summit**

**4.6—Action: Support legislation that implements the BizNGO Principles and speak to the media in support of public policies or industry initiatives.**

**NOTE:** Speaking to the media or publicly in favor of legislation is challenging for downstream users of chemicals for the reasons noted in Action 4.5. Generally the negatives of public engagement are viewed as greater than the negatives of remaining quiet. However, the long term reality is chemicals of concern eventually end up downstream in the supply chains and products of brands, retailers, and hospitals, and they bear the burden of managing those chemicals as well as defending the reputation of their brands. Increasingly downstream business leaders are speaking truth to power to redress their downstream burden.

**E X A M P L E S**

[Howard Williams’ of Construction Specialties blog in The Hill.](#)

Testimony to the U.S. Senate on Toxic Substances Control Act reform by Kathy Gerwig, Kaiser Permanente and Howard Williams, Construction Specialties.<sup>2</sup>

[Health care support for the federal Safe Chemicals Act.](#)

Briefings before Congressional staffers on the need for chemicals policy reform by Barry Cik of Naturepedic, Peter Syrett of Perkins+Will, and Howard Williams of Construction Specialties.<sup>3</sup>

### 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.



SUPPORT POLICIES & INITIATIVES: **VIGNETTE****Amplifying the Voice of Downstream Users in Public Policies and Voluntary Initiatives**

The collective voice of downstream users, of businesses and health care organizations large and small, engaging in public and private spaces is critical for accelerating the broader global movement to safer alternatives to chemicals of high concern to human health or the environment. BizNGO, the [American Sustainable Business Council \(ASBC\)](#), and the [Green Chemistry and Commerce Council \(GC3\)](#) are all leaders in bringing together a diverse community of businesses and other stakeholders in supporting and growing the community of engaged organizations.

Downstream users are increasingly engaging in and shaping initiatives for safer chemicals. Such actions range from presenting at UN meetings ([Construction Specialties](#)) to testifying before Congress or at Congressional briefings (Perkins+Will, Kaiser Permanente, Construction Specialties, Naturepedic, Staples, Nike, Method, Seventh Generation)<sup>4</sup> to [supporting the U.S. EPA DfE Program \(GC3\)](#) to supporting the California Green Chemistry Initiative (Dignity Health, Staples, Kaiser Permanente, Method, Hewlett-Packard, Naturepedic, Saunders Hotels, and many others).

As an article in *Chemical Watch* highlighted, “Downstream users play an important role in the government’s efforts to revise its policies related to chemical safety, Bob Sussman, the Environmental Protection Agency’s senior policy counsel said to a group

of business and NGO leaders who met in Washington yesterday. Downstream companies ‘occupy a unique position at the end of the value chain, where the rubber meets the road,’ Mr. Sussman told the meeting participants. ‘Your voice is critical.... We want to encourage you to stay in the game and to help shape the end product,’ he said, referring to the draft documents being discussed in Congress to revise the Toxic Substances and Control Act (TSCA).”<sup>5</sup>

with other companies looking to green their chemical supply chains.” Rich Liroff of the Investor Environmental Health Network added, these tools are “extremely important—the pressure on companies to green their chemical supply chain will only grow and companies will need tools with which to respond.”<sup>8</sup>

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**Ultimately corporate leaders in safer chemicals will only succeed if their efforts are mainstreamed globally. This will require the insertion of know, disclose, and assess and avoid hazards into public policies, industry standards, ecolabels, certifications, and voluntary sustainability initiatives.**

Joint collaborations such as BizNGO are helping to advance the diffusion of tools and resources for safer alternatives. For example, in 2011, when BizNGO jointly released the Principles for Sustainable Plastics and the Chemical Alternatives Assessment Protocol v1.0 it was critical to have the support of Staples, HP, and Construction Specialties.<sup>6</sup> This joint release led to the article in Forbes on “[Better Profits through Green Chemistry](#)” where author Amy Westervelt highlighted that “Companies like Staples and Construction Specialties that have already put a considerable amount of time and money into sourcing safer chemicals are also working together to share what they’ve learned

efforts are mainstreamed globally. This will require the insertion of know, disclose, and assess and avoid hazards into public policies, industry standards, ecolabels, certifications, and voluntary sustainability initiatives. Without significant downstream user engagement NGOs and others will fail at their efforts to transform the global chemical economy. Yet we now see a few bright spots in the mountain summits including the proposed USGBC LEED v4, Outdoor Industry Association Chemical Management Framework, and the California Safer Consumer Product Regulations.

## Principle #4 Endnotes


- 1 For example, see comments to DTSC submitted by all organizations, including BizNGO and HP, <http://www.dtsc.ca.gov/SCPRegulations.cfm> (accessed November 17, 2012).
- 2 See <http://www.bizngo.org/reform.php> (accessed November 17, 2012).
- 3 See [http://org2.democracyinaction.org/o/6269/t/o/blastContent.jsp?email\\_blast\\_KEY=1168630](http://org2.democracyinaction.org/o/6269/t/o/blastContent.jsp?email_blast_KEY=1168630) (accessed November 17, 2012).
- 4 For example, Kathy Gerwig of Kaiser Permanente testified before the U.S. Senate Environment Public Works Committee on efforts to reform the Toxic Substances Control Act on March 9, 2010, [http://epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore\\_id=4acbc06b-75d1-41f8-b06b-e606bd681cfb](http://epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=4acbc06b-75d1-41f8-b06b-e606bd681cfb) (accessed November 17, 2012).
- 5 Chemical Watch, June, 4, 2010, "US EPA says downstream users are critical to TSCA reform," <http://chemicalwatch.com/3885> (accessed November 17, 2012).
- 6 See [http://www.bizngo.org/pdf/BizNGO\\_PressRelease\\_30nov2011.pdf](http://www.bizngo.org/pdf/BizNGO_PressRelease_30nov2011.pdf) (accessed November 17, 2012).
- 7 A Westervelt, 2011, "Better Profits through Green Chemistry," *Forbes*, December 28, <http://www.forbes.com/sites/amywestervelt/2011/12/28/better-profits-through-green-chemistry> (accessed November 17, 2012).
- 8 Ibid.



This is excerpted from *The BizNGO Guide to Safer Chemicals*, a hands-on guide that charts pathways to safer chemicals in products and supply chains for brand name companies, product manufacturers, architects and designers, retailers, and health care organizations.

To view and download the full report and other individual sections, go to [www.BizNGO.org](http://www.BizNGO.org).

BizNGO is a project of Clean Production Action.



**BizNGO**  
FOR SAFER CHEMICALS AND SUSTAINABLE MATERIALS

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