



January 26, 2022

Cheryl Niemi
Hazardous Waste and Toxics Reduction Program, Washington Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7696

Re: Comments on Draft Report on Regulatory Determinations, Safer Products for Washington

Dear Ms. Niemi,

I am writing on behalf of Women's Voices for the Earth, a national environmental health organization that amplifies women's voices to eliminate the toxic chemicals that affect our health and communities. We have numerous members and supporters in Washington state who are very concerned about exposures to toxic chemicals, especially in their homes.

We are very pleased to strongly support the current draft regulatory determinations on these toxic chemicals in specific products. For many years (decades?) we have been concerned about the potential harms from exposures to these very chemicals from our use of household products. We are very pleased to see the state of Washington taking steps that will significantly reduce our exposure. We believe these regulations are very much in the public interest – and will result in better health outcomes for many people and a cleaner environment in Washington state and beyond. We greatly appreciate the hard work and research that has gone into identifying safer alternatives. It absolutely makes sense to use safer alternatives in products where they are available – and not to add unnecessary risks from toxic chemicals to our everyday lives when we have options.

As the work of Safer Products for Washington goes forward we also want to provide you with additional information on several of the chemicals you are regulating, which are also present in other types of products.

Specific comments on phthalates:

We agree that restricting the use of phthalates in personal care products is beneficial. We would like to bring your attention to the fact that the California Safer Cosmetics program has been updating their database of toxic chemicals in products. Specifically, due to a new CA law that went into effect just this January, personal care products must now report to the Safer Cosmetics program all toxic chemicals – including those present in the fragrance of a product. This new data is still rolling out (even though companies should already be in compliance.) We recently downloaded the data from the database, [<https://cscpsearch.cdph.ca.gov/search/publicsearch>] and found 47 products entered into the database in the last two months that are newly reporting the presence of diethyl phthalate and several newly reporting dimethyl phthalate. These numbers are likely to increase significantly as more companies come into compliance and the data is uploaded to the database. Phthalates in personal care products are still a real concern – and we hope this data source will help inform the regulations in Washington state as well.

In addition to the new data from CA on chemicals in fragranced cosmetics, another relatively new CA law has required cleaning product companies to disclose ingredients in their products. In 2021, we did a review of over 500 products on the market to see what chemicals are showing up, and were surprised to see phthalates listed in several products that had never reported them before. One trend we saw was a number of carpet cleaning products containing phthalates – especially diethyl phthalate. As you already know from your work on PFAS in carpets, there is considerable concern for children’s exposure to chemicals in carpets – and we are concerned about the impact of phthalate exposure from carpet cleaning residue, which is largely uninvestigated.

Here are several examples of carpet cleaners that disclose phthalates as ingredients:

Clorox® Pet Solutions Carpet Cleaner Aerosol:

<https://smartlabel.labelinsight.com/product/6115920/ingredients>

Formula 409 Carpet Cleaner Aerosol:

<https://smartlabel.labelinsight.com/product/6096900/ingredients>

Hoover:

Paws & Claws Carpet Cleaning: <https://tti.a.bigcontent.io/v1/static/AH30925-AH30927-AH30933-AH30935>

Paws & Claws Deep Clean and Neutralize: <https://tti.a.bigcontent.io/v1/static/AH30925-AH30927-AH30933-AH30935>

Carpet Fresh: <https://files.wd40.com/pdf/Carpet+Fresh+-+Super+PetV6.pdf>

For our full report on what we found in our review of ingredient disclosures for cleaning products go to: <https://www.womensvoices.org/beyondthelabel/>

There are several companies in addition to those listed above that do not disclose ingredients in the fragrances in their carpet cleaners, so we simply do not know how many of these companies also include phthalates in their products. We understand that some companies will still claim trade secrets on their fragrance formulas, but this has changed significantly in recent years, with many more companies being willing to disclose fragrance ingredients with no harm to their businesses. Especially given that any competitor can easily and independently reverse engineer a fragrance to identify (in great detail) all of the components, there is no business argument for trade secrets that should trump a customer’s right to know about toxic exposures. Hazardous ingredients should never be allowed to be kept confidential, and we hope the Department of Ecology will hold companies accountable to that as well.

Comments on Alkylphenol Ethoxylates:

We have also been concerned for many years about the presence of alkylphenol ethoxylates in cleaning products – and were pleased to see the regulations to restrict their use in laundry detergents.

In our review of cleaning products, we also found that alkylphenol ethoxylates are very commonly found in car and truck wash products. This poses an environmental concern, as trucks and cars are commonly washed over open ground with high-pressure spray hoses, with considerable potential for excess runoff

to waterways. We hope the Department of Ecology can look into this sector as well to restrict the the use of Alkylphenol Ethoxylates in these products.

Specifically – we identified at least these 16 truck wash products which contain ethoxylated nonylphenol (CAS numbers: 9016-45-9, 127087-87-0). (Note: This was not an exhaustive search.)

Truck Wash concentrate

<https://www.jmnspecialties.com/downloads/sds/2920-truck-wash-conc-sds/file>

Simoniz Big Rig Wash

<https://www.simoniz.com/Customer-Content/www/sds/files/Big-Rig.pdf>

Simoniz Super Truck and Bus Wash

<https://www.swishusa.com/products/Media/pdf/S3580050MS.PDF>

AFCO Truck Wash

<https://www.afcosupport.com/sites/default/files/5395-sds-en-na.pdf>

Total Solutions Truck Wash

<https://www.sandytrading.com/PDF/430web.pdf>

Hillyard Heavy Duty CV Wash

<https://www.hillyard.com/images/ProductData/HIL00135.pdf>

ATCO MM-200 Truck & Car Wash

<https://www.atcointernational.com/DSN/wwwatco-intlcom/Content/Documents/SDS%20Sheets/MM-200%20-%204510.pdf>

DETCO Lemon Truck Wash

<https://www.detco.com/wp-content/uploads/2021/01/171792374556e6f63c8d6c05.38855168.pdf>

CCS Truck Wash

<https://commercialcleaningsupplies.com.au/wp-content/uploads/2019/06/Truck-Wash.pdf>

Gunk Concentrated Truck & Car Wash

<https://gunk.com/product/gunk-truck-and-suv-wash-vw5/>

Zep Big Z Heavy Duty Tractor Trailer Wash

https://zsds3.zepinc.com/ehswww/zep/result/direct_link.jsp?P_LANGU=E&P_SYS=2&P_SSN=11337&C01=DISC2&C002=ZCAL&C003=E&C013=37024

ZEP Car & Truck Touch-free Detergent

https://zsds3.zepinc.com/ehswww/zep/result/direct_link.jsp?P_LANGU=E&P_SYS=2&P_SSN=11337&C01=MSDS&C002=US&C003=E&C013=804250&C123=SDS*

Fleetmaster Heavy duty car wash

<https://questspecialty.com/product-specs/8520-Specs-FLEETMASTER-Heavy-Duty-Car-Wash.html>

Emulsifier Plus truck wash

<https://envirospec.com/wp-content/uploads/2021/06/EMULSIFIER-PLUS-SDS.pdf>

ABC Liquid Car and truck Wash

https://content.interlinebrands.com/product/document/10081/291068_SDS_E.pdf

Ultrawash Truck Wash

<http://www.soapwarehouse.biz/wp-content/uploads/2016/10/Ultra-Wash-SDS.pdf>

In addition, in our review of the California Safer Cosmetics Database, [<https://cscpsearch.cdph.ca.gov/search/publicsearch>] we discovered 5 products which are newly reporting nonylphenol ethoxylate (9016-45-9) as an ingredient – products including intimate wipes and acne washes. Again, these products have only reported this ingredient since December 2021, so there may well be more products to report, as the database is more fully populated with companies coming into compliance. No personal care products that we are aware of have reported this ingredient to the CA Safer Cosmetics Database prior to last month, so this is new information being made available about other household uses of this chemical.

Thank you for the opportunity to comment on these draft regulations.

Sincerely,



Alexandra Scranton
Director of Science and Research
Women's Voices for the Earth