

Comments on the Draft Regulatory Determinations Report to the Legislature Safer Products for Washington Implementation Phase 3

Comments specific to Cradle to Cradle Certified® Product Standard

Trademark Usage and Terminology

Please update references to the Cradle to Cradle Certified® Products Program, Cradle to Cradle Certified® products, and C2C Certified Material Health Certificate™ to be consistent with our trademark use guidelines. Full details on usage can be found in our [Trademark Use Guidelines](#) and [C2C Certified Material Health Certificate™ Trademark Use Guidelines](#) documents.

Here are the main trademark points that are applicable to the report:

Notes on the Cradle to Cradle Certified Products Program trademark:

- Please use the trademark when referring to the Cradle to Cradle Certified® Products Program and Cradle to Cradle Certified® products.
- Please use the appropriate ® symbol in association with the first and most prominent use of the mark. (For short materials, the symbol should be used at least once. For longer materials, the symbol should be used in association with the first and most prominent use in each section of content. On websites, the symbol should be used in association with the first and most prominent use on each relevant page of the website).
- Please acknowledge the Institute’s ownership of the mark via a trademark attribution statement, footnote or page footer. For example: “Cradle to Cradle Certified® is a registered trademark of the Cradle to Cradle Products Innovation Institute.”

Notes on C2C Certified Material Health Certificate trademark:

- Please use the trademarks when referring to the C2C Certified Material Health Certificate™.
- Please use the appropriate ™ symbol in association with the first and most prominent use of the C2C Certified Material Health Certificate™ mark.
- Please acknowledge the Institute’s ownership of the mark via a trademark attribution statement, footnote, or page footer. For example: “C2C Certified Material Health Certificate™ is a trademark of the Cradle to Cradle Products Innovation Institute.”

Please capitalize the program’s five categories: Material Health, Product Circularity, Clean Air & Climate Protection, Water & Soil Stewardship, and Social Fairness.

Please capitalize the program’s four certification levels: Bronze, Silver, Gold, Platinum.

Cradle to Cradle Certified Product Standard Version 4

Note that the most recent version of the Cradle to Cradle Certified Product Standard is Version 4. We have updated our Material Health Assessment Methodology for Version 4 of the Standard. Changes are reflected in [this document](#).

The report currently excludes some methodology updates such as changes to the Persistence and Bioaccumulation endpoints which are now aligned with ECHA/REACH and include a Purple rating and a new combined Persistence and Bioaccumulation hazard flag. These updates should be included in the Persistence and Bioaccumulation endpoints on page 282 and in the Overall environmental fate score on page 283 (Table 77).

Other Notes:

Based on the current use and availability of Version 4 of our standard, we recommend using present in its description. Examples include these suggested changes to text on page 274:

- *“This analysis only includes the ~~M~~aterial H~~h~~ealth category. This analysis discusses the C2CC™ Material Health Standard V 3.1. Version 4.0 was released in March 2021 and is ~~will be~~ used to evaluate ~~future~~ products that have been assessed with this newer version.”*
- *“For products with ~~G~~gold or ~~P~~latinum ~~M~~aterial H~~h~~ealth Ceertificates, all intentionally added chemicals are assessed. Impurities and known breakdown products are assessed at concentrations greater than 100 ppm. Residual monomers are assessed at concentrations greater than 1000 ppm under Version 3.1 and greater than 100 ppm under Version 4. (~~In the next version of the Material Health Standard, Version 4.0, residual monomers will be assessed at concentrations greater than 100 ppm.~~)”*

Supplement 4. Existing hazard assessment methodologies

Page 249 – Please reference Version 4 in the introduction.

Section 7.1 – Ingredient Disclosure

P. 274 – The report notes: *“Residual monomers are assessed at concentrations greater than 1000 ppm. (In the next version of the Material Health Standard, Version 4.0, residual monomers will be assessed at concentrations greater than 100 ppm.)”*

The report should note that lower limits apply based on the criteria set in the Standard (Section 4.3 Material and Chemical Inventory):

- If a limit below 100 ppm is indicated for a specific substance by the Restricted Substances List, the lower limit applies.
- If a specific concentration limit (SCL) for any toxicity endpoint of a substance is below 100 ppm as indicated by the Table of Harmonized Entries in Annex VI to the

Classification, Labelling, and Packaging of Substances and Mixtures regulation, the lower limit applies.

7.3 Third-party assessors

Reference is made to our audit process; however, it is not clear that the Cradle to Cradle Products Innovation Institute performs the audit. We recommend changing the abbreviation to accurately reflect the Institute's role:

"In addition to reviewing the assessments conducted by third parties, C2CC™ C2CPII also audits their assessors to ensure method consistency and compliance."

7.4 Transparency in the process for continuing to be certified or labeled

P. 275 – Recommend changing language to accurately reflect our methodology:

"The assessor evaluates the chemicals in the product ~~using the Material Health Standard~~ according to the program's Material Health Assessment Methodology. If the Product Standard requirements are met, the product can be certified."

7.5 Data requirements

P. 275 – Recommend rephrasing the following sentence for better accuracy:

"For chemicals evaluated, C2CC considers ~~the 21 different human health, environmental health, and chemical class endpoints~~ hazard endpoints shown in Table 72."

P. 276 – Recommend rephrasing the following sentence for better accuracy:

"Chemicals that are known or suspected carcinogens are scored "red," and are not allowed in products with gold or platinum material health certificates unless there is negligible or unlikely exposure."

7.6 Hazard criteria

P. 277 – The report states:

"For products with silver material health certificates, 95% of the chemicals must score yellow or green for carcinogenicity, mutagenicity, and reproductive and developmental toxicity endpoints. The remaining chemicals may be nondisclosed (grey) or red."

This is not accurate. We offer the following points for clarity on the 95% threshold for Silver level under Version 4:

- 95% or more of the product materials must be assessed and there must be negligible or unlikely exposure to CMRs. Negligible or unlikely exposure applies to the entire material

if it's a single homogeneous material, or to the 95% or more of materials assessed for multi-material products

- No listed CMRs (CLP Category 1 & 2 CMRs, REACH SVHC CMRs) can be present for the entire product regardless of whether a single homogeneous material or multi-material is being assessed

Thank you for the opportunity to comment on this valuable contribution to safer products.