

July 15, 2022

Kimberly Grieves
Facilities and Moderate Risk Waste
Central Regional Office
Department of Ecology
Hazardous Waste & Toxics Reduction Program
1250 Alder St
Union Gap, WA 98903

Subject: HCPA Comments on Phthalates Action Plan Draft Scope of Work

Dear Ms. Grieves,

The Household & Commercial Products Association (HCPA)¹ appreciates the opportunity to participate in the Phthalates Action Plan Committee and provide comments to the Washington State Department of Ecology (Department) on the Draft Scope of Work for the Phthalates Action Plan.²

HCPA is a voluntary, non-profit U.S. trade association representing approximately 240 companies engaged in the manufacture, formulation, distribution and sale of products for household, institutional, commercial and industrial use. This includes air care products, antimicrobial products, cleaning products, industrial & automotive products, pest control products, and polishes & floor maintenance products, as well as products that utilize the aerosol delivery system. HCPA is proud to serve on the Phthalates Action Plan Advisory Committee.

HCPA supports the efforts of the Department to develop actionable recommendations to reduce human exposure and environmental contamination from phthalates. It is critical that these recommendations are technologically and commercially feasible for specific to the applications in question. While it may be desirable to offer recommendations for broad product category sectors, such as cleaning products, personal care and beauty products, packaging (nonfood), etc. as identified in the draft scope of work, HCPA requests that the process in developing these recommendations allow to stakeholder input for which niche applications within a product category may require a different set of requirements. Further, where data gaps exist, HCPA encourages the Department to provide multiple opportunities of engagement so that stakeholders

¹ The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

² Available at

https://www.ezview.wa.gov/Portals/_1962/Documents/Phthalates/PhthalatesActionPlan_DraftActionPlanScope.pdf

have the ability to provide input. Each product category can present unique challenges and nuances, so it is critical to consult technical experts before making recommendations, including additional monitoring or product testing. In addition to stakeholder engagement, HCPA also encourages the Department to monitor the activity of the U.S. Environmental Protection Agency (EPA) and their ongoing efforts³ to assess and manage chemicals under the Toxic Substances Control Act (TSCA). There are seven phthalates currently under review, and EPA's work may allow the Department to avoid duplication.

HCPA would also like to offer the following comments regarding household consumer products, specifically cleaning products. Cleaning products manufacturers and marketers have and continue to expend significant time and resources into optimizing their products that minimize their impact throughout the life cycle of the product. This includes not utilizing phthalates within the product formulation. Historically, the only phthalate used in fragrance is diethyl phthalate (DEP) which has been extensively analyzed by Research Institute for Fragrance Materials (RIFM)⁴ and is allowed for use by the International Fragrance Association (IFRA). However, due to the concerns of phthalates as a class, the fragrance industry has stopped formulating new fragrances with it and efforts have been taken to reformulate existing fragrances to remove it. Many household product companies do not allow the use of phthalates within their fragrances, thus HCPA's expectation is that few cleaning products found on the market today would contain phthalates.

Lastly, HCPA has been a strong supporter of programs such as the EPA's Safer Choice program. Such programs help consumers and businesses find products that perform while containing ingredients that are safe for human health and the environment. The Safer Choice standard⁵ includes criteria that packaging materials may not contain a number of phthalates,⁶ showing that alternatives are readily available in the marketplace.

In conclusion, HCPA supports the activity and efforts by the Department and appreciates the opportunity to provide these comments. HCPA and our member companies look forward to working cooperatively with the Washington State Department of Ecology and other stakeholders to support pollution prevention efforts.

Respectfully Submitted,



Nicholas B. Georges
Senior Vice President, Scientific and International Affairs

³ <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemicals-undergoing-risk-evaluation-under-tsca>

⁴ [A.M. Api, Toxicological profile of diethyl phthalate: a vehicle for fragrance and cosmetic ingredients, Food and Chemical Toxicology, Volume 39, Issue 2, 2001, Pages 97-108, ISSN 0278-6915, https://doi.org/10.1016/S0278-6915\(00\)00124-1.](https://doi.org/10.1016/S0278-6915(00)00124-1)

⁵ <https://www.epa.gov/sites/default/files/2013-12/documents/standard-for-safer-products.pdf>

⁶ dibutyl phthalate (DBP), diisobutyl phthalate (DIBP), butyl benzyl phthalate (BBP), di-n-pentyl phthalate (DnPP), di (2-ethylhexyl) phthalate (DEHP), di-n-octyl phthalate (DnOP), diisononyl phthalate (DINP), and diisodecyl phthalate (DIDP).