The Right Path to Effective TSCA Modernization

The American Chemistry Council and its members support modernizing our nation’s chemical management system. The current chemical management law, the Toxic Substances Control Act, is 35 years old and should be updated to reflect advances in science and technology. A modern TSCA must provide consumers with confidence that the federal regulatory system is working, while at the same time enabling America’s chemical manufacturers to innovate, compete and create jobs.

ACC’s Principles for a Modern, Effective TSCA Are Based on the Following Priorities:

- **Safety** – Chemicals should be safe for their intended uses.
- **Efficiency** – EPA decisions must be expeditious so new products can be brought to market in a timeframe global commerce demands.
- **Prioritization** – Focus on chemicals of highest concern, leverage existing information, and evaluate chemicals based on what they are actually used for.
- **Scientific Integrity** – Rely on modern science and technology and include scientifically valid information regardless of its source.
- **Transparency** – Provide chemical safety and health information to the public while protecting intellectual property.

A Modern TSCA Must Start with a Strong Scientific Foundation, Build on What’s Working Today, and Learn from Others to Develop a World Class Chemicals Management System

- **Sound science will lead to more effective regulation** – Consumers and industry need to have confidence in EPA’s regulatory decisions. This requires a strong scientific framework to ensure that EPA uses modern technology, proven testing methods that yield data that can be interpreted to assess relevant risk, and appropriate, high-quality data in decision-making.

- **Elements of today’s TSCA are working well and should be preserved** – EPA’s program to approve new chemicals is at the heart of American chemical innovation, and there is broad agreement that the program is working well. The new chemicals program evaluates new products based on data provided by the manufacturer, requires testing when questions remain, and protects intellectual property.

- **We must learn what’s working and what’s not in other jurisdictions and leverage information from these programs** – The E.U. and Canada have implemented new chemicals management programs in recent years. Oftentimes, the E.U.’s REACH program is cited as a success. But REACH is in its infancy, and the effectiveness of the program has not been demonstrated, although its costs and burdens are well-established. Canada’s system has effectively prioritized chemicals for further government review, and may provide a model for some changes in the U.S. system.