

EPA's New Chemicals Program Stifling U.S. Innovation

Section 5 of the Toxic Substances Control Act (TSCA) requires EPA to determine the safety of new chemicals before they can be manufactured in or imported into the United States. The agency must complete these reviews within 90 days of a manufacturer or importer submitting a new chemicals application.

Unfortunately, EPA routinely misses the statutorily mandated 90-day deadline. These delays have a significant adverse impact on research and development expenditures, planning product launches, development of new sustainable chemistries, innovation, and competitiveness, and prevent the availability of new and innovative chemistries.

In a survey of ACC member companies, respondents representing approximately \$97 billion or nearly one-fifth of U.S. chemical sales reported systemic delays, disregarded company-submitted data, and inconsistent reviews:

81%

Reported it taking EPA more than 365 days for their new chemical reviews to be completed

66%

Reported their biggest problem to be EPA delays in new chemical reviews and the resulting inability to start manufacturing in the U.S.

70%

Reported their new chemical reviews being negatively impacted by EPA's policy change to disregard workplace requirements and protocols to use PPE

70%

Reported deciding to introduce new chemicals in jurisdictions outside of the U.S. given the uncertainties and challenges with EPA's New Chemicals Program

American businesses, jobs, innovation, and global competitiveness—as well as our nation's ability to meet important climate, sustainability, supply chain and infrastructure goals—depend on a functioning, effective New Chemicals Program.

EPA must immediately put forth a comprehensive plan to reform its processes to ensure the New Chemicals program meets its legal obligation to complete reviews within 90 days. The Agency must immediately enhance its communication with manufacturers, update its processes to be transparent and objective, ensure relevant supporting documents from companies are reviewed and adequately considered in a timely manner, and ensure that pertinent information from actual use and exposures is considered and incorporated based on the best available scientific practices and approaches.

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