

The Consumer Specialty Products Association

**Testimony Requesting Amendments to Raised Bill 6496
The Committee on Education
February 23, 2009**

Sean Moore, State Affairs Representative

Chairmen Gaffey and Fleischmann and members of the Committee on Education, CSPA is submitting testimony to request amendments to Raised Bill 6496, which would initiate an environmentally preferred cleaning program for cleaning products used in schools.

CSPA supports the goal of improving the environment and human health; however we are concerned about the unintended impact of several provisions of this legislation that would result in avoidable costs to schools and could unintentionally degrade public health. To reduce costs and provide flexibility, CSPA believes that this legislation should be amended to reference the existing standards for environmentally preferred products. As currently drafted, this legislation could also unintentionally degrade public health by discouraging the use of some essential disinfecting products; therefore we believe amendments are necessary to clarify the scope of the proposed program.

CSPA is a national nonprofit trade association that represents more than 250 companies engaged in the formulation, manufacture, distribution and sale of consumer and institutional products. CSPA members make a wide variety of products including household and institutional cleaners, disinfectants and disinfecting cleaners, and multi-purpose cleaners all of which would be impacted by this legislation. Consumer and institutional cleaning products are tested extensively by manufacturers that spend millions of dollars to ensure that their products do not adversely impact the environment or human health.

Cleaning and Disinfecting Products Protect Public Health

The proper use of cleaning products and disinfectants are an effective and proven way to reduce the primary causes of disease, infection, asthma, and other health threats. One specific example is that the proper use of disinfecting and antimicrobial products on food surfaces can help protect against *Salmonella*, *E.coli* and other bacterial contamination on food. Disinfecting products are also crucial in preventing and mitigating the **Norovirus, Flu Outbreaks, and Staph Infections**. Cleaning products also help prevent unsanitary restrooms, which can pose a serious health risks, such as: contracting **hepatitis, shigella**, or other diseases related to viral or bacterial infection. Cleaning and disinfecting products also help kill and prevent mold and mildew, which are proven asthma triggers for children and adults. In addition, cleaning and disinfecting products are part of the first-line of defense against infection and disease and re-establishing sanitary conditions in emergencies and natural disasters.

CSPA appreciates that this bill recognizes the importance of protecting the use of disinfectants and antimicrobial products. However, there are additional product categories that might be outside the scope of products included in referenced third-party standards. This legislation should also protect the use of these essential products for which there exists no green certification to obtain. Subsection (c) of the attached amendments would provide the necessary exclusions. **This provision is included in the green cleaning guidelines for state buildings** (Section 4b-15a of the 2008 supplement to the general statutes).

Flexibility Is Needed for Selecting Environmentally Preferred Cleaning Products

The environmentally preferred procurement program resulting from this legislation should take advantage of the wealth of relevant nationally recognized third-party product accreditations programs. Therefore, CSPA believes that this legislation and subsequent procurement program should be flexible for both large and small companies to achieve environmentally preferred status. CSPA believes the attached amendments would allow for appropriate flexibility in determining which cleaning products are environmentally preferable.

Subsection (c) in the attached amendments would provide flexibility by allowing for manufacturers to certify their products *via* several nationally recognized third-party certification programs. This is especially important for small businesses that need flexibility in environmental certification programs because they cannot afford some of the more expensive third-party certifications (*e.g.*, Green Seal) which have annual renewal fees. CSPA's proposed amendments will also ensure that all manufacturers of cleaning products have an equal opportunity to compete for state contracts.

Additionally, schools must have flexibility in providing environmentally preferred cleaning products for use in schools. Allowing parents and teacher to bring products into schools helps reduce school costs and conserves valuable resources. Therefore, statements banning products from being brought into classrooms must be deleted from this legislation. Instead parents and teachers should be encouraged to bring-in products that meet the guidelines established by the Department of Administrative Services.

Consumer and Institutional Products are Highly Regulated

Finally, consumer and institutional products are also currently regulated by several federal and state agencies, including the U.S. Consumer Product Safety Commission (CPSC), the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the Connecticut Department of Environmental Protection (DEP). CPSC and OSHA have extensive regulatory authority over consumer and institutional products to ensure that they are safe for use by all consumers. Disinfectants and disinfecting cleaning products are also regulated by EPA and DEP as pesticides because these products help control a wide variety of "pests" (*e.g.*, bacteria, fungi and viruses) in hospitals, schools and a variety of other public places. EPA and DEP conduct comprehensive reviews to ensure that disinfectants and disinfecting cleaning products are appropriate for use by consumers in the designated environments. Finally, each manufacturer of consumer and institutional cleaning products also spends millions of dollars to test and evaluate their products exhaustively for environmental impacts, safety, and human exposure.

Conclusion

Disinfectants and cleaning products are *essential* for the maintenance of safe, sanitary, and disease-free buildings. CSPA and our members support the goal of improving environmental health indoors. However, CSPA is concerned about some unintended consequences of the current text of this bill. Therefore CSPA asserts that there are *several necessary amendments* that must be made to HB 6496 to ensure that products for which no standard exists are not excluded and so that all companies have adequate options for certifying their environmentally preferred products.

For these reasons, CSPA urges the members of the Committee on Education to *amend HB 6496* so that the Department of Administrative Services will be able to accommodate multiple certification options for environmentally preferred products and continue to use products essential to providing sanitary school environments. Thank you very much for your consideration of our position on this critically important issue.



General Assembly **Raised Bill No. 6496**

January Session, 2009
LCO No. 2791

***02791** _____ **ED** _____
Referred to Committee on Education

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING GREEN CLEANING PRODUCTS IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (Effective October 1, 2009) (a) As used in this
2 section, (1) "green cleaning program" means the procurement of
3 environmentally preferable cleaning products for use in school
4 buildings and facilities and the utilization of best cleaning
5 management practices and, (2) "environmentally preferable cleaning
product" means those cleaning and maintenance products and equipment intended
to clean surfaces within a school facility (such as, but not limited to: glass
cleaners, bathroom cleaners, carpet cleaners and general surface cleaners)
that perform effectively and simultaneously meet the cleaning needs of the
school while minimizing adverse impacts on human health and the environment.

6 (b) On or after October 1, 2011, each local and regional board of
7 education shall implement a green cleaning program for the cleaning
8 and maintenance of school buildings and facilities in its district. No
9 person shall use a cleaning product inside a school unless such
10 cleaning product meets the guidelines developed in accordance with
11 subsection (c) of this section. Such cleaning product shall, to the maximum
12 extent possible, minimize the potential harmful impact on human health
and the environment.

13 (c) On or before April 1, 2010, the Department of Administrative
14 Services, in consultation with the Department of Environmental Protection,
15 the Department of Public Health and a panel of stakeholders,
including cleaning industry representatives, non-governmental organizations,
16 and others, shall develop guidelines for the procurement of
17 environmentally preferable cleaning products and best cleaning management
practices in schools. The guidelines must be established after a review and

Deleted: includes, but is not limited to, general purpose cleaners, bathroom cleaners, carpet cleaners, glass cleaners, floor finishes, floor strippers, hand cleaners and soaps and vacuum cleaners, but does not include any disinfectant, disinfecting cleaner, sanitizer or any other antimicrobial product regulated by the Federal Insecticide, Fungicide and Rodenticide Act, 7 USC 136 et seq.

Deleted: set by a certified independent third party, as

Deleted: (c) A certified independent third party is an entity that: (1) Has an open and transparent process for establishing certification standards for environmentally preferable cleaning products that allows participation by the public and stakeholders; (2) clearly defines the fees that manufacturers are required to pay for certification as an environmentally preferable cleaning product; (3) clearly identifies any potential conflicts of interest that may exist between such third party and any manufacturer of environmentally preferable cleaning products; (4) (A) uses criteria for certification as an environmentally preferable cleaning product, that includes consideration of human health and safety, ecological toxicity and other environmental impacts and resource conservation, as appropriate, for the product and its packaging, on a life-cycle basis, and (B) publishes such criteria; (5) conducts periodic revisions and updates of certification standards; (6) monitors and enforces certification standards by periodically inspecting manufacturing facilities; (7) has a legally registered certification mark; (8) makes certification standards available to purchasers and manufacturers on its web site; (9) develops certification standards by consensus, if possible; and (10) establishes leadership levels in certification standards for products.

Deleted: (d)

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evaluation of existing research and subsequently posted on the Department's website. The guidelines shall provide multiple avenues by which cleaning and maintenance products may be determined to be environmentally preferable. At a minimum, the guidelines shall include as avenues: (1) the United States Environmental Protection Agency's Design for the Environment (DfE) program, (2) the EcoLogo program administered by TerraChoice, (3) Green Seal, and (4) alternative qualifications, such as: a submission of testing by an accredited third-party verifying that the product meets the criteria of one of the recognized standards and others as determined appropriate by the Department of Administrative Services. Nothing in the guidelines shall prohibit the use of: (1) disinfectants, disinfecting cleaners, sanitizers, or any other antimicrobial product regulated by the federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. Sec. 136 *et seq.*), when necessary to protect public health and provided that the use of these products is in accordance with responsible cleaning procedure requirements, (2) products for which no guideline or environmental standard has been established by any national or international certification program approved by the Department of Administrative Services, or which is outside the scope of or is otherwise excluded under guidelines or environmental standards established by such national or international certification program.

18 | (d) On or before April 1, 2010, the Department of Administrative
19 | Services shall prepare a list of vendors who (1) sell environmentally
20 | preferable products, which meet the standards established, in accordance with subsection (c) of
21 | this section,
22 | and (2) provide free training for the use of such products and, (3) offer discounts
23 | through bulk purchasing agreements. Such list shall be reviewed and updated every
24 | two years.

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23 | (e) On or before April 1, 2010, the Department of Education, in
24 | consultation with the Department of Public Health and the
25 | Department of Environmental Protection, shall amend the school
26 | facility survey form to include questions regarding the phase-in of
27 | green cleaning programs at schools.

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28 | (f) On and after July 1, 2011, facility managers, custodians and
29 | indoor air quality committees shall receive training in best cleaning
30 | management practices as part of the green cleaning program in the
31 | district and shall complete a refresher training course every five years.

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32 | (g) On or before July 1, 2010, and annually thereafter, the local or
33 | regional board of education shall provide for the mailing of notice to
34 | parents and guardians or students regarding the school district's green
35 | cleaning policy. Such notice shall include (1) the types and names of
36 | environmentally preferable cleaning products being applied in schools,
37 | (2) the location of the application of such cleaning products in the
38 | school buildings and facilities, (3) the schedule of when such cleaning

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39 products are applied in the school buildings and facilities, ~~(4) the~~
40 ~~statement, "No parent, guardian, teacher or staff member may bring~~
41 ~~into the school facility any consumer product which is intended to~~
42 ~~clean, deodorize, sanitize or disinfect."~~, and ~~(5) (4) the name of the school~~
43 administrator, or a designee, who may be contacted for further
44 information. Such notice, as well as the report submitted to the
45 Department of Education pursuant to subsection (a) of section 10-220
46 of the general statutes, as amended by this act, shall be made available
47 on each individual school's web site.

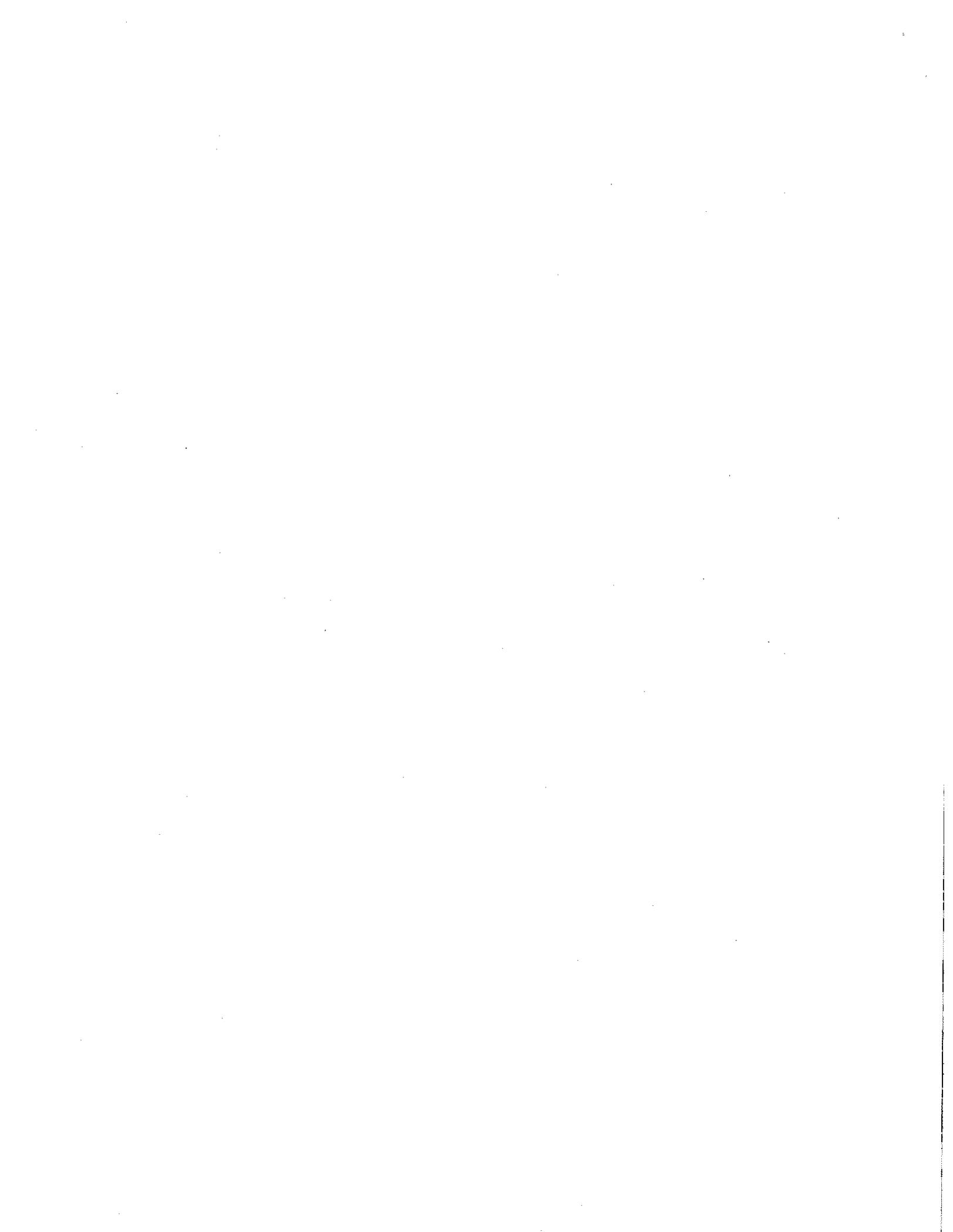
48 Sec. 2. Section 10-220 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2009*):

50 (a) Each local or regional board of education shall maintain good
51 public elementary and secondary schools, implement the educational
52 interests of the state as defined in section 10-4a and provide such other
53 educational activities as in its judgment will best serve the interests of
54 the school district; provided any board of education may secure such
55 opportunities in another school district in accordance with provisions
56 of the general statutes and shall give all the children of the school
57 district as nearly equal advantages as may be practicable; shall provide
58 an appropriate learning environment for its students which includes
59 (1) adequate instructional books, supplies, materials, equipment,
60 staffing, facilities and technology, (2) equitable allocation of resources
61 among its schools, (3) proper maintenance of facilities, and (4) a safe
62 school setting; shall have charge of the schools of its respective school
63 district; shall make a continuing study of the need for school facilities
64 and of a long-term school building program and from time to time
65 make recommendations based on such study to the town; shall adopt
66 and implement an indoor air quality program that provides for
67 ongoing maintenance and facility reviews necessary for the
68 maintenance and improvement of the indoor air quality of its facilities;
69 shall adopt and implement a green cleaning program, pursuant to
70 section 1 of this act, that provides for the procurement and use of
71 environmentally preferable cleaning products in school buildings and
72 facilities; shall report biennially to the Commissioner of Education on
73 the condition of its facilities and the action taken to implement its long
74 term school building program, [and] indoor air quality program and
75 green cleaning program, which report the Commissioner of Education
76 shall use to prepare a biennial report that said commissioner shall
77 submit in accordance with section 11-4a to the joint standing
78 committee of the General Assembly having cognizance of matters
79 relating to education; shall advise the Commissioner of Education of
80 the relationship between any individual school building project
81 pursuant to chapter 173 and such long-term school building program;
82 shall have the care, maintenance and operation of buildings, lands,

83 apparatus and other property used for school purposes and at all times
84 shall insure all such buildings and all capital equipment contained
85 therein against loss in an amount not less than eighty per cent of
86 replacement cost; shall determine the number, age and qualifications
87 of the pupils to be admitted into each school; shall develop and
88 implement a written plan for minority staff recruitment for purposes
89 of subdivision (3) of section 10-4a; shall employ and dismiss the
90 teachers of the schools of such district subject to the provisions of
91 sections 10-151 and 10-158a; shall designate the schools which shall be
92 attended by the various children within the school district; shall make
93 such provisions as will enable each child of school age, residing in the
94 district to attend some public day school for the period required by
95 law and provide for the transportation of children wherever
96 transportation is reasonable and desirable, and for such purpose may
97 make contracts covering periods of not more than five years; may
98 place in an alternative school program or other suitable educational
99 program a pupil enrolling in school who is nineteen years of age or
100 older and cannot acquire a sufficient number of credits for graduation
101 by age twenty-one; may arrange with the board of education of an
102 adjacent town for the instruction therein of such children as can attend
103 school in such adjacent town more conveniently; shall cause each child
104 five years of age and over and under eighteen years of age who is not a
105 high school graduate and is living in the school district to attend
106 school in accordance with the provisions of section 10-184, and shall
107 perform all acts required of it by the town or necessary to carry into
108 effect the powers and duties imposed by law.

109 (b) The board of education of each local or regional school district
110 shall, with the participation of parents, students, school administrators,
111 teachers, citizens, local elected officials and any other individuals or
112 groups such board shall deem appropriate, prepare a statement of
113 educational goals for such local or regional school district. The
114 statement of goals shall be consistent with state-wide goals pursuant to
115 subsection (c) of section 10-4. Each local or regional board of education
116 shall develop student objectives which relate directly to the statement
117 of educational goals prepared pursuant to this subsection and which
118 identify specific expectations for students in terms of skills, knowledge
119 and competence.

120 (c) Annually, each local and regional board of education shall
121 submit to the Commissioner of Education a strategic school profile
122 report for each school under its jurisdiction and for the school district
123 as a whole. The superintendent of each local and regional school
124 district shall present the profile report at the next regularly scheduled
125 public meeting of the board of education after each November first.
126 The profile report shall provide information on measures of (1) student



127 needs, (2) school resources, including technological resources and
128 utilization of such resources and infrastructure, (3) student and school
129 performance, (4) equitable allocation of resources among its schools,
130 (5) reduction of racial, ethnic and economic isolation, and (6) special
131 education. For purposes of this subsection, measures of special
132 education include (A) special education identification rates by
133 disability, (B) rates at which special education students are exempted
134 from mastery testing pursuant to section 10-14q, (C) expenditures for
135 special education, including such expenditures as a percentage of total
136 expenditures, (D) achievement data for special education students, (E)
137 rates at which students identified as requiring special education are no
138 longer identified as requiring special education, (F) the availability of
139 supplemental educational services for students lacking basic
140 educational skills, (G) the amount of special education student
141 instructional time with nondisabled peers, (H) the number of students
142 placed out-of-district, and (I) the actions taken by the school district to
143 improve special education programs, as indicated by analyses of the
144 local data provided in subparagraphs (A) to (H), inclusive, of this
145 subdivision. The superintendent shall include in the narrative portion
146 of the report information about parental involvement and if the district
147 has taken measures to improve parental involvement, including, but
148 not limited to, employment of methods to engage parents in the
149 planning and improvement of school programs and methods to
150 increase support to parents working at home with their children on
151 learning activities.

152 (d) Prior to January 1, 2008, and every five years thereafter, for
153 every school building that is or has been constructed, extended,
154 renovated or replaced on or after January 1, 2003, a local or regional
155 board of education shall provide for a uniform inspection and
156 evaluation program of the indoor air quality within such buildings,
157 such as the Environmental Protection Agency's Indoor Air Quality
158 Tools for Schools Program. The inspection and evaluation program
159 shall include, but not be limited to, a review, inspection or evaluation
160 of the following: (1) The heating, ventilation and air conditioning
161 systems; (2) radon levels in the water and the air; (3) potential for
162 exposure to microbiological airborne particles, including, but not
163 limited to, fungi, mold and bacteria; (4) chemical compounds of
164 concern to indoor air quality including, but not limited to, volatile
165 organic compounds; (5) the degree of pest infestation, including, but
166 not limited to, insects and rodents; (6) the degree of pesticide usage; (7)
167 the presence of and the plans for removal of any hazardous substances
168 that are contained on the list prepared pursuant to Section 302 of the
169 federal Emergency Planning and Community Right-to-Know Act, 42
170 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including
171 water distribution systems, drainage systems and fixtures; (10)

172 moisture incursion; (11) the overall cleanliness of the facilities; (12)
173 building structural elements, including, but not limited to, roofing,
174 basements or slabs; (13) the use of space, particularly areas that were
175 designed to be unoccupied; and (14) the provision of indoor air quality
176 maintenance training for building staff. Local and regional boards of
177 education conducting evaluations pursuant to this subsection shall
178 make available for public inspection the results of the inspection and
179 evaluation at a regularly scheduled board of education meeting and on
180 each individual school's web site.

181 (e) Each local and regional board of education shall establish a
182 school district curriculum committee. The committee shall
183 recommend, develop, review and approve all curriculum for the local
184 or regional school district.

This act shall take effect as follows and shall amend the following sections:

Section 1 *October 1, 2009* New section

Sec. 2 *October 1, 2009* 10-220

Statement of Purpose:

To implement a green cleaning program at schools that uses environmentally preferable cleaning products and best cleaning management practices.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]