

Gregory J. Costa
Director, State Affairs
703-967-7175
gcosta@gmaonline.org



February 5, 2015
MEMORANDUM OF OPPOSITION

**Connecticut RAISED BILL No. 5653, AN ACT CONCERNING
CHEMICALS OF HIGH CONCERN FOR CHILDREN**

On behalf of the Grocery Manufacturers Association (GMA), I would like to take this opportunity to register our opposition to Raised Bill No. 5653, An Act concerning chemicals of high concern for children. The Grocery Manufacturers Association and its member companies support the intent of this legislation, to ensure that consumer products with which the citizens of the State of Connecticut come in contact are safe and free of unnecessary risk to health and wellbeing. However, we believe that this legislation falls short of that intent by creating an under-supported state-based process, which ignores the existence of the comprehensive protocols that already exist at the federal level. This legislation would unreasonably subordinate Connecticut business and consumer interests to the legislative and regulatory processes of other states and an ad hoc interstate agency.

Based in Washington, D.C., the Grocery Manufacturers Association is the voice of more than 300 leading food, beverage and consumer product companies that sustain and enhance the quality of life for hundreds of millions of people in the United States and around the globe.

Founded in 1908, GMA is an active, vocal advocate for its member companies and a trusted source of information about the industry and the products consumers rely on and enjoy every day. The association and its member companies are committed to meeting the needs of consumers through product innovation, responsible business practices and effective public policy solutions developed through a genuine partnership with policymakers and other stakeholders.

In keeping with its founding principles, GMA helps its members produce safe products through a strong and ongoing commitment to scientific research, testing and evaluation and to providing consumers with the products, tools and information they need to achieve a healthy diet and an active lifestyle.

The food, beverage and consumer packaged goods industry in the United States generates sales of \$2.1 trillion annually, employs 14 million workers and contributes \$1 trillion in added value to the economy every year.

GROCERY MANUFACTURERS ASSOCIATION

1350 I Street, NW :: Suite 300 :: Washington, DC 20005 :: ph 202-639-5900 :: fx 202-639-5932 ::

www.gmaonline.org

GMA's members hold the safety and integrity of the products they make, and the ingredients used to make them, as most important. GMA supports a rigorous, science-based federal regulatory framework and we believe that the federal government best handles the study and evaluation of chemicals for approval for use in food and consumer products. The products affected by this legislation, whether made in Connecticut or elsewhere, are generally manufactured for use in all 50 states. While this legislature clearly has the mandate to protect the citizens of this state, I would ask that you also consider the level of expertise and dedication of our public servants at the FDA, EPA and other federal agencies that work to safeguard the public's health and safety. Given the present level of federal protections, Connecticut consumers, taxpayers and employees of the industries that make the products in Connecticut that could be effected by this legislation are well-served by the existing federal process.

While it may be said that this bill would begin to set a course toward the duplication of existing federal processes, it also falls short in the most important initial steps in those processes. This proposal fails to establish a foundation of credible scientific evidence. Language that would confer upon the Commissioner of Public Health the duty to list certain chemicals based on "credible scientific evidence" is not specific nor in itself scientific. A credible, peer-reviewed scientific process ought to be the basis for the intended product of this legislation and that process should be clearly defined. This legislation should call for study results that have undergone independent peer review of experimental design and study conduct that are reliable, adequate and relevant to human health and environment. Such studies should result in publication in a peer-reviewed journal or publication by an authoritative federal or international governmental agency, including but not limited to the U.S. National Toxicology Program, the U.S. Food and Drug Administration, U.S. Environmental Protection Agency, U.S. Centers for Disease Control and Prevention, World Health Organization, or the European Chemicals Agency. I should also point out that when we suggest that this legislation should at least specify that study results be *reliable*, we mean reliable as the term is used and recognized by the Organization for Economic Cooperation and Development (OECD) for "rating" studies in order to ensure that studies are applicable and credible, and sets acceptability criteria. The methodology employed by the OECD in chapter 3 of the Manual for Investigation of HPV Chemicals (OECD Secretariat, July 2007) is used for determination of reliable studies.

This legislation would concentrate considerable responsibility in the Department of Public Health, and would set in motion a process that could lead to far-reaching consequences. As the responsibilities of the Commissioner provided in Section 1 (d) are detailed, a simple list of "priority chemicals" can quickly become a process for banning such chemicals from commerce in Connecticut. This could have a profound impact on many consumer products without any provision for true scientific method. We continue to maintain that this entire process is currently handled well and with full staffing by the existing federal process.

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While it is a given that the skills and experience to address the goals of this legislation exists in Connecticut, both inside state government and in the infrastructure of industry and academia here, this legislation appropriates no money and makes no effort to support the scientific and academic needs of the Commissioner to carry out the responsibilities herein. Duplication of the duties and responsibilities of the federal government in the area of chemical regulation should not be attempted without adequate controls, specific parameters and sufficient funding.

Raised Bill 5653 does not consider the true cost of such an undertaking and ignores the fact that a less than comprehensive review of the true nature of the hazards of and risks associated with uses of certain chemicals and the safer alternatives available could lead to less than acceptable public policy and culminate in unintended consequences.

This legislation, while well intentioned, reaches too far, considers too little in the way of science and cedes considerable authority to agencies of other states and an ad hoc clearinghouse. There are currently 14 existing federal statutes and regulations governing product safety and the use and application of chemicals. This bill ignores the vast resources of the federal government put in place as a safety net and ignores the economic implication of trying to duplicate this huge and integrated resource.

Thank you for considering our testimony, for the above stated reasons we urge you to vote no on this legislation.

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