



How the Federal Government Can Address Voters' Well-Founded Concerns about Chemicals in Consumer Products

Jessica Levasseur, Duke University

U.S. voters across the political spectrum want certainty that the items they buy are free from harmful chemicals, and they are willing to pay more to guarantee it. [A recent poll](#) commissioned by the University of California at San Francisco's Program on Reproductive Health and the Environment shows just this: "93% of voters agreed, and 57% strongly agreed, that it is important to get rid of harmful chemicals where people live, work and go to school, even if it makes some products more expensive."

This strong desire for consumer safety and the demonstrated willingness to sacrifice lower prices to obtain it could provide a foundation for needed change at the federal agency level and in goods manufacturers that use chemicals. Increasing the capacity of the Environmental Protection Agency to test chemicals is one path towards the goal of greater safety; tasking businesses with that same role for their own products and using the EPA to organize and check their data is another—and one that has been in place in the European Union for over a decade now.

The Current State of U.S. Chemical Safety Regulation

About half of all voters in the UCSF poll believed that chemicals in food and consumer goods, like the everyday products we buy to take care of ourselves and our homes, have already been tested to be sure they are safe before they are allowed to be sold. The reality is a lot more complicated: although over 80,000 chemicals are currently in-use on the market, with more created every year, the EPA has only been able to thoroughly investigate less than 20 chemicals.

Mandated chemical testing has not been in place in the United States until relatively recently. Until the first Toxic Substances Control Act of 1976, chemicals used in our products were not required to be tested for safety. This law was not updated until 2016, when improvements such as risk-based chemical assessments and public transparency in chemical information were added. Currently, the EPA works alongside college- and university-based scientists and researchers to identify what chemicals may be causing harm in humans and proving that a chemical is causing human health effects can take decades. Throughout this time period, the Agency's budget has been consistently cut by Congress.

Meanwhile, manufacturers who use chemicals that may be or are proven to be harmful are not compelled or incentivized to actually make their products safe. Take, for example, BPA (the common name for the industrial chemical bisphenol A, often used in plastics). Created in 1891, toxicity was not observed until the 1930's. Although BPA has still not been banned at the federal level, state-by-state bans have been implemented and manufacturers have created BPA alternatives. Unfortunately, new evidence implies that these replacements may be even more toxic to human health than BPA. This has been the story of U.S. chemical manufacturing for nearly a century: if the public expresses worry about the health effects of a particular chemical, manufacturers simply replace it with another chemical that has not been tested for health effects yet. As a result, the government spends millions of tax dollars every year funding universities and the EPA to identify these new chemicals and test them for human health safety, while companies continue their business without repercussion. The discovery process can take decades, during which time Americans are essentially subjected to uncontrolled experimentation with potentially dire health outcomes.

Solutions that a Majority of Americans Can Support

With the testing backlog of over 80,000 chemicals and with more new chemicals being created every year, it would take centuries for the EPA alone to ensure consumer safety. This process can be made faster and more

efficient if companies are made to take responsibility for the burden they have shifted to consumers, by testing these products and ingredients themselves, before their products go to market.

The European Union has addressed this issue with a regulation called REACH (Registration, Evaluation, Authorization, and Restriction of Chemicals), which requires that companies provide chemical safety testing results to a governing body for review. A similar system of checks and balances between product manufacturers and the EPA would be more efficient and more transparent than our current U.S. system. The EPA could be given authority to hold the companies accountable for the rigor and accuracy of their data, and the government could mandate that that data be made open access so that consumers can engage with the facts as directly as they would like to.

In addition, shifting the burden of testing for the safety of these chemicals to manufacturers would create an immense number of jobs. With hundreds of toxicologists, exposure scientists, environmental health scientists, epidemiologists, and medical professionals working and being trained in America, up-front testing would reduce the need for the government and academic scientists to spend decades identifying which chemicals may be harmful and how.

The research shows that the American people want the products we buy to be safe. Corporate responsibility, public transparency, and job growth are all concepts that U.S. voters from across the spectrum care about, and all can be tied to changes in chemical safety regulations. As more information about chemicals new and old comes to light, and as potentially harmful consequences of using these chemicals unfold, the federal government can act to speed up the testing process to address voters' concerns.

Research and data for this brief were drawn from a [national online survey commissioned by the Program on Reproductive Health and the Environment \(PRHE\) at the University of California, San Francisco](#).