

July 11, 2018

Dear Member of Congress:

The undersigned organizations are writing to express our strong opposition to recently introduced legislation that would block enforcement of most state and local right-to-know laws, and even some federal programs. These important laws require disclosure of ingredients in everyday consumer products that are linked to potential health risks, including cancer, birth defects, developmental harm to children and other diseases. The inaccurately labeled “Accurate Labels Act” (S.3019/H.R.6022) is alarming and radical legislation, promoted primarily by the chemical and grocery manufacturers, that would repeal most if not all existing labeling and information disclosure laws adopted by state or local governments.

In addition, the bill would effectively prevent the future adoption of any meaningful and health-protective right-to-know laws at the state or local level for nearly all consumer products and commodities, including:

- most food and beverages
- children’s toys and child care articles
- personal care products
- over-the-counter drugs and medical devices
- cleaning supplies
- cookware
- furniture and carpets
- electronics
- textiles and clothing
- building materials
- hardware supplies

As if that were not enough, the bill would potentially eliminate current and future *federal* agency-initiated information, ingredient disclosure and right-to-know requirements. Spun by industry as a reasonable approach to “leveling the playing field,” it would essentially decimate the “playing field” (meaning all 50 states and their local governments plus our federal agencies) so that no one will ever be able to play on it again.

To be clear, this bill does not authorize the federal government to label any additional products or require any additional information. Instead, it creates an enormous information dead zone by setting a laundry list of problematic and unprotective obstacles for both existing and future state laws, without replacing long-standing state authority with any action giving consumers the information they need and want to make informed choices for the health of their families.

Based on our initial review, the bill could eliminate a raft of *existing* state and local laws including:

- Requirements to disclose when household furniture contains toxic flame retardant chemicals (which are not needed for fire safety), many of which are associated with learning disabilities, cancer, reproductive harm, and hormone disruption and are known to be released from furniture into indoor air and dust.
- Eleven state laws requiring disclosure of mercury, a potent brain damaging chemical, in products and the need for its proper disposal as a hazardous waste.
- Requirements for disclosure of household cleaning product ingredients on well-established lists of concern.
- California’s landmark law, the Safe Drinking Water and Toxic Enforcement Act (Prop 65) which has been responsible for the removal of hundreds of dangerous toxic chemicals including lead, cadmium and mercury from commercial and consumer products nationwide.
- Requirements to report on the use of chemicals of high concern in consumer (children’s) products.

Existing laws and authorities that would be eliminated by this anti-consumer and anti-health legislation were explicitly protected by Congress only two years ago in bipartisan legislation to reform the Toxic Substances Control Act (TSCA) that passed the House and Senate almost unanimously. The chemical and grocery manufacturers are now attempting this backdoor strategy to undo the historic compromise enacted by Congress by instead proposing to rewrite the Federal Fair Packaging and Labeling Act to conceal their use of toxic chemicals in food and other consumer products.

Introduction of this legislation comes as many members of Congress are being confronted in their states and districts with the numerous failures of both the chemical and food industries to protect the public from exposure to unsafe chemicals, including lead, cadmium, mercury, phthalates, fluorinated ("Teflon") chemicals and toxic flame retardants. American families want to know what's in the food they eat, the water they drink, and the products they buy, especially if they can cause cancer, birth defects, or other life-threatening ailments. Consumers' right to know should outweigh the desire of corporations to deny them that knowledge. Local and state right-to-know laws have protected consumers across the country from dangerous chemicals in thousands of products while incentivizing safer products in the marketplace.

For example, drinking water and food supplies across the nation have been contaminated by highly fluorinated ("Teflon") chemicals that have been associated with cancer, liver and kidney toxicity and hormone disruption. These chemicals last forever in the environment, yet the chemical and grocery manufacturers have no answers for where these chemicals came from, where they are currently being used, how to clean them up, or how to get them out of our food, our drinking water or household products.

The health of Americans should come first. The chemical and grocery manufacturers have repeatedly failed to protect the American public from daily, ongoing exposure to dozens if not hundreds of toxic chemicals through food and other household products. It is remarkable that they now come to Congress seeking essentially a total annihilation of current and future right-to-know and consumer-protection labeling laws at the state and local level.

We urge you to oppose this dangerous family-unfriendly legislation that: undermines the health of the American public; eliminates states' existing ability to inform their citizens about the ingredients of products and the dangers that they may pose; and keeps Americans in the dark about the products they bring into their homes.

For more information or if you have questions about the legislation, please contact: Ansje Miller, Center for Environmental Health (CEH), ansje@ceh.org; Nancy Buermeyer, Breast Cancer Prevention Partners (BCPP), nancy@bcpp.org; Daniel Rosenberg, Natural Resources Defense Council (NRDC), drosenberg@nrdc.org.

Sincerely,

Alaska Community Action on Toxics

Arizona PIRG

Alliance for a Healthy Tomorrow
(Massachusetts)

As You Sow (California)

Alliance of Nurses for Healthy Environments
(National)

Asamblea de Gonzales (California)

Asbestos Disease Awareness Organization (National)
Beautycounter (National)
Binghamton Regional Sustainability Coalition (New York)
Black Women for Wellness (California)
Bladder Cancer Advocacy Network (BCAN) (National)
BlueGreen Alliance (National)
Breast Cancer Prevention Partners (BCPP) (National)
California Baby (National)
California Healthy Nail Salon Collaborative
Californians Against Waste
Californians for Pesticide Reform
California PIRG
Center for Biological Diversity (National)
Center for Environmental Health (CEH) (National)
Central California Asthma Collaborative
Children's Environmental Health Network (National)
Clean and Healthy New York
Clean Production Action (National)
Clean Water Action (National)
Clean Water Action California
Clean Water Action Connecticut
Clean Water Action Maryland
Clean Water Action Massachusetts
Clean Water Action Michigan
Clean Water Action Minnesota
Clean Water Action New England Region
Clean Water Action New Jersey
Clean Water Action Pennsylvania
Clean Water Action Rhode Island
Clean Water Action Texas
ClimateMama (National)
Coalition for Clean Air (California)
Codepink (National)
Coming Clean (National)
Conservation Minnesota
Construction Specialties (National)
Consumer Federation of America (National)
Consumers Union (National)
Cook Inletkeeper (Alaska)
Colorado PIRG
Dignity Health (Arizona, California, Nevada)
Earthjustice (National)
Ecoconsult (California)
Elavo Mundi Solutions, LLC (California)
Environmental Health Strategy Center (Maine)
Environmental Health Trust-West Coast Branch
Environmental Justice Health Alliance (EJHA) (National)
Environmental Working Group (National)
Farmworker Justice (National)
Food & Water Watch (National)
Food Empowerment Project (National)
Friends of Miller Peninsula State Park (Washington)
Friends of the Earth (National)
Glynn Environmental Coalition (Georgia)
Grassroots Environmental Education (National)

Great Neck Breast Cancer Coalition (New York)

Green America (National)

Green Science Policy Institute (National)

Greenaction for Health and Environmental Justice (National)

GreenBlue Institute (National)

Greenpeace (National)

Hackensack Meridian Health (New Jersey)

Headwater LLC (National)

Health Care Without Harm (National)

Healthy Babies Bright Futures (National)

Healthy Building Network (National)

Healthy Legacy Coalition (Minnesota)

Healthy Schools Network (National)

Howard Williams Consulting, LLC (National)

Huntington Breast Cancer Action Coalition (National)

Illinois PIRG

Institute of Neurotoxicology and Neurological Disorders (INND) (National)

Instituto de Educacion Popular del Sur de California (IDEPSCA)

International Center for Technology Assessment

International POPs (Persistent Organic Pollutants) Elimination Network (IPEN)

Iowa Breast Cancer Edu-Action

Just Transition Alliance (National)

Keep A Breast (International)

League of Conservation Voters (National)

Learning Disabilities Association of America (National)

Learning Disabilities Association of California

Learning Disabilities Association of Georgia

Learning Disabilities Association of Illinois

Learning Disabilities Association of Maine

Learning Disabilities Association of New Jersey

Learning Disabilities Association of Oklahoma

Learning Disabilities Association of South Carolina

Learning Disabilities Association of Tennessee

Learning Disabilities Association of Texas

Learning Disabilities Association/Healthy Children Project (National and State)

Made Safe (National)

Maryland PIRG

Massachusetts Breast Cancer Coalition

Massachusetts PIRG

National Center for Health Research (National)

Natural Resources Defense Council (NRDC) (National)

Naturepedic (National)

NC Child (North Carolina)

NC Conservation Network (North Carolina)

New York Lawyers for the Public Interest

New York PIRG

New York Sustainable Business Council

New Mexico PIRG

No Waste Louisiana

Non Toxic Revolution (California)

Northwest Green Chemistry (Pacific Northwest)

On Belay Business Advisors Inc (Northeast)

Oregon Environmental Council (Oregon)

People Concerned about Chemical Safety (West Virginia)

- Pesticide Action Network (National)
- Physicians for Social Responsibility, Arizona
- Physicians for Social Responsibility, Florida
- Physicians for Social Responsibility, Maine
- Physicians for Social Responsibility, Oregon
- Physicians for Social Responsibility, Philadelphia (Pennsylvania)
- Physicians for Social Responsibility, San Francisco Bay Area Chapter (California)
- Physicians for Social Responsibility, Texas
- PODER San Francisco (California)
- Protect the Peninsula's Future (Washington)
- Public Citizen (National)
- Safer Chemicals Healthy Families (National)
- Safer States (National)
- San Francisco Firefighters Cancer Prevention Foundation (California)
- Save EPA (National)
- Savvy Women's Alliance (National)
- Science and Environmental Health Network (National)
- Seventh Generation, Inc. (National)
- Shaw Institute (formerly Marine & Environmental Research Institute) (Maine)
- Sheet Metal Occupational Health Institute Trust (SMOHIT) (Virginia)
- Sierra Club (National)
- Soulati Media, Inc.
- Spirit Aligned Leadership Program for Indigenous Women and Girls (New York)
- Surfrider Foundation (National)
- Sustainable San Francisco (California)
- T.e.j.a.s. (Texas)
- TDC Environmental, LLC (California)
- Texas Campaign for the Environment
- Texas PIRG
- The City Project (California)
- The Endocrine Disruption Exchange (National)
- Toxic-Free Future (Washington)
- Toxic Free NC (North Carolina)
- Toxics Action Center Campaigns (New England)
- Tri-Valley CAREs (California)
- Union of Concerned Scientists (National)
- United Sludge Free Alliance (National)
- Unity Consultants (Pennsylvania)
- UPSTREAM (California)
- U.S. Right to Know (National)
- USW Local 675 (California)
- Vermont Conservation Voters
- Vermont Public Interest Research Group
- WE ACT for Environmental Justice (New York)
- West Berkeley Alliance for Clean Air and Safe Jobs (California)
- Wind of the Spirit, Immigrant Resource Center (New Jersey)
- Wisconsin PIRG
- Women for a Healthy Environment (Pennsylvania)
- Women's Voices for the Earth (Montana)