

Eco-tip: When the state stopped playing a 'high-stakes game of chemical whack-a-mole'

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So you may think anything dangerous is quickly controlled by government agencies and could never pose a risk to the average American. Think again.

David Goldstein, Special to Ventura County Star Published 9:00 a.m. PT Oct. 17, 2020

Lead has been banned from gasoline and paint, asbestos is no longer allowed in most types of building materials and partially hydrogenated vegetable oils can no longer be added to commercially produced food products.

So you may think anything dangerous is quickly controlled by government agencies and could never pose a risk in the diet or consumer products of the average American.

Karl Palmer, acting deputy director of the Safer Consumer Products branch of the California Department of Toxic Substances Control, provided a more realistic assessment of the actual process used for decades to assess risks and form a regulatory response.

“The truth is, what we used to do was like playing a giant, high-stakes game of chemical ‘whack a mole,’” he said.

“When something came up as potentially dangerous, we were reacting and studying that one, then you see laws and regulations to protect people, but there is a safety gap,” he said.

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A 2006 study by scientists at UC Berkeley revealed the size of the gap. “Of the 85,000 chemicals in commerce in the United States, most have not been studied by regulators for human and environmental effects,” Palmer said of the study’s conclusion.

The lack of knowledge led to a related problem. Sometimes, when one toxic substance was banned, another one, even worse, was used in its place. This was called “The problem of the regrettable substitute,” said Palmer.

For example, according to the Sept. 13, 2018, edition of Science Magazine, a publication of the nonprofit American Association for the Advancement of Science, manufacturers of the soft plastic spouts in some drinking water bottles phased out bisphenol A (BPA), but switched to bisphenol S (BPS) and diphenyl sulfone. Consequently, some products marketed as “BPA-free” contained substitutes which “may cause the same ill effects in mice, particularly in reproductive cells.”

Following 2008 “Green Chemistry” laws in California, the department now uses a public process to identify priority products for study and asks those selling the products to conduct an analysis of alternatives, shifting the burden of investigation from government to private parties, academia and nonprofits.

Key to this process is the Green Ribbon Science Panel, which advises and acts as a resource to the Department and the California Environmental Policy Council. The next meeting, after nearly a year hiatus, is Oct. 30, and it is open to the public via Zoom. Visit to <https://dtsc.ca.gov/grsp/grsp-meetings/> to learn more.

The meeting will discuss 1,4-Dioxane in cleaning and personal care products. The chemical contaminant was created unintentionally during the manufacture of surfactants, which are compounds affecting the solubility of products in water. It is a suspected carcinogen, so the department will ask manufacturers to come up with ways to minimize it, and Palmer hopes, “simply the attention may help drive markets for safer surfactants.”

Attention led to changes in carpet and rugs prior to regulations taking effect next spring. According to Palmer, American manufacturers are reportedly phasing out polyfluoroalkyl substances, known as PFAS. A change in fiber design, instead of the application of a chemical, now helps domestically produced carpets and rugs resist dirt, staining and premature aging. Upcoming regulations will address PFAS still found in imported items.

Attention and regulatory review have occasionally been difficult because some manufacturers could simply list “fragrance” instead of including chemical names in their ingredient list, and some used trade secret protections to shield themselves from investigation by regulators or action by consumers.

However, in 2020, the nonprofit California Product Stewardship Council assisted in the passage of “right-to-know” legislation requiring disclosures of ingredients in cosmetics and menstrual products. Manufacturers will now have to disclose ingredients on their website.

“Maybe now we will know which ones are adding lead, asbestos or chemicals linked to negative health impacts,” said Joanne Brasch, the council’s project manager.

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Advocacy groups also investigate and certify products. For example, the “Skin Deep” database of The Environmental Working Group, at <https://www.ewg.org/skindeep/>, sets up a system for scoring products.

You can sign up for the California Department of Toxic Substances Control e-blasts and listserv on their website, at <https://dtsc.ca.gov/dtsc-e-lists/>, to keep track of the latest chemical concerns and responses.

Another tool is the U.S. EPA’s “safer choice” label program. The EPA’s website lists over 2,000 products recommended for cleaning, car care and others uses with a label signifying ingredients “safer for human health and the environment.” See <https://www.epa.gov/saferchoice>.

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