

California PFAS priority product proposal sparks discord

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A chemical class approach should not be used, says ACC

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Industry and environmental advocacy groups have butted heads over California's proposal to name textile or leather treatments containing per- or polyfluoroalkyl substances (PFASs) as priority products under its Safer Consumer Products (SCP) programme.



In this case, the California Department of Toxic Substances Control (DTSC) recommended taking a chemical class approach to PFASs, meaning that the relevant treatments containing any member would be listed as a priority product.

It would cover more than 3,000 individual chemicals, the department said in a product-chemical profile released alongside the November 2019 proposal.

"All PFASs are candidate chemicals because the California Environmental Contaminant Biomonitoring Program lists the entire class as priority chemicals for measuring in the blood or urine of Californians," the profile explained.

But in comments submitted last week, the American Chemistry Council (ACC) took issue with that approach, calling the chemical profile "seriously flawed" and containing "misstatements and unsupported overgeneralisations".

The DTSC should be focusing on the specific types of PFAS substances that are actually used in textile treatment products, the trade group said. The ACC cited data from the EPA reporting that there have only been a total of 600 PFASs in commerce in the US since 2006. And only a "small fraction" are used in textile treatment products, it added.

"Therefore, it is inappropriate for DTSC to justify its use of a 'class approach' to regulation based on the purported existence of 'thousands' of PFAS substances," the ACC said.

And the FluoroCouncil, a subsidiary of the ACC, added in its own comments that PFASs vary significantly when it comes to hazard and toxicity.

"For instance, not all PFAS and related products are persistent, bioaccumulative, and/or toxic, (PBTs) particularly at concentrations typically present in the environment," it said.

Because of these variations, "no scientifically sound rationale exists for treating them all the same as a matter of public policy," the FluoroCouncil added.

However, a group of nonprofits and environmental advocacy organisations – including the Natural Resources Defense Council (NRDC), Clean Water Action, the Environmental Working Group (EWG), Breast Cancer Prevention Partners (BCPP) and the California Product Stewardship Council – supported the potential priority product listing.

Their comments centred around the potential adverse health effects of PFASs, especially for vulnerable populations like children and pregnant women, and for widespread public exposure.

"We commend the department's well-substantiated profile of treatments containing PFAS for converted textiles and leathers and urge swift and decisive action to list PFAS treatments as a priority product," they wrote.

The comment period for the DTSC's proposal ended on 14 January. Comments and input received will help refine the priority product definition, the department said.

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Reporter

