



STATE OF WASHINGTON

January 16<sup>th</sup>, 2024

Melanie Adams

Safer Choice Program, Office of Chemical Safety and Pollution Prevention

Environmental Protection Agency

1201 Constitution Ave. NW, Washington, DC 20004

**Re: Modifications to the Safer Choice Standard and Potential Implementation of a Safer Choice Cleaning Service Certification Program, Docket EPA-HQ-OPPT-2023-0520**

The Washington State Department of Ecology (Ecology) and the Washington State Department of Health (DOH) submit the following joint comments in support of the proposed updates to the Safer Choice Standard. This standard identifies the requirements that products and their ingredients must meet to earn EPA's Safer Choice label or Design for the Environment (DfE) logo. Safer Choice is a valuable program that Ecology and DOH use to identify safer alternatives under the Safer Products for Washington program. We also use Safer Choice when providing advice to individuals, schools, and businesses on avoiding toxic chemicals through choosing to buy safer products.

The proposed changes are positive, maintain or increase the rigor of this certification, and would allow us to continue using Safer Choice in our work to protect human health and the environment. Ecology and DOH would like to highlight particular support of the proposed updates below:

- Adding Per- and Polyfluoroalkyl Substances (PFAS) and bisphenols to the list of chemicals that cannot be added to packaging and clarifying which heavy metals are on this list.
- Limiting the allowable amount of yellow triangle chemicals in a product to 10%.
- Assessing the potential combined or synergistic effects of ingredients where possible.
- Clarifying that meeting the surfactant criteria includes also meeting the master criteria for human health when data are available.
- Listing known allergens/sensitizers.
- Requiring information, upon request, showing no substantial generation of respirable particles.

Ecology and DOH also support the development of the Safer Choice cleaning service standard. This standard will not only protect workers but also allow small businesses a way to differentiate themselves from their competitors. Ecology and DOH agree that Safer Choice and DfE-certified products should be used to the maximum extent practicable and agree on the one-year exceptions process for use of products that are not certified; however, we recommend EPA requires businesses to disclose these exceptions to customers in addition to the third-party profiler. Our agencies can promote this standard.

In addition to the proposed updates, we recommend that EPA expands the list of restricted chemicals on primary packaging ingredients to include all ortho-phthalates in packaging, in addition to those already specified. We also urge EPA to consider a threshold that is lower than 100 ppm for the requirement to list known allergens/sensitizers.

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Ecology and DOH also reiterate previous recommendation to EPA to expand the Safer Choice program to include personal care and beauty products as well as other products that reduce pathways for occupational exposure among populations already overburdened by toxic chemicals.

Thank you for considering these shared comments. Updating the Safer Choice Standard will help keep this program strong and assist in our work.

Sincerely,



Laura Johnson  
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Environmental Public Health Division  
Department of Health



Katrina Lassiter  
Hazardous Waste & Toxics Reduction  
Program Manager  
Department of Ecology

