

Responding to public demand, House passes first toxics bill since 1976

The U.S. House of Representatives passed a bill to reform the Toxic Substances Control Act (TSCA)

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CONTACT: Rebecca Wolfson, (414) 218-7228, rwolfson@breastcancerfund.org; Ena Do, (415) 321-2903, Edo@breastcancerfund.org

SAN FRANCISCO – Responding to public demand, the U.S. House of Representatives passed a bill to reform the Toxic Substances Control Act (TSCA) on Tuesday. Sponsored by Reps. John Shimkus, R-Ill., Fred Upton, R-Mich., Frank Pallone D-N.J., and Paul Tonko, D-N.Y., H.R. 2576, the “TSCA Modernization Act,” has passed the House by an overwhelming bipartisan vote of 398-to-1.

Under TSCA, which is the United States’ current chemical law, the Environmental Protection Agency (EPA) has been able to regulate only five of the more than 85,000 chemicals in commerce today. “While the House bill is flawed, it provides a path forward and we commend the Energy and Commerce Committee for its thoughtful consideration of this critical issue,” said Nancy Buermeier, senior policy strategist at the Breast Cancer Fund. “On behalf of the quarter of a million women and men who will be diagnosed with breast cancer this year and the 40,000 families who will lose someone they love to this disease, the Breast Cancer Fund urges Congress to pass meaningful and effective reform of TSCA.”

As the House bill moves forward in the legislative process, the Breast Cancer Fund calls for the following improvements to strengthen the EPA’s authority and provide sufficient resources to assess and regulate toxic chemicals:

- **Strengthen the EPA’s authority to focus on the most dangerous chemicals.** The bill allows industry to demand that the EPA assess an unlimited number of chemicals of the industry’s choosing, potentially diverting the EPA from the critical work of assessing chemicals they have already deemed the highest priority because of those chemicals’ potential to endanger public health.
- **Strengthen public right to know.** A major flaw of current TSCA law is industry’s ability to hide the identity of chemicals, even hazardous chemicals, from the public. This bill does not require the EPA to evaluate the legitimacy of new confidentiality claims. In addition, thousands of unevaluated claims will remain in place, resulting in only a marginal improvement over existing law and its implementation by the EPA.
- **Provide the EPA with adequate funding to fully assess the chemicals of highest concern.** The bill does not allow the EPA to charge the industry its fair share to review the safety of the chemicals of greatest concern to public health. Rather, the bill allows the chemical industry to pay fees only for those chemicals they choose to have evaluated.

If these concerns are addressed, the House bill provides a solid platform to move forward with meaningful chemical management reform. By contrast, a Senate bill, S. 697, which is awaiting a vote on the Senate floor, is fatally flawed and should be set aside in favor of a strengthened House bill. The Senate bill (S. 697) was introduced in March by Senators Tom Udall, D-N.M and David Vitter, R-La.

The Breast Cancer Fund continues to work with lawmakers and other public health groups to push for meaningful and effective chemical policy reform that will put public health above chemical industry interests. The public has a right to expect nothing less than real protection from toxic chemicals and Congress should heed that call.

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The Breast Cancer Fund is the leading national organization working to prevent breast cancer by eliminating our exposure to toxic chemicals linked to the disease. www.breastcancerfund.org