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The Safer Alternatives Bill (S2481)

SB 2481 is a broad but focused bill intended to reduce the presence of harmful toxic chemicals in products sold in Massachusetts. It follows in the footsteps of toxics reduction programs implemented by California, Maine, Canada, and Europe, and by some major US retailers like Wal-Mart, Sears and Toys'R'Us. In recognition of the dangers associated with chemical exposure, these states, countries and corporations have implemented bans on certain products or chemicals.

Safer Alternatives is Science-Based.

Rather than an outright ban, this legislation develops a science-based process that identifies chemicals of concern, their presence in our economy, and the existence of possible alternatives. In a full and open scientific review process, which will be conducted at the University of Massachusetts-Lowell, toxic chemicals will be compared with the impacts of other substances or processes. The results of the report are transmitted to the environmental, public health, public safety, and financial agencies. With this in hand, the governor, his agency staff, and a group of business, labor and environmental stakeholders decide whether to proceed with substitution of the toxic chemical with a scientifically-proven safer alternative. If substitution is warranted, the implementing agencies will assist Massachusetts businesses with the transition away from the toxic chemical.

Safer Alternatives Legislation is Necessary.

This legislation will remove toxic chemicals from your environment. It is a proven fact that each one of us carries toxic chemicals around in our bodies even though we never knowingly consumed, used or even heard of them. These chemicals are released into the environment by products we use every day to cook our food, clean our homes and entertain our children. As the chemicals build up over time, they contribute to a myriad of health problems, including immune disorders, learning disabilities, cancer and kidney disease.

This legislation removes toxic chemicals from products when safer chemicals or processes exist. It will not accomplish this goal at the detriment of product cost, quality or performance. Often, business cannot attain this goal on its own, because of capital costs, lack of expertise or scientific knowledge. This legislation fills that void.

Safer Alternatives Legislation is Complementary to Existing State Laws.

The Toxics Use Reduction Act (TURA, Chapter 21I of the MGL) supports the reduction by manufacturers of toxic chemicals from the manufacturing process. This program has been extremely effective in eliminating toxic chemicals from large industries all over the Commonwealth. Several government agencies assist this process. The Toxics Use

Reduction Institute (TURI) handles the scientific discovery process. The Department of Environmental Protection provides regulation and enforcement. The Office of Technical Assistance provides grants and technical expertise. This legislation expands the responsibilities of those agencies to meet the needs of the new program.

Safer Alternatives Legislation is Good for Massachusetts Business.

Over one third of all international exports from Massachusetts businesses go to the European Union (EU), which has high and rising environmental standards. In the near future, Massachusetts exports will be affected by policies such as the new EU directive on electrical and electronic waste, requiring the phase-out of several chemical hazards in all electronics sold in Europe, and REACH, the new EU chemicals policy, requiring a precautionary approach to chemical hazards. Massachusetts would risk losing 9,000 jobs and the highest percentage of REACH production of any state if industry fails to comply with REACH. Moreover, major retailers in the US are now requiring disclosure of chemical components of products and are demanding that products be made without toxic chemicals. This legislation will help Massachusetts businesses get ahead of the curve by helping them create greener products.

The Safer Alternatives Program is Open and Thoughtful

The public has many opportunities to comment on the proceedings of the safer alternatives program. Public comments are welcomed in the development of regulations and the scientific assessment report. If businesses are concerned about the findings, there is a robust and vigorous waiver process.

The goal of the legislation is to help the Massachusetts economy, not hinder it. The comments of Massachusetts business and industry are welcomed in shared pursuit of a strong and effective bill.