

RILA Issue Brief: Chemicals and Toxics

Chemicals and Toxics in Retail and its Supply Chain



[Retailers](#) and their supply chains “face common interpreting this information, identifying safer alternatives to chemicals of concern, and pushing the marketplace to produce safer chemicals and products.”

Chemicals and Toxics

Chemicals are integral to our electronics, household cleaners, cosmetics, garden products, and more. Some of these chemicals pose real or perceived risks to human health and the environment, and are the subject of advocacy, research, or regulation. Retailers have both financial and reputational incentives to implement management programs to recognize potential concerns ahead of regulation, and reduce or eliminate specific chemicals from products

Considerations for Retailers

Regulation. Several U.S. states, as well as the federal government and the chemicals agency in the European Union, are mandating more information on the chemicals in consumer products. In turn, a number of

regulations restrict or ban the use of select chemicals. The number of prohibited chemical substances has grown steadily over the past 15 years, and continues to expand. Once regulated, a chemical’s use may be restricted to certain applications, limited to an allowable amount, or even banned. To comply, companies must determine if regulated chemicals are in their products, and confirm that the use complies with any restrictions—no small feat given tens of thousands of products and hundreds, or even thousands, of suppliers.

Snapshot of regulations on chemicals in products		
9 substances	Minnesota	<ul style="list-style-type: none"> “List of Priority Chemicals,” Pollution Control Agency and Department of Health
10 substances	United States	<ul style="list-style-type: none"> “Existing Chemicals Action Plans,” U.S. EPA
51 substances	Maine	<ul style="list-style-type: none"> 2 substances on the “Designated Priority Chemicals” 49 substances on the “List of Chemicals of High Concern,” Department of Environmental Protection and Center for Disease Control and Prevention
66 substances	Washington state	<ul style="list-style-type: none"> “List of Chemicals of High Concern to Children,” Department of Ecology and Department of Health
152 substances	European Union	<ul style="list-style-type: none"> 14 substances on the “Authorisation List” 138 substances on the “Candidate List of Substances of Very High Concern for Authorisation,” European Chemicals Agency
884 substances	California	<ul style="list-style-type: none"> “List of Chemicals Known to Cause Cancer or Reproductive Toxicity” (Prop65), Office of Environmental Health Hazard Assessment

Many regulated chemicals, such as lead, are widely known for their toxicity, while others are of more recent concern, such as triclosan (the antibacterial substance, used in hand soaps, toothpastes, and other consumer products, is banned in Canada, the E.U., and in Minnesota). Regulation often focuses on groups of chemicals and specific product categories, such as preservatives in cosmetics, fragrances in household cleaners, and plasticizers in children’s [toys \(2008\)](#) and [cups \(2012\)](#). A new bill focused on chemicals in personal care products—the [Personal Care Products Safety Act](#)—was introduced into the Senate in April 2015 by Senators Feinstein (D-California) and Collins (R-Maine).

Reputation. The scientific community, consumer and environmental advocacy groups, as well as many companies, agree that regulations alone do not adequately protect consumers, workers, or the environment. A reactionary response to news headlines, with hasty removal of products from the shelf, can be costly, while a [transparent](#), proactive approach can protect consumer trust, preserve brand reputation, and lower business risks from supply chain disruptions, [new regulations, product liability, and product-recalls](#). “Orderly proactive transition is better than abrupt reaction” is one of five key lessons on chemicals management from [Staples Inc.](#)

How Does Retail Address Chemicals of Concern?

Retailers are working individually and [collectively](#) to strengthen the science, discontinue the use of the chemicals of highest concern, and address consumer expectations. Costco, Kroger, Safeway, Walgreens, and

Home Depot are among the many retailers that voluntarily removed bis-phenol-A (BPA) from infant products, and parabens from personal care products, and reduced volatile organic carbons (VOCs) from paints and household cleaners. In 2015 the EPA’s [Safer Choice](#) program recognized [Staples Inc.](#) and [Wegmans Food Markets Inc.](#) for “leadership in furthering safer chemistry and products” which included promoting Safer Choice product standards with suppliers, using end cap displays to promote Safer Choice labelled products to customers, and establishing research and testing initiatives.

Lessons from Managing Chemicals, Staples Inc.
1. Knowing is better than not knowing
2. Action is better than inaction
3. Eliminating chemical hazard is better than managing exposure.
4. Transparency/ disclosure is better than vagueness or obscurity
5. Orderly proactive transition is better than abrupt reaction

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[Retailers and not-for-profit](#) groups are working together to manage chemicals ahead of regulation, connect with retail's common suppliers, benchmark chemicals management practices, and learn from the experiences of others. With access to road-tested tools and active peer networks, there is often little need for companies to pioneer new approaches. Seven of the most relevant chemical management actions for retail are:

1. Chemical Ingredient Assessments: To remain proactive, companies track the emerging concerns of consumers and legislators, and assess high volume or strategically important chemical ingredients for potential risks. Tools include:

- The [GreenScreen for Safer Chemical](#), a free, comparative hazard assessment.
- The OECD [toolbox](#) of chemical assessment tools, and [case studies](#).
- The [SINlist](#) and [SINilarity](#) free search tools for identifying chemicals of very high concern
- The [CleanGredients database](#) lists chemical ingredients meeting U.S. EPA Safer Choice standards.

2. Supplier Chemical Assessments: Asking suppliers for data on chemical constituents is among [BizNGO's](#) four [principles for safer chemicals](#). In order to prioritize suppliers to work with first, many retailers seek guidance from industry peers, NGO-partners, or academics to identify the products and components in their supply chain with the highest potential to contain chemicals of concern. The [Chemical Footprint Project's](#) benchmarking data enables companies to compare suppliers' chemical footprint and management practices.

3. Restricted Substances Lists (RSL): Retailers may establish one RSL, or differentiate between private

labels and supplied products. Kroger's RSL covers its private label Simple Truth and products in its Nature's Market department, and includes restrictions on artificial preservatives and ingredients in food products. At [REI](#), a RSL covers its private label, while suppliers are encouraged to certify with the textile standard [bluesign](#).

4. Substitution or Redesign to Eliminate Priority Chemicals: As a chemicals management program evolves, it can include goals and metrics for removing priority chemicals, and a process to determine what drives the use of those priority chemicals so appropriate solutions can be found. BizNGO offers a [how-to guide](#) to replacing chemicals of high concern with safer alternatives, as well as its own [assessment of retailer programs](#). For example, [Bed Bath & Beyond](#) asks vendors to eliminate, reduce, or seek alternatives for chemicals on its RSL and reminds vendors to avoid substituting one chemical on the RSL for another, as restrictions often apply to an entire class of chemicals.

5. Formal, Continuous Processes: As new products with new chemical ingredients are introduced, continuous screening is important for effective management. For example, at [Johnson & Johnson](#), policies and products "continually evolve... to reflect not only the latest science and new regulations, but also consumer views and concerns." The [Chemical Footprint Project](#) and the [Chemical Management Module](#) offer free industry benchmarking and a roadmap to identify points for improvement within a company, whether it is just starting or already a leader. The Chemicals Management Module also offers information on external resources, tools, and services.

6. Integration with Design, Buying, and Procurement: Companies screen for chemicals of concern during product design, buying decisions, and centralized purchasing. To identify and support preferred chemical ingredients, retailers are [connecting](#) with chemical manufacturers Akzo Nobel, BASF, Chemours, Dow, and Eastman. There are also [benefits](#) for retailers to eliminate chemicals in products used internally for operations such as cleaning and maintenance, and in services such as automotive repair, dry cleaning, and

home improvement. Benefits can include eliminating employee exposure, and avoiding the costs of personal protective equipment, special training, handling and disposal, and reducing regulatory obligations.

Integrate into Consumer Sales:

Voluntary [certifications](#) and [labels](#) provide consumers with additional information on the products they buy. [Home Depot's](#) "Eco Options" program promotes VOC-free paints, and cleaners, and [Wegmans](#) uses end cap displays to feature products that meet the U.S. EPA [Safer Choice](#) standard.

7. Alliances to Further Green Chemistry Innovation: Retailers are increasingly collaborating to promote transparency and improve access to comprehensive hazard data. For example, Best Buy, CVS Health, Lowe's, Home Depot, Staples, Target, and Walmart are

members of the Green Chemistry and Commerce Council's [Retailer Leadership](#) network, "promoting safer chemicals, materials and products across retail supply chains." Focusing on fragrance ingredients, Target and Walmart are working with suppliers to obtain information, which suppliers have historically not disclosed. Walmart's policy requests "full disclosure of all ingredients including those typically protected under trade secrets (e.g. fragrances)."

Maturity Steps for Chemicals & Toxics

To enable retailers to benchmark their chemicals management initiatives, RILA's [Retail Sustainability Management Maturity Model](#) includes a specific dimension on *chemicals and toxics*:

Chemicals & Toxics	
Level of Maturity	Activities at that maturity stage
Starting	<ul style="list-style-type: none"> Complies with minimum environmental regulations
Standard	<ul style="list-style-type: none"> Maintains a list of regulated chemicals or a restricted substance list (RSL) Undertakes beyond-compliance measures to reduce the use of chemicals and toxics across the value chain
Excelling	<ul style="list-style-type: none"> Defines relevant metrics to monitor use of chemicals and toxics throughout value chain Defines goals around use of chemicals and toxics in products
Leading	<ul style="list-style-type: none"> Understands sources of toxics throughout value chain and what's driving them Establishes green chemistry program with the goal of reducing toxics across the value chain Conducts comprehensive assessment of chemicals in products and processes, with an evaluation of hazard and exposure potential
Next Practice	<ul style="list-style-type: none"> Establishes alliances with industry peers to further green chemistry innovation Communicates green chemistry policies to suppliers

Additional Information

Additional relevant resources, case studies and collaborative opportunities are listed below. . Additionally, retailers can review the RILA Center for Retail Compliance’s retail-specific information on regulations governing product compliance and toxics.

Resources <i>Educational tools</i>	Case Studies <i>Retailer deployment examples</i>	Get Involved <i>Collaborative opportunities & other resources</i>
<ul style="list-style-type: none"> • Green Chemistry and Commerce Council retailer portal • Hazardous 100+ Action Guide • Personal Care Product Safety Act • Cosmetics Europe on cosmetics regulation in the EU 	<ul style="list-style-type: none"> • Best practices in the retail industry, GC3 2009 • Bloomberg article, on Target’s expanded list of chemicals to restrict in consumer goods, 2015 • New York Times article, on Home Depot’s banning ortho-phthalates in vinyl flooring, 2015 	<ul style="list-style-type: none"> • BizNGO Retail Group for safer chemicals and sustainable materials • Green Chemistry Network • Apparel and Footwear International Restricted Substance List (RSL) Management Working Group

Visit www.rila.org/sustainability for more tools and resources.