

Marketplace – American Public Media

Sarah Gardner

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TEXT OF STORY

KAI RYSSDAL: There's a vote scheduled in Brussels, Belgium, tomorrow that could ultimately require big changes from American companies. The European Parliament will be holding a preliminary head-count on what it calls its REACH legislation: New regulations covering the use of chemicals in business.

Europe and Japan are beginning to restrict the kinds of chemicals used in everyday products, citing threats to human health. But the U.S. isn't following suit. Sarah Gardner reports from the Marketplace Sustainability Desk. . . Americans often buy goods branded too toxic by other countries.

SARAH GARDNER: When Democratic Senator Barbara Boxer brought toys to work this past summer, she wasn't playing around. In fact, she was angry when she held up a set of plastic baby blocks at a Senate hearing:

BARBARA BOXER: "I don't want my grandchildren, and anyone else's grandchildren or great grandchildren or children puttin' this stuff in the mouth!"

Boxer was holding up those soft plastic blocks that babies love to drool on. They're soft, though, because of controversial chemicals called phthalates. Europe banned them in baby toys but they're still legal here. Americans can also buy types of nail polish, weed killer and kitchen cabinets shunned by Europe and Japan. Yes, kitchen cabinets.

HARRY DEMOREST: "We have known for some time that formaldehyde was a chemical that more and more health agencies were saying was dangerous."

Harry Demorest is CEO of Columbia Forest Products in Oregon. He says the glue commonly used in cabinet plywood gives off formaldehyde gases. According to the EPA, formaldehyde is a probable cancer agent. It's also been linked to asthma and headaches. But the only U.S. agency that limits formaldehyde levels in plywood is HUD. Demorest says when his company hired a lab to test a dozen different plywood planks sold legally around the U.S., it compared them to the HUD standards.

DEMOREST: "All of the products we tested exceeded that standard. As a matter of fact, one piece of plywood from China exceeded that standard by a factor of 10."

Advocates of green chemistry like Michael Wilson at UC-Berkeley claim the United States risks becoming a "dumping ground" for toxic products as other nations clean up their acts. U.S. chemical laws are weak, he complains. Instead of forcing industry to prove a chemical is safe, the burden is generally on the EPA to prove it endangers people and places. And that legal standard of proof, he says, is too high.

MICHAEL WILSON: Most people seem to think that chemical consumer products, for example, that are on the shelves have been tested and somehow cleared for safety by a government agency or what have you, perhaps like pharmaceuticals. And that is just simply not the case in the U.S."

Wilson thinks Europe's approach to regulating chemicals is smarter. Better safe than sorry is the general thinking on that continent. But the American chemical industry says Europe is overreaching. Europe's upcoming REACH legislation is

alarmist, in their view, and risks banning chemicals that benefit not only consumers but the economy. Mike Walls is managing director of the American Chemistry Council.

MIKE WALLS: "A chemical can be hazardous but it doesn't necessarily pose a risk either because the amounts are so low or because there's very little potential for exposure for example."

Walls says just because Europe is restricting certain chemicals doesn't mean the U.S. need follow.

WALLS: "Europe has made regulatory decisions on particular chemicals that conflict in some cases with the scientific risk assessments done by them."

But some companies already forced to reformulate their products for Europe and Japan are now doing the same for the American market. Not always happily.

STACEY MALKAN: "Really what it took, ultimately, was public pressure."

Stacey Malkan at the Campaign for Safe Cosmetics helped convince big nail-polish makers like Sally Hansen and OPI to take a controversial chemical out of their U.S. products, something they'd already done for the European market.

MALKAN: "Newspaper advertisements, public protest, women calling the companies. . . . And once the companies started to hear that people were concerned about this, that's when they changed."

And it's not just consumer advocates pressing for cleaner cosmetics and less-toxic toys. Now retailers cultivating a greener image are demanding changes. Recently, Wal-Mart announced it will reward its suppliers who find alternatives to three suspect chemicals the store wants off its shelves.

I'm Sarah Gardner for Marketplace.

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