

# **EPA DfE BPA in Thermal Paper Partnership: Downstream User Perspective**

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## EPA Design for the Environment (DfE) Partners Perspective

- Partner of EPA DfE voluntary program for nearly ten years.
- In year 2001, there were about 20 EPA DfE Formulator Initiative Partners with less than 200 recognized cleaning products.
- Today there are more than 200 EPA DfE Formulator Initiative Partners with more than 2000 recognized cleaning products.

## What attracted us to the EPA DfE Partnership ten years ago?

- Encouraged the design and use of products with a more positive environmental profile.
- Allowed us to submit chemicals for review during the product design stage.
- Provided access to EPA data and resources.
- Offered scientific and technical expertise to look at our formulations and give insight into how we might eliminate chemicals of concern from our supply chain.

## What attracted us to the EPA DfE Partnership ten years ago?

- Validated human and environmental health information before we finalized raw material commitments or offered marketing claims.
- Reduced our regulatory burdens by identifying problematic ingredients BEFORE we formulate.
- Avoided costs associated with chemicals of concern remediation.
- Reduced operating costs associated with chemical hazards.

# Risks and Costs

"There are risks and costs to a program of action. But they are far less than the long-range risks and costs of comfortable inaction."

*John F. Kennedy*  
*35th president of the United States*

# Impact of Ineffective Chemicals Management

## On People, Planet, Performance and Profit

- Results in harm to human and animal health and/or well-being
- Results in harm to the natural and built environments
- Results in damage to business reputation and brand
- Results in higher costs to businesses and lower ROI
  - ✓ Supply chain disruption and company remediation costs
  - ✓ Product recall and replenishment costs
  - ✓ Product re-design or modification costs
  - ✓ Increases product life cycle costs
- Results in higher costs to consumers
- Results in higher costs to communities and taxpayers
  - ✓ Increases publicly owned treatment and disposal costs
  - ✓ Increases environmental remediation costs
  - ✓ Increases health care costs associated with chemical hazards and exposures

# What is driving the demand for safer alternatives?

- **Legislation and regulation**
  - A growing regulatory trend toward limiting the use of certain hazardous chemical ingredients has many retailers scrambling to find ways to manage their complex supply chains.
- **The growing “green” market**
  - Eco Labeling
  - Websites providing ratings on “green” products
  - Fear of greenwashing (FTC Marketing Guidelines)
  - Testing of products to detect COCs by environmental activists, regulators and/or litigators
- **Consumer and media focus on specific COC**
  - Flame retardants, mercury, lead, cadmium, BPA, phthalates and other chemicals of concern in products
  - Product recalls related to COC
- **Push for full ingredient disclosure**
  - Consumer awareness and belief they have a “right to know” chemicals of concern that are in the products they buy before they purchase them.

## Forces of Change

### Consumer awareness equals higher expectations

- Growing number of Downstream Users are asking suppliers and retailers to provide greater transparency and disclose chemicals in products.
- Some of these consumers are asking their suppliers to go above and beyond compliance when it comes to the elimination of chemicals of concern from their supply chain.



Here is a list of questions that downstream users are beginning to ask suppliers

- What chemicals of concern are in the products that you offer?
- Have you eliminated the worst chemicals and replaced them with safer alternatives while committing to continuous improvement on the others?
- Do you fully disclose chemicals and/or ingredients in your product?
- How can we recognize a product made from safer and/or greener alternatives?
- What assurance do we have that a “hazard assessment” has been done for all chemical components in existing products you are offering us?
- What is your business doing to prevent the extra costs associated with ineffective chemicals management in the supply chain today?

## Retailers are forced to confront a host of risky issues related to chemicals management

- Retailers are asked to protect their customers from chemicals of concern while many of these chemicals are not disclosed by manufacturers or are untested;
- Retailers need more comprehensive information about chemicals in products while respecting chemical companies need to protect legitimate trade secrets;
- U.S. Retailers can inherit liability risk when trade partners' are not in compliance;
- Retailers' are spending money for product-testing to identify COC and safer alternatives when disclosure of chemicals from chemical is a more direct route to knowing what is in a product.

## Barriers to obtaining comprehensive and credible information about chemicals in products

- Invoking confidential business information (CBI) privilege may protect one businesses' intellectual property while at the same time increasing the risk to downstream users or businesses that buys that product.
- Invoking proprietary ingredient and trade secret privilege for chemicals of concern without disclosing their presence in a product can increase the risk to downstream users, consumers and communities.
- De minimus level policies to exclude disclosure of chemicals of concern can pose a business risk to companies that sell those products.

# What strategies are organizations using to meet the need for safer alternatives?

- Adopting chemicals policies that require chemical disclosure
- Applying informed substitution and DfE
- Conducting safer alternatives assessments
- Applying green chemistry and green engineering into product design
- Supply chain collaboration and partnerships

## Benefits of identifying and using safer alternatives

### Limits Risk

- Avoid “toxic lockout”
- Lower litigation risks
- Assure compliance
- Reduce or eliminate exposure
- Lowers risk of green washing

### Creates Value

- Gain market share through innovation
- Cut costs associated with COC
- Improve Productivity
- Build and maintain trust
- Eliminate Hazard

- Prevent human and animal exposure to chemical hazards.
- Sustain and preserve natural and built environment.
- Protect business reputation and brand.
- Avoid costs associated with chemicals of concern remediation.
- Reduce operating costs associated with chemical hazards.

## Leadership and vision

Some see things as they are and ask why, I see things as they should be and ask why not?"

*Paraphrase of Robert F. Kennedy*



THANK  
YOU