

SESSION VI

Health, Safety, Environment

Update on Detergent Legislative/Regulatory Activities: A Review of Government Interests from an Information Point of View¹

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ABSTRACT

National laws regulating use of chemicals are becoming more numerous. These laws affect firms outside the adopting nation as well as within. The new U.S. Toxic Substances Control Act will have major international impact. Firms in the chemical industry, including soap and detergent manufacturers, are encouraged to coordinate their activities in response to such laws, helping to provide governmental agencies with the technical information needed to carry out and evaluate tests on the effects of chemicals.

Government legislation over chemicals is increasing, and firms that manufacture a product in one nation may well find themselves affected by legislation adopted in another nation.

While many nations have long regulated chemicals in such products as pesticides and drugs, some nations now legislate to control all chemicals. Some of these controls are aimed at protection of the environment as well as human health.

Eight governments have adopted laws that virtually permit them to regulate, to request information about, and to assess chemicals before these chemicals enter the marketplace.

Switzerland was the first country to adopt this type of law. The Swiss law does not include environmental concerns but prohibits chemical products from being sold until authorities have been notified and the chemical assessed and classified.

Sweden and Japan passed similar laws, incorporating environmental concerns. Japan prescribes how to test for biodegradability and bioaccumulation. Canada and Norway also have passed similar legislation, but Canada's law does not require any delay in introducing the chemical after notification has been given.

The U.K.'s Safety and Health at Work Act aims at protecting workers in plants where exposure to chemicals is likely to be most intense. Ways in which the law is to be administered are now being developed.

¹(Editor's note: M. Idman declined to provide a manuscript of her talk to the World Conference on Soaps and Detergents because of procedural requirements within the OECD. This summary is based on her talk, but is not a transcript.)

The U.S. has adopted its Toxic Substances Control Act. The eighth nation to act, France, adopted a law just a few months ago. Australia is preparing legislation of this sort, and the European communities in Brussels are discussing a draft directive. OECD has adopted a recommendation on how to go about controlling chemicals. It is available to anyone who is interested.

The U.S. Toxic Substances Control Act has occasioned major concern now because U.S. legislation, unlike that of other nations, spells out specific timetables and details of how a law is to be administered. Other nations tend to legislate general principles leaving details to be worked out by administrative authorities. The economic impact of the U.S. law also means that whatever is done in that nation is likely to affect other nations as well. Final details of how the U.S. law will be administered are a long way off — there is more flexibility than usual in this law. Right now the administrative agency, the Environmental Protection Agency, is deciding how to compile a list of chemicals currently in use. Then a notification procedure for new chemicals will need to be developed, and testing methods and similar details will need to be worked out before the law is fully implemented.

Within the U.S. there also is the question of federal regulations that coexist with state and local regulations. This further complicates the problems for the user of chemicals.

Canada, as noted previously, permits immediate marketing of a chemical after notification. France requires a 1-month limit. In the U.S. there are two 90-day waiting periods.

There is an obvious need for some type of coordination. The OECD tries to help keep governments informed and in contact with each other for discussion of any question that arises. The OECD also believes that when detailed, long-term tests are needed on chemical substances, there must be dialogue between the industries that will propose and carry out the tests and the authorities who will evaluate the results.

While notice of proposed regulations in the U.S. is printed in that nation's *Federal Register*, it seems to me that it is difficult for individual companies to prepare comments. It would seem that much could be gained if industry could be organized to add more weight to its suggestions and to permit substantive, rapid consultation when needed.