

## And The Beat Goes On

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As we all know, California marches to the beat of its own drum. A perfect example is the California Green Chemistry Initiative.

For more than six years now we've kept you updated on the progress of the California Green Chemistry Initiative – the state's ambitious effort to phase out harmful chemicals in consumer products once safer alternatives are identified.

And for almost the same amount of time, the initiative has been mired in the state's regulatory wasteland. Only last year did final regulations for the first phase get released.

Green chemistry isn't anything new, the concept has been around since the 1960s. While mainly a federal mandate, California, as usual, determined enough wasn't being done at the federal level and decided to take matters into its own hands.

Basically, instead of trying to determine how toxic specific chemicals are, it asks why they are necessary at all. Instead of banning specific chemicals from particular products, such as bisphenol A in baby bottles, it looks at classes of products.

In general the business community supported this concept because in theory it moved the Legislature away from regulating individual chemicals through the political bill process to looking at entire classes of products from the perspective of science. And for the most part this has been successful, although occasionally legislators can't help themselves from dabbling and trying to regulate particular chemicals.

Enter now the regulatory process.

The legislation contained an outline of lawmakers' priorities with much of the detail work left to the regulatory process through the Department of Toxic Substances Control (DTSC).

The regulations are intended to force manufacturers to identify chemicals in consumer products, analyze the impact of those chemicals, identify possible alternatives that could be used, and ultimately either reformulate products,

mitigate consumer exposures, or withdraw products from the California market.

During this lengthy and often contentious period, your Association labored tirelessly with its retail partners to engage regulators and ensure that a tiered approach to compliance was created in regulation, one that begins with product manufacturers and flows to retailers only if manufacturers fail to comply with requirements for product lifecycle and alternatives analyses.

CGA also worked to ensure that any mandated regulatory responses, including requirements for extended producer responsibility programs, utilize retailers only on a voluntary basis.

Honestly, the first round of regulations has had a minimal impact on the grocery industry. The first priority products listed focused on specific children's foam-padded sleeping products, specific spray polyurethane foam systems, and specific paint strippers.

However, that may soon change. The final 2015-17 Work Plan DRSC release includes a number of proposed product categories that could impact grocers in the second or subsequent rounds of priority product listings.

In other words, this is an issue that our industry will be working through for years to come. I suppose in California it is another instance of needing to get used to doing business to a different drumbeat. ■