

ITI Comments on Safer Consumer Products
Draft Priority Product Work Plan
(September 2014)

The Information Technology Industry Council (ITI) is pleased to provide these comments on behalf of our members in response to the Safer Consumer Products (SCP) Draft Priority Product Work Plan issued in September, 2014. Our association is a longstanding stakeholder in the California Green Chemistry process, and we hope to continue to work with the Department as it makes sense as the Work Plan is finalized, and in any further considerations of IT products in the Green Chemistry Initiative.

The electronics industry has several questions, comments and concerns regarding the Draft Work Plan, as delineated below. Several of our comments are applicable to the draft as a whole, but the majority of our comments relate specifically to part 4.6 Office Machinery (Consumable Products).

The plan does not provide predictability regarding potential future actions

ITI is concerned that the listing of “Office Machinery (Consumable Products)” is overly vague. We realize the Department needs to keep the Work Plan flexible and that it is not intended to list specific product-chemical pairings, or even specific products, that the Department is considering, but the draft plan seems to cross the line from “flexible” into “vague.” It is not clear how the Department looks to develop chemical-product pairings based on the information in the draft plan.

For example, the Draft Work Plan discusses “toner cartridges.” It is not clear if this applies to the parts of the cartridge and/or the toner itself. The Department should attempt to be as specific as possible in the Work Plan so that the regulated industries can focus on the areas that are of mutual concern.

Additionally, the Draft Work Plan is vague when listing chemicals, for example, it lists extremely broad families of chemicals (e.g., Azo Dyes, Phthalates, VOCs). The electronics industry has taken many steps over the past 10 years to remove potentially hazardous chemicals from our products. For each chemical family listed most of these chemicals have already been removed or were never used, while some chemicals in the broad classes are used but are not as hazardous as other chemicals in the class, and cannot be easily or quickly replaced or removed.

As DTSC continues further work on the Work Plan and future work plans, pairing broad chemical families with products or components will lead to confusion rather than clarity.

Any consideration of these products will need to look at existing assessments of the chemicals.

Several alternatives analyses have already been done for consumables products, for example, BPA in thermal paper¹, which has determined that BPA is, in most cases, the best alternative. The Department should prioritize the scope of the product-chemical pairings of the Work Plan to avoid duplicating efforts already completed, and it should look at studies done by the EPA, European Union, industry and others when considering listing these products.

OEM printer ink and toner cartridges do not pose a significant risk.

Several laws and regulations worldwide, as well as many ecolabels, already govern the use of hazardous chemicals in toners and ink. For example, printers are strictly controlled and designed so that VOC/TVOCs emissions are low enough^{2 3} to comply with the requirements of ecolabels. Finally, most ink and toner cartridges are specially designed to prevent exposure of the inks/toners inside when the cartridge is changed.

Because of this, we believe the products listed in Section 4.6 of the Work Plan have no potential to cause “significant or widespread adverse impacts to consumers or the environment.”

Conclusions

ITI contends that the potential for hazard exposure for Office Machinery (Office Products) including consumables is very low, and should therefore be given a low priority in further DTSC

¹ See: <http://www.epa.gov/dfepubs/projects/bpa/about.htm>

² European Agency for Safety and Health at Work;EUROPEAN RISK OBSERVATORY REPORT (2009),Expert forecast on emerging chemical risks related to occupational safety and health,P.95.
[https://osha.europa.eu/en/publications/reports/TE3008390ENC_chemical_risks/view?searchterm=.](https://osha.europa.eu/en/publications/reports/TE3008390ENC_chemical_risks/view?searchterm=)

³ Safe Work Australia(2009);Brief Review on Health Effects of Laser Printer Emissions Measured as Particles.
<http://www.safeworkaustralia.gov.au/sites/swa/about/Publications/Documents/636/Brief%20Review%20Laser%20Printer%20Emissions.pdf>

considerations. However, as the Work Plan is finalized, the Department should consider both the current state of global regulations for these products, the life-span of these print devices, and the difficulty of designing new or modified consumables once a device is on the market.

ITI thanks the Department for their attempts at providing transparency and predictability to the potentially regulated community. However, we are concerned that the draft work plan, as written, falls short of this intent. We also have several questions for further consideration as the Department finalizes the work plan and considers future chemical-product pairings. If you have any questions, please do not hesitate to contact Chris Cleet at (202) 626-5759 or cleet@itic.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Cleet', with a long horizontal flourish extending to the right.

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