

**Date:** March 1, 2017

**To:** The Honorable Sen. Christopher Bray, *Chair*  
Senate Committee on Natural Resources and Energy  
115 State Street  
Montpelier, VT 05633

**cc:** Sen. Brian Campion, *Vice Chair*  
Sen. Mark A. MacDonald  
Sen. John Rodgers  
Sen. Christopher A. Pearson

**From:** Martin Wolf  
Director, Sustainability & Authenticity  
Seventh Generation, Inc.  
Burlington, VT 05401

**RE:** Testimony in support of S.103 An act relating to the regulation of toxic substances and hazardous materials

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Dear Senator Bray:

On behalf of Seventh Generation, thank you for this opportunity to testify in support of S.103 An act relating to the regulation of toxic substances and hazardous materials.

Seventh Generation is the nation's leading brand of household and personal care products designed to help protect human health and the environment. Established in 1988, our Burlington, Vermont based company employs over 140 people, distributing products to natural food retailers, supermarkets, mass merchants, and online retailers across the United States and Canada.

Among the products manufactured and sold by Seventh Generation are laundry detergents, dish detergents, hand soaps, recycled household paper products, baby diapers, baby wipes, and feminine hygiene products.

In October 2016, Seventh Generation was acquired by Unilever, a global manufacturer of consumer products dedicated to making sustainable living commonplace.

In presenting this testimony, I come before you as a senior employee of one of Vermont's successful, socially responsible businesses, as a chemist, which I have studied and practiced most of my adult life, as a father, and as a citizen of the State of Vermont who values its natural beauty and the delicate balance we are striving to achieve between maintaining that beauty and maintaining our economic vitality.

In 2016 the Vermont legislature passed Act 154 directing the Agency for Natural Resources to establish a working group of interested parties and parties with expertise in the field of toxic chemical use and regulation to develop recommendations for how to improve the ability of the State to:

- a) prevent citizens and communities in the State from being exposed to toxic chemicals, hazardous materials, or hazardous wastes;
- b) identify and regulate the use of toxic chemicals or hazardous materials that currently are unregulated by the State; and
- c) inform communities and citizens in the State of potential exposure to toxic chemicals, including contamination of groundwater, public drinking water systems, and private potable water supplies.

I was honored to be a member of the working group. Among the recommendations of the working group were those to:

- a) Strengthen Hazardous Substance Recordkeeping and Reporting Requirements;
- b) Increase Resources for Businesses and Strengthen Planning Requirements Under the Pollution Prevention Planning Program;
- c) Strengthen the Ability of the Department of Health to Prevent Exposure to Harmful Chemicals that Pose a Risk to Public Health;
- d) Improve Coordination and Collaboration Among Agencies Managing Hazardous Chemicals;

- e) Increase Public Access to Information About Chemicals;
- f) Strengthen Remedies Available to Vermonters to Address Violations of Pollution Laws and Exposure to Harmful Chemicals;
- g) Restrict the Use of Specific Chemicals that Pose a Risk to Public Health.

S.103 exemplifies Vermont's commitment to protecting the health of its residents while building an infrastructure to support responsible local businesses.

**This legislation will save money.** Conventional business will, of course, object to "the cost of this burdensome legislation." But conventional businesses look at cost in only a narrow way. Looking at costs to society, rather than through the lens of costs to a business, it is clear this legislation is in the economic best interest of Vermont citizens.

Childhood exposure to toxic chemicals costs the US \$76.6 billion, annually.<sup>1</sup> On a prorated basis, this is a cost to Vermont of \$150 million in medical expenses to treat childhood disease related to toxic chemical exposure.<sup>2</sup> With an estimated 250 thousand households in Vermont, this is an estimated annual savings of \$600 per household.

**Businesses are increasingly using tracking of all chemicals, not just identified hazardous chemicals, as a way of saving money.** Businesses are increasingly realizing that management of hazardous chemicals on a one-by-one basis is more expensive than creating a systemic solution. Hewlett-Packard, Seagate Technologies, and Global Foundries are each moving to systems that track all chemicals in their facilities and their products so if a new substance of concern is identified, they already have the data to know which incoming materials contain the substance and which products and facilities are affected. The automobile industry has developed a similar system. The approach embodied in this legislation echoes this approach increasingly taken by businesses.

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<sup>1</sup> Trasande L and Liu Y. Reducing the staggering costs of environmental disease in children, estimated at \$76.7 billion in 2008. *Health Affairs*, May 2011, 10.1377.

<sup>2</sup> Divide \$76.7 billion by 323 million, the US population, and multiply by 625 thousand, the Vermont population. Population figures from [www.census.gov](http://www.census.gov).

**Regulation of toxic chemicals protects responsible Vermont businesses.**

Seventh Generation already excludes thousands of chemicals from its formulation pallet. We will not use, and there is no need for us to use, substances that are known, or likely to cause cancer (National Toxics Program Report on Carcinogens), or substances known to the State of California to cause cancer or reproductive toxicity, or persistent, bioaccumulating toxins identified by the US EPA.

By regulating the sale of products with these toxics, the Vermont legislature will protect responsible Vermont businesses from manufacturers willing to trade human safety for extra profit.

Lead, cadmium, and phthalates in children's toys, melamine in dairy products, bisphenol-A in cash register receipts, butoxyethanol and nonylphenol ethoxylates in cleaning products are not quality assurance issues. They are the consequence of a value system that places pennies of profit over increased risk of harm to human health.

**Regulation of toxic chemicals promotes innovation.** Seventh Generation stands as proof that cost-effective products that not only meet consumer demands, but are increasingly demanded by consumers, can be formulated and manufactured without chemicals of concern. Failure to pass legislation to manage chemicals of concern will maintain the status quo. There would be no reason for companies to innovate to create safer products. Passing S.103 will help other companies to innovate as Seventh Generation has, while simultaneously reducing the risk of harm from chemicals of concern.

Further, Seventh Generation supports the proposed legislation requiring the disclosure and reporting of toxic substances that are intentionally added to consumer product or are present in consumer products as a contaminant at concentrations of 100 parts per million or greater. As a company that produces consumer products for sale throughout the United States and Canada, we avoid intentionally adding chemicals of concern to our products, and we monitor our products for contamination with such substances. Having this as a way of doing business avoids disruption and minimizes our costs of compliance. Other companies would also benefit by adopting these practices.

**By directing the Commissioner of Health to consider designations of chemical hazard made by other states or the Federal government, S.103 reduces the risk of inconsistent or restrictive regulations.** Manufacturers can minimize their costs, and Vermont can ensure minimal disruption, by harmonizing with other jurisdictions. Vermont can be a leader in human health and environmental protection without standing alone.

In summary, this proposed legislation is scientifically and economically sound, and would protect Vermonters from exposure to toxic chemicals and associated diseases, save the health care costs to treat and manage those diseases, allow Vermont citizens to recover damages if harmed by hazardous chemicals and protect responsible Vermont businesses from those businesses willing to trade their profits for risk of harm to human and environmental health. This legislation would drive more competitive, innovative, and economically sustainable industries both within Vermont and beyond our borders.

Thank you for your attention to, and consideration of, these comments.

Respectfully submitted,

A handwritten signature in black ink that reads "Martin H Wolf". The signature is written in a cursive, flowing style.

Martin Wolf  
Director, Sustainability & Authenticity  
Seventh Generation, Inc.