



May 14, 2020

Ravi Ramalingam, Section Chief
Joe Calavita, Section Manager
Josh Berghouse, Rulemaking Lead Staff
Consumer Products Program
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Re: Regulations on VOCs for Consumer Products

Dear Mr Ramalingam, Mr Calavita, Mr Berghouse:

The twenty-six public interest undersigned organizations are pleased to submit the following public comments in response to draft proposals issued by the California Air Resources Board's Consumer Products Program to further reduce the limits for VOC emissions from consumer products used in California. These VOC reductions are to implement the California State Implementation Program for state and federal Clean Air Standards. We wholeheartedly support the proposals' goal to achieve statewide VOC emissions reductions from consumer products of 2.4 – 4.8 tons per day by 2023 and 9.5 – 11.9 tons per day in 2031.

CARB is proposing VOC reductions for a variety of consumer products, including products that contain fragrance. Fragrance chemicals can be a significant contributor to emissions of Volatile Organic Chemicals (VOCs) which cause air pollution. In the state of California, 1.6 tons of VOCs are emitted every day from the fragrance in cosmetics and personal care products alone. A 2018 journal article noted that overall VOC emissions from household products, *including fragranced products*, are now equal to VOC emissions from cars/transportation.¹ CARB itself states that without further regulations the VOC emissions will continue to rise as California's population grows.

Thousands of synthetic chemicals are used to create the fragrances that make the beauty and personal care products and the cleaning products that we use every day smell good. *But these fragrances can come at a cost to human and environmental health.* Some of these chemicals have been linked to negative health impacts ranging from allergic reactions to reproductive harm and increased risk of breast cancer. The magnitude of the potential danger to human health is worsened by the fact that fragrance chemicals are found in more than 95 percent of personal care products² such as shampoos,

¹ McDonald BC et.al. (2018) Volatile chemical products emerging as largest petrochemical source of urban organic emissions. *Science*. 2018 Feb 16;359(6377):760-764. doi: 10.1126/science.aaq0524.

² [Prevalence of Cosmetic Allergens; Journal of Clinical and Aesthetic Dermatology](#)

conditioners, hair styling products, antiperspirants and shaving products, as well as fine fragrances, body sprays and lotions. In a national survey, over 34% of respondents in the U.S. reported health problems, such as migraine headaches and respiratory difficulties, in response to exposure to fragranced products³. Fragrance is also a major contributor to indoor air pollution and water pollution. Use of fragranced consumer products has been linked to higher levels of toxic air pollutants in the home.⁴ And some fragrance chemicals (like synthetic musks) are persistent pollutants and show up in surface water, lakes, rivers, drinking water, and wastewater.

The following comments focus on the Consumer Products Program's draft proposals for VOC reductions from **Hair Care products, Personal Fragrance, Manual Aerosol Air Fresheners**, as well as **closing an existing exemption for fragrances (the 2% exemption) in various consumer products**.

Overall, we support the CARB proposal for lowering allowable VOC limits for these product categories. However, we oppose the delayed timelines in the most recent proposals which extend the deadlines for compliance from 2027 to 2031, giving several extra years for Hair Finishing Spray, Dry Shampoo, Personal Fragrance under 20% concentration, Manual Aerosol Air Fresheners, and the sunset of the 2% Fragrance Exemption.

We would also like to note our opposition to the absence of a proposal to further reduce the limit for VOC emissions for personal fragrance products that have a fragrance concentration above 20%. Individual fragrance formulations can be made up of anywhere between a dozen to sometimes hundreds of chemical constituents, and while 'iconic' brands might not wish to reformulate in order to reduce their VOC emissions, they bear a responsibility, as does every other VOC-emitting consumer product, to doing their part to reduce VOC-related air pollution in our state. The California Clean Air law allows for the continuation of a product form, but it does not enshrine or protect iconicity from VOC reductions. Protecting the public health and preventing air pollution should be the key goals of this regulatory process, not allowing special interests to continue to maintain the special treatment their fragranced products have received for far too long.

We would also like to see progress on setting strong VOC limits on General Purpose Degreasers and especially General Purpose Cleaners as soon as possible. Both of these are currently being excused from the sunset of the 2% Fragrance exemption. CARB's data show that fragranced General Purpose Cleaners are the single biggest fragranced product using the exemption in terms of tonnage per day.

We support the following CARB proposals (made prior to April 14):

- The proposed **10% limit for manual aerosol air fresheners** by 2023, and 5% by 2027.
- **The 50% limit on hair finishing sprays and dry shampoos until 2023** (1.8 ton per day reduction), **and 45% by 2027** (for a total estimated 3.6 tpd reduction).

³ [Fragranced consumer products: exposures and effects from emissions; Air Quality, Atmosphere & Health International Journal](#)

⁴ Wheeler AJ1, Wong SL, Khouri C, Zhu J. Predictors of indoor BTEX concentrations in Canadian residences. Health Rep. 2013 May;24(5):11-7.

- The proposed **65% reduction by 2023 and 50% by 2027 for Personal Fragrance Products**. This limit should apply to *all* products in this category, including Eau de Parfum/Eau de Toilette. We strongly oppose the exemption for Eau de Parfum and Eau de Toilette from further state mandated reductions in VOC emissions.
- The proposed **elimination of the 2% fragrance exemption** which currently exists for consumer products.

Notably, we feel that 2031 is too long to make the people of California wait for cleaner air and safer products. While the state of California is doing everything in its power to respond to the growing pandemic, it is important to ask how much ground-level ozone pollution created by VOC emissions has contributed to people’s susceptibility to respiratory infection and thus made them more vulnerable to COVID-19. Making as many VOC reductions as possible should be part of our new normal.

That the fragrance exemption is not absolutely necessary is proven by the fact that well over three quarters of the total mass of regulated consumer products are not using the exemption. According to CARB’s own analysis, although 1161 household products are using the 2% exemption, this constitutes the minority of household products – 95.6% are not using the exemption. In personal care, 432 products are using the 2% exemption, but 92.3% of the products are not. In insecticides, solvents and automotive, 97% of the products are not using the exemption. This data makes clear that lower VOC-emitting, less fragranced and no-fragranced products and product forms are on the market.

The deadline for removing the 2% fragrance exemption should be 2025, which would provide sufficient time for manufacturers to reformulate their fragranced consumer products. Breast Cancer Prevention Partners’ 2018 Report “[Right to Know: Exposing Toxic Fragrance Chemicals in Beauty, Personal Care and Cleaning Products](#)⁵” shows that there are added public health benefits to be gained from reducing fragrance in personal care and cleaning products. The dozens and sometimes even hundreds of chemicals that hide behind the one word ‘fragrance’ can include chemicals which scientific research has associated with [cancer](#), birth defects, [hormone disruption](#) and other adverse health effects. Three out of four chemicals linked to adverse health effects detected in the products tested in the Right to Know report were fragrance chemicals. Reductions in unsafe VOC emissions across a range of fragranced consumer products will reduce people’s exposures to these hazardous chemicals and hence the environmental health risks that these chemicals pose. Every manufacturer should be doing their part to further reduce VOC emissions from their fragranced consumer products that are contributing to ground-level ozone pollution, given the clear benefits to the health of the people of California.

We look forward to continuing to work with you, the state agency responsible for ensuring Californians are breathing the cleanest air possible, to strengthen these proposals for adoption by the CARB Board later in the year.

We appreciate your focus on improving air quality during these challenging times, especially because evidence is emerging that those most affected by air pollution are also more vulnerable to Covid 19, both in susceptibility and in recovery.

⁵ [Right to Know: Exposing toxic fragrance chemicals in beauty, personal care and cleaning products](#)

Sincerely,



Lisette van Vliet, Senior Policy Coordinator
Breast Cancer Prevention Partners



Chris Chavez, Deputy Policy Director,
Coalition for Clean Air

and

Karuna Jaggar, Executive Director, **Breast Cancer Action**

Polly Marshall, Executive Director, **Breast Cancer Over Time**

Marc Carell, President & CEO, **Breathe California of Los Angeles County**

Swati Sharma, Research and Policy Consultant, **California Healthy Nail Salon Collaborative**

Kathleen Miller, Co-Founder, **California Health Coalition Advocacy**

Lorena Garcia Zermeño, Policy and Communications Coordinator, **California Latinas for Reproductive Justice**

Robina Suwol, Executive, **California Safe Schools**

Laura Deehan, Public Health Advocate, **CALPIRG**

Kevin Hamilton, Co-Director and CEO, **Central California Asthma Collaborative**

Andria Ventura, Toxics Program Manager, **Clean Water Action**

Jesse N Marquez, **Coalition for a Safe Environment**

Richard Holober, President, **Consumer Federation of California**

Edward Kurtz, Executive Director, **Courage California**

Bill Allayaud, California Director of Governmental Affairs, **Environmental Working Group**

Lisa Archer, Food and Agricultural Director, **Friends of the Earth**

Jim Lindburg, Legislative Director, **Friends Committee on Legislation of California**

Bill Walsh, Founder, **Healthy Building Network**

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