

**Guidance to the Chemicals in Products (CiP) Programme
for non-governmental organizations representing the public interest (NGOs)**

by

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Introduction

Chemicals have been recognized as benefit as well as problem for many years. Hazardous chemicals in consumer products pose unnecessary and avoidable health risks to all consumers, although some groups, such as children, adolescents, pregnant women, and the elderly may be particularly vulnerable. Workers who manufacture or handle these products are typically exposed to even higher concentrations of toxic chemicals for longer periods of time, and therefore bear an unacceptable burden of disease and suffering. These avoidable health effects also lead to a progressive rise in health costs. Some key chemicals of concern include toxic flame retardants, phthalates, vinyl chloride, dioxin, polychlorinated biphenyls, heavy metals (in particular mercury, cadmium, lead), pesticides and many other hazardous pollutants. Hazardous substances may be corrosives, poisons, mutagens, carcinogens, sensitizers, reproductive and developmental toxicants, and/or endocrine disrupting chemicals. The preceding are for illustration and are not intended to be exhaustive lists of substances of concern, or of chemical hazard categories. Furthermore, nano-sized chemicals may have different physiochemical qualities than the corresponding chemicals as bulk materials, and hence associated hazards.

Access to Chemicals in Products (CiP) information is a global issue. It requires collaboration on a worldwide scale, across stakeholder lines and through the entire product life cycles. Sharing information on chemicals in products between all stakeholders involved in the product life-cycles is crucial for protecting human health and the environment. However, few systems are developed and implemented to inform on what exactly is in the product. The lack of information on chemicals in products is a significant obstacle to achieving a reduction in risks from hazardous chemicals. Access to chemicals in products

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(CiP) information is a necessary condition as well as a prerequisite, to enable sound management of chemicals in everyday articles, not only within manufacturing but also throughout the product life cycles.

UNEP chemicals in products (CiP) initiative and programme

A few existing CiP information systems demonstrate clearly the value of knowing about chemicals contained in products and leads to product safety and innovation. Such systems have long been recognized by the multi-stakeholder SAICM (Strategic Approach to International Chemical Management) community as fundamental to achieving the SAICM 2020 goal for the sound management of chemicals for the protection of human health and the environment. The International Conference on Chemicals Management (ICCM) at its second session in 2009 agreed on a project to address the need for increased stakeholders' access to information on chemicals in products throughout the product life cycles. Since then, the United Nations Environment Programme (UNEP) and members of the CiP Steering Group⁴ developed the CiP Programme as a mean to progress action on information needed to manage chemicals contained in manufactured products. The CiP Programme and the associated Guidelines are the product of seven years of research and stakeholder consultations. These were accepted by the SAICM Governing Body at the fourth session of the ICCM in 2015 as the mean for advancing this complex issue, which includes information provision, exchange and access. The Programme promotes both the development of new information exchange systems and enhances the usefulness of a few systems already in existence.⁵ It is focused on manufactured products, which include goods such as textiles, furniture, construction materials, electronics, household items, children's products and other consumer products. More about product definitions within the CiP Programme is available at UNEP CiP website.⁶

Challenges faced in the implementation of the CiP Programme

A key chemical safety principle agreed by all SAICM stakeholders and included into the CiP Programme⁷ is that health and safety information about chemicals should not be regarded as confidential business information (CBI). In fact, the right to information is enshrined in international conventions, such as the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, International Covenant of Political and Civil Rights, International Covenant for Economic, Social and Cultural Rights, and International Labour Union's Chemicals Convention, and crucial to give effect to other rights, such as due process, guarantees to a fair trial and the right to a remedy.^{8, 9, 10} Overall, the goal of non-governmental organizations representing the public interest (NGOs) is to ensure that full health and safety information and the complete identity of chemicals (as well as the amount) in individual constituent components of products are publicly available throughout the entire product life-cycle, including during product manufacture, use, recycling and/or disposal.

⁴ <http://web.unep.org/chemicalsandwaste/what-we-do/science-and-risk/chemicals-products/chemicals-products-programme-steering-group>

⁵ http://drustage.unep.org/chemicalsandwaste/sites/unep.org.chemicalsandwaste/files/publications/CiP%20programme%20October2015_Final.pdf

⁶ <http://web.unep.org/chemicalsandwaste/what-we-do/science-and-risk/chemicals-products-cip-programme>

⁷ http://drustage.unep.org/chemicalsandwaste/sites/unep.org.chemicalsandwaste/files/publications/CiP%20programme%20October2015_Final.pdf

⁸ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

⁹ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

¹⁰ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312315

However the biggest challenge in this regard is that the majority of private sector companies, including producers and retailers, do not publicly disclose comprehensive information on chemicals in products – including hazardous chemicals and their potential adverse health effects. This is happening because of confidential business information claimed for chemicals of concern as well as the lack of information on chemicals in products in some parts of the supply chains. The lack of information applies to all categories of products covered by the CiP Programme. Rather than full “Ingredients Disclosure,” the information on consumer product labels and websites typically contains incomplete, vague or inaccurate information about chemicals present in the product. The industry does not provide comprehensive information on health effects of toxic chemicals in consumer products nor on measures to reduce the exposure.

Selecting chemicals to be included in the information exchange on chemicals in products

To play an active role and to be effective in the implementation of the CiP Programme, non-governmental organizations need all chemicals in industrial use to be included in information exchanges on chemicals in products¹¹. The following major approaches could be considered, from more to less comprehensive:

- **disclose** all intentionally added chemicals in a product (along with impurities that are chemicals of concern) and their hazards;
- **disclose** chemicals based on their potential for significant adverse impacts on human health or the environment based on the Strategic Approach criteria¹². As it is stated in the CiP Programme, “These SAICM criteria, based on hazard and targeting risk reduction, provide an internationally-accepted basis for selection of chemicals under the CiP Programme”. The SIN list developed by the International Chemicals Secretariat, based on the EU official criteria for substances of very high concern, and the Clean Production Action’s GreenScreen List Translator, can here be helpful for the selection.^{13, 14};
- **disclose** chemicals included into the most progressive regulations available in developed countries¹⁵; and
- **disclose** chemicals included into the existing or projected regulations in countries where a product is manufactured, sold, used or expected to be disposed of.

The most appropriate systems for the exchange of chemicals in products information

Being an international initiative, the CIP Programme will be most effective by identifying and promoting best practices in sharing chemical information. For articles¹⁶, the CiP Programme should work to scale

¹¹ The CiP Programme “applies to chemicals in products in supply chains and throughout their life cycles, prioritizing chemicals which are persistent, bioaccumulative and toxic substances; very persistent and very bioaccumulative substances; chemicals that are carcinogens or mutagens or that adversely affect, among other factors, the reproductive, endocrine, immune or nervous systems; and other chemicals of concern”.

http://drustage.unep.org/chemicalsandwaste/sites/unep.org.chemicalsandwaste/files/publications/CiP%20programme%20October2015_Final.pdf

¹² Strategic Approach Overarching Policy Strategy, para. 14

¹³ <http://chemsec.org/business-tool/sin-list/>

¹⁴ <https://www.greenscreenchemicals.org/learn/greenscreen-list-translator>

¹⁵ Table 2 Partial listing of chemical hazard lists of the Guidance for stakeholders on exchanging chemicals in products information

¹⁶ The CiP Programme focuses on manufactured products. “Typical manufactured products to be covered by the Programme include goods such as textiles, furniture, construction materials, electronics, household items and other consumer goods. For the purposes of the Programme, packaging is considered to be a product itself, rather than an element of the product which it contains”. The Programme does not cover “products whose function is determined primarily by their chemical composition, such as cleaning agents or paint”

existing best practices with the goal of full chemical ingredient disclosure on the package (either listing chemicals individually, or embedding chemical ingredient information in the QR code label or bar code). Though formulated products fall outside the scope of the CiP Programme, home and personal care products may be considered by the Programme in the future¹⁷.

The most comprehensive template for disclosing chemicals in products and their hazards is in the building product sector in the U.S., where the Health Product Declaration Collaborative¹⁸ has developed a model template for disclosing chemical ingredients and their hazards. Manufacturers have disclosed thousands of products using this standard.

After full ingredient disclosure, there are many options for disclosing known chemicals of concern to human health or the environment, including:

- Apparel and footwear sector, where the AFIRM RSL sets a baseline standard for reporting globally restricted substances in the apparel sector.¹⁹ Additionally, the sector through ZDHC is developing what it calls the “Chemical Gateway,” which provides a “new open database of safer chemistry to assist better sourcing decisions”²⁰
- Many companies use “restricted substance lists” (RSLs) developed by NGOs to identify chemicals of concern, including: ChemSec’s SIN List and Clean Production Action’s GreenScreen List Translator.

In addition to the identification of chemicals of concern, NGOs and governments are actively identifying lists of safer chemicals and products, including:

- EWG’s (Environmental Working Group) Skin Deep database which lists 64,480 products <http://www.ewg.org/skindeep/>
- SubSport Substitution Support Portal <http://www.subsport.eu/>
- GoodGuide www.goodguide.com
- Design for Environment www2.epa.gov/saferchoice
- BASTA <http://www.bastaonline.se/searchpage-en/?lang=en>
- GreenScreen Certified for Textile Chemicals <http://www.greenscreenchemicals.org/certified>
- Centre of Environmental Solutions <http://chemicals.ecoidea.by/what-in-my-products>

Noting that access to information is limited, non-governmental organizations may also demand or conduct product testing, in collaboration with public/private sectors, via internationally certified labs and detection techniques. Examples from 2007-2017 include:

http://drustage.unep.org/chemicalsandwaste/sites/unep.org.chemicalsandwaste/files/publications/CiP%20programme%20October2015_Final.pdf

¹⁷ For formulated products, all information on chemical ingredients in products should be disclosed on the product packaging. Unilever, for example, recently announced in February 2017 “a new transparency initiative to provide people with access to additional ingredient information about its home and personal care products.” The CiP Programme should leverage this approach, and support the disclosure of all ingredients on formulated products on the package by identifying and promoting common criteria for labelling all chemicals in formulated products.

¹⁸ <http://www.hpd-collaborative.org/>

¹⁹ <http://afirm-group.com/>

²⁰ <http://gateway.roadmaptozero.com/>

- banned or highly regulated flame retardants present in products, or recycled into new products (for example children's products, toys, and construction material such as carpet backing)^{21,22};
- persistent organic pollutants in children's toys²³;
- banned or highly regulated phthalates in toys²⁴ and plastisol printings on textiles for children²⁵;
- hazardous chemicals in footwear²⁶;
- toxic metals in children's products and personal care products²⁷.

NGO role in the implementation of the CiP Programme

There are three principle demands articulated by NGOs with respect to information on chemicals in products. These include:

- the need for stronger national, as well as international, regulations and market requirements in all countries to achieve a toxic-free environment and to protect human health.
- public concern over the use of hazardous substances in products, including the recycling of toxic chemicals into new products;
- and the fundamental chemical safety principle of public right to know.

SAICM objective 2 (strengthening knowledge and information) is the main focus for NGOs with regard to sound chemical management, as envisaged in SAICM global plan of action. NGOs play the key role of raising stakeholder awareness on hazards of chemicals in products, assessing efforts to promote a life-cycle approach to managing toxic chemicals in products, and promoting precautionary action and informed choice.

To get access to information on chemicals in products, non-governmental organizations should establish working relationships, through organizing all stakeholder forums/round-table discussions, with the businesses and organizations that can provide the needed chemicals in products information. In addition, non-governmental organizations can conduct or demand research, including surveys, fieldwork and laboratory analysis to generate new data and verify information coming from manufacturers or retailers. The most appropriate format and means, for the exchange of this and other information on chemicals in products, should be further determined to communicate this information to consumers and other stakeholders.

It is important to note that this is a responsibility of the manufacturers to provide the necessary information for those who are exposed to hazardous chemicals, so that they become able to assess risk and make informed choices. Thus working with the manufacturers and outreach to the most vulnerable and affected groups on what chemicals there are in products they produce, use or dispose of will be considered a priority.

Examples of activities for non-governmental organizations representing the public interest for CiP implementation as they are suggested in the Guidance for stakeholders on exchanging chemicals in products information²⁸ are presented in Annex 1.

²¹ <http://ipen.org/documents/toxic-toy-or-toxic-waste-recycling-pops-new-products>

²² http://ipen.org/sites/default/files/documents/toxic_toy_report_2017_update_v1_5-final_en.pdf

²³ <http://ipen.org/toxic-SCCPs-contaminate-toys>

²⁴ <http://fairtoys.org/assets/doklad.pdf>

²⁵ <http://www.greenpeace.org/international/Global/international/publications/toxics/2014/Technical-Report-01-2014.pdf>

²⁶ <https://www.greenscreenchemicals.org/learn/learn-about-greenscreen>

²⁷ <http://ipen.org/site/children%E2%80%99s-products-china>

In addition a list of NGO activities on the promotion and the implementation of the CiP Programme includes:

- encouraging companies to join the CiP Programme;
- advocating for and obtaining complete data on all chemicals substances in consumer products;
- identifying hazardous chemicals in consumer products;
- identifying safer alternatives including alternatives that eliminate the functional need for the hazardous chemicals (for example, remove the need for flame retardants in a product);
- persuading industry to substitute hazardous chemicals with safer alternatives in products starting at the chemical and product design and manufacturing stages;
- advocating for stronger national, regional and international legislative and regulatory frameworks, including mandatory standards, and enforcement actions to provide safer products and reduce toxic chemical impacts throughout the product lifecycles;
- advocating for the right to know for all across a product's life cycle;
- demanding comprehensive chemical testing programmes so that gaps in knowledge about chemical hazards are progressively filled;
- educating stakeholders and citizens, especially vulnerable and highly-exposed groups, on chemicals of concern, their presence in products, associated health and environmental effects, and measures to reduce risks;
- communicating consumer demands for information to industry and political decision makers, to enable informed decision-making;
- monitoring the implementation of the CiP Programme objectives; and
- establishing information exchange networks at all levels.

A series of strategic pilot projects to contribute to the implementation of the CiP programme in a number of product sectors could be considered including: children's products, textiles, building materials, electronics, and others. In the future, products sectors could be expanded to include food packages, cosmetics, others. Projects could be focused on analyzing the available information on chemicals in products (labels, product datasheet, instructions for product use and disposal, etc.), collecting new data and conducting outreach to public interest NGOs, community groups, consumer and worker associations, local and national authorities, producers and retailers.

These initiatives have the potential to set up a model for CiP implementation, contribute to the development of national, regional and international legislative and regulatory frameworks, extended producer responsibility (EPR) and other life-cycle policies; right-to-know policies, and further expand the influence of public interest groups in the implementation of SAICM Chemicals in Products Programme.

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Annex 1

Guidance for programme participants outside the supply chain ²⁹		
Stakeholder group	Suggested activities	Comments
Non-governmental organizations representing the public interest.	<p>Promote the CiP Programme to industry, through awareness raising. Collaborate with industry and provide input to determine the appropriate format and means (systems) for the exchange of chemicals in products information.</p> <p>Establish working relationships with and between the businesses and organizations that can provide the needed chemicals in products information.</p> <p>Highlight the need for chemicals in products information and chemicals management decisions and actions to which such information could contribute. For example, risk assessments by corporations or governments cannot be legitimate if those who face the risks are excluded from the assessment process.</p> <p>Conduct or demand additional research and collaborate to provide input to determine the most appropriate standardized formats and means (systems) for the exchange of chemicals in products information. This work could eventually result in international standards.</p> <p>Raise awareness on the challenges and opportunities involving chemicals in products,</p>	<p>May include conducting or demanding research and generating data on chemicals in products.</p> <p>Without compromising the principle that health hazard information is never confidential; when appropriate, establish agreements on conditions under which certain non-health information is to be used and/or disclosed</p>

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http://drustage.unep.org/chemicalsandwaste/sites/unep.org.chemicalsandwaste/files/publications/Guidance%20for%20Stakeholder%20in%20Exchanging%20CiP%20Information_October2015.pdf

	<p>considering the diversity among consumers and other stakeholders.</p> <p>Publish chemicals in products information (e.g., through publications or websites) based on data provided or from research.</p>	
<p>Individual consumers</p>	<p>Buy ecolabelled products whenever available and feasible. A genuine third party operated ecolabel requires information disclosure, to the certifiers of the label, which in turn promotes information disclosure in the supply chain of the product to be labelled. Buying ecolabelled products gives manufacturers clear signals that consumer are concerned about the chemical contents of products, and in this way consumer power can shift the market to better products.</p> <p>Activities for consumers could also include to investigate product labeling and disclosed chemicals, provide feedback to the providers of information (e.g., whether it is clear and adequate, or how it could be improved), as well as follow safety instructions, including for waste disposal.</p> <p>Another action is to ask questions on the proper handling, use or disposal with respect to the chemicals contained in the product.</p>	