

PROPOSED POLICY
OECD EXISTING CHEMICALS TESTING PROGRAM

BACKGROUND

The Organization for Economic Cooperation and Development (OECD) is expected to initiate a voluntary testing program on existing chemicals in 1990. For identified High Production Volume (HPV) chemicals with no available toxicological data, the program will require a minimum screening testing set. One hundred forty seven chemicals have been identified as candidates for testing; an initial pilot program will probably cover a small subset. Although currently still under development, the program may cost in the range of \$80,000 - \$150,000 per chemical. Priority for further testing will be based on results of the screening tests. Testing is intended to be apportioned among the 24 OECD member countries.

Although OECD cannot mandate testing, it may help to shape the growing domestic requirements for mandated testing. In the U.S., both EPA under TSCA and the Agency for Toxic Substances and Disease Registry (ATSDR) under CERCLA, have authority to require chemical manufacturers and processors to develop testing data on toxic substances. EPA has indicated interest in moving from in-depth testing of a few existing chemicals to screening studies for more chemicals. Therefore, success of the OECD program may have a positive impact on domestic testing requirements.

Progress made within the OECD voluntary testing program could also significantly impact implementation of a new EC regulation. The Commission of the European Community has advanced a proposed regulation on existing chemicals. Similar to EPA's TSCA Section 4 and 8(d) provisions, this binding regulation will provide the authority to mandate testing on existing chemicals within the EEC.

RECENT EXPERIENCE

While this program has been discussed within the OECD over the last ten years, recent progress has been made through the initiative of Dr. John Moore who served as Acting Administrator of the U.S. Environmental Protection Agency, and as part of the U.S. delegation to the OECD. The candidate list of chemicals has been established (see attached) and proposals for endpoints to be included in a screening set program have been advanced.

Prior to meetings of the OECD Existing Chemicals Program, Dr. Moore, through the auspices of the Conservation Foundation, held domestic

meetings to discuss the goals of the testing program and the contents of a screening test program. Participants at these meeting included representatives of:

- o federal government agencies (EPA, Agency for Toxic Substances and Disease Registry, National Institute of Environmental Health Sciences);
- o environmental sectors (National Wildlife Federation, Environment Defense Fund);
- o academic experts;
- o CIIT; and
- o industry (Dow, DuPont, Exxon, CMA).

Proposed screening test programs were then discussed at the last OECD Existing Chemicals Program Meeting in Stockholm, 1989. Dr. Joseph LeBeau (Dow) was invited by the U.S. delegation to attend these meetings. Agreement on a specific testing set has not yet occurred and is not expected until after further working meetings are convened by members of the United Kingdom delegation in the fall, 1989. Industry has asked to be involved in these proceedings.

CURRENT STATUS

While further deliberation on the testing set occurs, OECD discussion on the procedures to be used to develop data on HPV chemicals is beginning. The procedures are expected to be initially discussed at a September 3-5, 1989 OECD meeting. The Conservation Foundation has again scheduled a pre-meeting of the U.S. delegation and interested parties for August 22, 1989. CMA will be represented at these meetings by Ken Murray (Exxon Chemicals), J. Ronald Condray (Monsanto), Joe LeBeau (Dow), Garrity Baker (CMA) and Kathy Rosica (CMA). The departures of John Moore and Penelope Fenner - Crisp from their previous positions at EPA have left unanswered questions on the extent of EPA support and involvement in this program. It is certain, however, that EPA will continue their involvement.

RECOMMENDED POLICY

CMA and its member companies support the concept of international cooperative testing to ensure adequate assessment of health risks for existing chemicals. Such testing is consistent with the Guiding Principles of Responsible Care*. CMA will promote equitable apportionment of testing responsibility among countries through the OECD Existing Chemicals Program. CMA believes a screening approach to

*The Principles state: "To extend knowledge by conducting or supporting research on the health, safety, and environmental effects of our products, processes and waste materials."

chemical testing is appropriate for developing data needed for directing priorities for further testing. Results of screening however, should not be used for regulatory control purposes.

CMA involvement in the OECD Existing Chemicals Program will depend upon the degree to which the Program meets the following criteria:

1. The Screening Information Data Set (SIDS) must adequately represent a screening approach to chemical testing.
2. Prior to any testing, all producers and users of a HPV chemical in OECD member countries will be surveyed and requested to make available unpublished data on the chemical. This data may reduce or obviate the need for further testing.
3. International testing programs and costs must be equitably applied and well-coordinated within OECD member countries.
4. International testing programs must be well-coordinated with regulatory testing programs of each OECD country.
5. Data developed by the OECD testing program should be accepted by regulatory agencies of all OECD countries.
6. The OECD screening testing set should be integrated into U.S. testing requirements to ensure adequate and consistent chemical assessment. If the U.S. chooses to mandate testing, the current TSCA Section 4 procedures are not viable because of inflexibility in testing methodology and timing constraints. These procedures must be modified to permit accomplishment of testing consistent with the goals of the international cooperative effort.
7. An initial pilot program covering a small set of chemicals (i.e. 15-25) should be conducted. Testing on the pilot chemicals should be equitably assigned.
8. CMA policy on the OECD program will continue to be evaluated as the pilot program proceeds.

ACTION REQUESTED

Approval of recommended policy.

CMA
EC - 9/11/89
BD - 9/12/89

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