



March 22, 2021

Clerks' Office,  
California Air Resources Board  
1001 I Street Sacramento, California 95814

**Re: Final Proposals for Consumer Products Regulations – Public Hearing March 25, 2021**

To the California Air Resources Board:

I am writing on behalf of Breast Cancer Prevention Partners, a national organization, based in San Francisco, that is focused solely on preventing breast cancer by reducing exposure to chemicals and radiation linked to the disease. We work with advocates and decision-makers to encourage research and policy initiatives to better understand and reduce exposures to toxic environmental chemicals that contribute to increased rates of breast cancer and other diseases.

We submit the following public comments in response to the final proposals issued by the California Air Resources Board's Consumer Products Program to revise 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, and note the importance of achieving these reductions in the South Coast Air Basin, where a high percentage of residents are in disadvantaged communities. Given the emerging evidence about the association between people's exposure to air pollution and their susceptibility to COVID infection and poor outcomes once infected, these VOC emissions reductions take on even greater importance.

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.<sup>1</sup> 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*

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<sup>1</sup> 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.

*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 products<sup>2</sup> such as shampoos, 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 products<sup>3</sup>. 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.<sup>4</sup> And some fragrance chemicals (like synthetic musks) are persistent pollutants and show up in surface water, lakes, rivers, drinking water, and wastewater.

We note that over half of the reductions that your proposed new VOC limits will accomplish by 2023 come from two categories - "Hair Finishing Spray" and "Dry Shampoo", and over half of the reductions your proposed new VOC limits will accomplish by 2031 come from the "Personal Fragrance Products".

Overall, we support the CARB proposal for lowering allowable VOC limits for these product categories, and the elimination of the two percent fragrance exemption. However, we regret the less stringent standards and later deadlines that are in the final proposals compared to the earlier proposals (starting in November 2019 and March 2020), notably for the elimination of the 2% fragrance exemption, the Personal Fragrance products, Hair Care Products, Manual Aerosol Air Freshener and Crawling Bug Insecticide. In our April comments, we advocated and here repeat the importance of having health-protective VOC limits and deadlines.

In particular, we again would like to re-iterate our opposition to the absence of any further limits 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, they bear a responsibility, as does the manufacturer of 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.

Again, we re-iterate that 2031 is too long to make the people of California wait for cleaner air and safer products. 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](#)"<sup>5</sup> 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

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

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

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

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

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.

Given that new disclosure laws have (independently from CARB) come into effect for cleaning products under SB258 of 2017, and for personal care and beauty products SB312 of 2020, we anticipate that various producers have or will soon commence reformulating the fragrance compositions of their products. This reformulation is likely to involve the phase out of many fragrance ingredients whose harm and toxic status now must be publically acknowledged through the disclosure requirements.

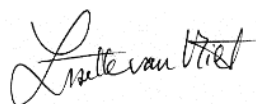
[The Cleaning Product Right to Know Act of 2017](#) requires online disclosure of chemicals featuring on 22 lists of known toxic effects for human health or the environment. These lists include chemicals that are California Toxic Air Contaminants and chemicals used in fragrance. The disclosure has been required online for Cleaning Products since January 2020 and on product labels since January 2021 (except Proposition 65 ingredients which are to be listed by January 2023).

[The Fragrance and Flavor Ingredient Right to Know Act of 2020](#) (SB312) requires disclosure of chemicals featuring on the same 22 lists, with the disclosure starting January 2022. The California Safe Cosmetics Database will be disclosing those toxic fragrance and flavor ingredients on its website. This law is referred to in your [Feb 2021 Staff Report](#): Initial Statement of Reasons on the Public Hearing on page II-30 in its previous form (SB574, 2019). Eliminating this exemption at an earlier date than you currently propose could really potentiate the innovation that will be spurred by this act, as product manufacturers commence reporting their fragrance ingredients and reformulating their products. An earlier date will ensure that they concurrently obtain VOC content information and obtain fragrance ingredient composition from the fragrance vendors, to ensure that their (fragranced) products are formulated to meet VOC standards and no longer contain harmful fragrance ingredients.

Your CARB proposals therefore could apply more stringent VOC standards to synergize with the incentives these new laws create so companies innovate new, safer product formulations that omit both harmful fragrance ingredients and lower VOC emissions.

We urge you to make the VOC reductions as stringent as possible and as swift as possible to protect California residents’ health, both from breast cancer and from other health problems.

Sincerely,



Lisette van Vliet, Senior Policy Coordinator  
**Breast Cancer Prevention Partners**