

Oral testimony by Ken Cook, president and co-founder, Environmental Working Group, On the Toxic Chemicals Safety Act of 2010

Before the Subcommittee on Commerce, Trade and Consumer Protection Committee on Energy and Commerce

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When it comes to protecting the public from toxic industrial chemicals, the Toxic Substances Control Act has been so ineffective, for so long, that many people forgot it was even on the books.

It was the one environmental law industry loved — because unlike the Clean Air Act or Clean Water Act or other statutes, TSCA didn't interfere with their business much at all.

And when the EPA did try to use the Toxic Substances Control Act under the first President Bush to ban a notorious killer — asbestos — the law itself defeated the agency.

Now the law is defeating the chemical industry.

Because TSCA leaves the government so stunningly powerless to deal with the soup of toxic chemicals in the environment and, indeed, in the blood of all of us, the American public has lost confidence, has lost trust, that the products they are using, the chemicals they are being exposed to, are safe.

Now the chemical industry wants a law strong law behind it, not a feeble law under foot.

Within the environmental community, TSCA was the crazy aunt the family didn't talk about and tried to forget—with the exception of the Environmental Defense Fund, which to its great credit maintained a strong focus on a statute that most everyone else ignored.

Mr. Chairman, along with Chairman Waxman you have changed all of that with the introduction of this bill, which, when enacted, will be provide the strongest public health standards of any environmental law in the world.

And I know you introduce it with the support of many colleagues in the House, and arm-in-arm with colleagues in the Senate, under the leadership of Sen. Frank Lautenberg.

There is not a person in this room — not a one; not a person in this country -- not a one -- who does not now have in their blood, dozens if not hundreds of TSCA-regulated chemicals that are known to cause cancer in laboratory studies or in people.

How many carcinogens? We don't know. Nearly a century into the chemical revolution, no one has bothered to look.

As the President's Cancer Panel reported earlier this year, we are largely left to speculate if those chemicals, alone or in combination, are causing cancer. What that landmark panel's report did say is that we have "grossly underestimated" the role these chemicals have played in the scourge of cancer.

Here is what is not speculation, Mr. Chairman: half of all men in this country, one third of all women, will one day hear a doctor tell them they have cancer. It has gripped my family, my loved ones, as it has the families and loved ones of everyone here today.

What could be worse?

Here's what's worse, Mr. Chairman: every baby born in this country, today and for decades past, comes into the world "pre-polluted:"

- pre-polluted with a load of toxic chemical carcinogens,
- pre-polluted with a load of chemicals that threaten the intricate wiring of their delicate, rapidly growing brains,
- pre-polluted with a mix of chemicals that upset their exquisitely sensitive hormone systems that will regulate their bodies for life.

And many more chemicals circulate through the umbilical cord to the baby that can affect virtually every organ system in their little bodies.

Pollution from the industrial chemicals you seek to regulate with this bill ***begins in the womb.***

We know because my colleagues were the first to document it in pioneering surveys of toxic industrial chemicals in umbilical cord blood. EPA Administrator Lisa Jackson refers to our studies; the President's Cancer Panel refers to them; and so do many other leading authorities in environmental health.